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**UNITED STATES BANKRUPTCY COURT Chapter 11
SOUTHERN DISTRICT OF NEW YORK**

In re:

Case No. 20-12117 (MEW)

COSMOLEDO, LLC, *et al.*¹

Jointly Administered

Debtors.

**NOTICE OF DEADLINES REQUIRING FILING OF PROOFS
OF CLAIM FORMS ON OR BEFORE JANUARY 8, 2021**

**TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST ANY OF THE
DEBTOR ENTITIES LISTED ON PAGES 1 AND 2 OF THIS NOTICE:**

On November 25, 2020, the United States Bankruptcy Court for the Southern District of New York (the “Court”) entered an order [ECF No.: 182] (the “Bar Date Order”) in the chapter 11 cases of Cosmoledo LLC (“Cosmoledo”) and certain of its affiliates, the debtors and debtors in possession in the above-captioned cases (collectively, the “Debtors”), establishing **January 8, 2021 at 4:00 p.m. (Eastern Time)** (the “General Bar Date”) as the general deadline for each person or entity (including individuals, partnerships, corporations, joint ventures and trusts) to file a proof of claim against any of the Debtors listed below:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Cosmoledo, LLC (6787); Breadroll, LLC, (3279); 688 Bronx Commissary, LLC (6515); 95 Broad Commissary, LLC (2335); 178 Bruckner Commissary, LLC (2581); 8 West Bakery, LLC (6421); NYC 1294 Third Ave Bakery, LLC (2001); 921 Broadway Bakery, LLC (2352); 1800 Broadway Bakery, LLC (8939); 1535 Third Avenue Bakery, LLC (1011); 2161 Broadway Bakery, LLC (2767); 210 Joralemon Bakery, LLC (4779); 1377 Sixth Avenue Bakery, LLC (9717); 400 Fifth Avenue Bakery, LLC (6378); 1400 Broadway Bakery, LLC (8529); 575 Lexington Avenue Bakery, LLC (9884); 685 Third Avenue Bakery, LLC (9613); 370 Lexington Avenue Bakery, LLC (0672); 787 Seventh Avenue Bakery, LLC (6846); 339 Seventh Avenue Bakery, LLC (1406); and 55 Hudson Yards Bakery, LLC (7583).

Debtor	Debtor's EIN	Case Number
Cosmoledo, LLC	38-3826787	20-12117 (MEW)
Breadroll, LLC	46-3563279	20-12118 (MEW)
688 Bronx Commissary, LLC	47-3686515	20-12119 (MEW)
95 Broad Commissary, LLC	46-3062335	20-12120 (MEW)
178 Bruckner Commissary, LLC	46-3062581	20-12121 (MEW)
8 West Bakery, LLC	45-4956421	20-12122 (MEW)
NYC 1294 Third Ave Bakery, LLC	45-4242001	20-12123 (MEW)
921 Broadway Bakery, LLC	46-0622352	20-12124 (MEW)
1800 Broadway Bakery, LLC	46-2318939	20-12125 (MEW)
1535 Third Avenue Bakery, LLC	46-4241011	20-12126 (MEW)
2161 Broadway Bakery, LLC	46-5702767	20-12127 (MEW)
210 Joralemon Bakery, LLC	47-4044779	20-12128 (MEW)
1377 Sixth Avenue Bakery, LLC	81-2969717	20-12129 (MEW)
400 Fifth Avenue Bakery, LLC	81-4386378	20-12130 (MEW)
1400 Broadway Bakery, LLC	81-4038529	20-12131 (MEW)
575 Lexington Avenue Bakery, LLC	81-4709884	20-12132 (MEW)
685 Third Avenue Bakery, LLC	82-1779613	20-12133 (MEW)
370 Lexington Avenue Bakery, LLC	82-1110672	20-12134 (MEW)
787 Seventh Avenue Bakery, LLC	82-2076846	20-12135 (MEW)
339 Seventh Avenue Bakery, LLC	82-3301406	20-12136 (MEW)
55 Hudson Yards Bakery, LLC	82-2627583	20-12137 (MEW)

The General Bar Date, the other deadlines established by the Bar Date Order, and the procedures set forth below for filing proofs of claim apply to all claims against any of the Debtors that arose prior to **September 10, 2020**, the date on which the Debtors commenced these chapter 11 cases (the “Petition Date”), except for those holders of claims listed in Section 4 below that are specifically excluded from the filing requirements established by the Bar Date Order. Governmental units have until **March 10, 2021, at 4:00 p.m., Eastern Time**, the first business day following the date that is 180 days after the order for relief, to file proofs of claim.

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a proof of claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors’ bankruptcy estates if you have a claim that arose prior to the Petition Date, and the claim is not of the types of claim described in Section 4 below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain, or did not mature or become fixed, liquidated or certain before the Petition Date.

The Bar Date Order establishes the following bar dates for filing proofs of claim in these chapter 11 cases (collectively, the “Bar Dates”):

- a. General Bar Date. Except as otherwise described in this Notice, all persons and entities that hold a claim against any of the Debtors that arose prior to the Petition

Date shall file a proof of claim as described in this Notice by **January 8, 2021** at 4:00 p.m., Eastern time. For the avoidance of doubt, the General Bar Date applies to claims asserted pursuant to section 503(b)(9) of the Bankruptcy Code (a “503(b)(9) Claim”).

- b. Amended Schedule Bar Date. If any of the Debtors amends or supplements its schedules of assets and liabilities and statements of financial affairs filed in these cases (the “Schedules”), any claimant affected by such amendment or supplement must file a proof of claim or make any amendments to a previously filed proof of claim on or before the date that is **the later of (i) the General Bar Date and (ii) 4:00 p.m., Eastern Time, on the date that is 30 days after the date that notice of the applicable amendment or supplement to the Schedules is served on the claimant** (the “Amended Schedule Bar Date”).
- c. Governmental Bar Date. All governmental units (as defined in section 101(27) of the Bankruptcy Code (as defined below)) holding claims against any of the Debtors that arose or are deemed to have arisen prior to the Petition Date must file proofs of claim by **March 10, 2021, at 4:00 p.m., Eastern Time** (the “Governmental Bar Date”).
- d. Rejection Bar Date. Any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which the order authorizing such rejection is dated on or before the date of entry of this Order, must file a proof of claim based on such rejection on or before the later of the applicable General Bar Date or the date that is 30 days after the date of the order authorizing such rejection, and any person or entity that holds a claim that arises from rejection of an executory contract or unexpired lease, as to which an order authorizing such rejection is dated after the date of entry of the Bar Date Order, must file a proof of claim on or before such date as the Court may fix in the applicable order authorizing such rejection.

Under Section 101(5) of the Bankruptcy Code and as used in this Notice, the word “claim” means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

2. WHAT TO FILE

Enclosed is a proof of claim form for use in these chapter 11 cases. You may also use another proof of claim form that conforms substantially to Official Bankruptcy Form No. 410. If your claim has been listed on the Debtors’ Schedules, the attached proof of claim form also sets forth: (a) the amount of your claim as scheduled by the Debtors; (b) the identity of the Debtor against which your claim is scheduled; (c) whether your claim is scheduled as disputed, contingent or unliquidated; and (d) whether your claim is scheduled as a secured claim, an unsecured priority claim, or an unsecured nonpriority claim. You will receive a separate proof of claim form for each

claim scheduled in your name by the Debtors. You may utilize the claim form(s) provided by the Debtors to file your claim. Additional proof of claim forms may be obtained at www.donlinrecano.com/maisonkayserusa or <http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>.

All proofs of claim **must be signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. Your signature may be digitally signed if your claim is filed electronically. Each proof of claim form must be written in English and be denominated in United States currency. You should attach to your completed proof of claim form any documents on which the claim is based (or, if such documents are voluminous, attach a summary) or an explanation as to why the documents are not available.

In addition to the requirements set forth in the immediately preceding paragraph, any proof of claim asserting a 503(b)(9) Claim must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted; and (iii) set forth whether any portion of the 503(b)(9) Claim was satisfied by payments made by the Debtors pursuant to any order of the Court authorizing the Debtors to pay prepetition claims.

Your proof of claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor's initials) or a financial account number (only the last four digits of such financial account).

All holders of claims against more than one Debtor must file a separate proof of claim with respect to each such Debtor. Each holder of a claim must identify on its proof of claim form the specific Debtor against which its claim is asserted. Any claim that references only the Debtors' joint administration case number (Cosmoledo, LLC, *et al.*, Case No. 20-12117) or that otherwise fails to identify a Debtor shall be deemed as filed only against Debtor Cosmoledo, LLC. If more than one Debtor is listed on the form, the proof of claim will be treated as filed only against the first listed Debtor. A list of the names of the Debtors and their case numbers is set forth on pages 1 and 2 of this Notice.

3. WHEN AND WHERE TO FILE

Except as provided for herein, all proofs of claim must be filed **so as to be received on or before the applicable Bar Date**:

IF SENT BY UNITED STATES POSTAL SERVICE, SEND TO:

Donlin, Recano & Company, Inc.
Re: Cosmoledo, LLC, *et al.*
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219

IF SENT BY HAND DELIVERY OR OVERNIGHT DELIVERY, SEND TO:

Donlin, Recano & Company, Inc.
Re: Cosmoledo, LLC, *et al.*
6201 15th Avenue
Brooklyn, NY 11219

IF ELECTRONICALLY:

The website established by DRC, using the interface available on such website located at <https://www.donlinrecano.com/Clients/mk/FileClaim>.

Proofs of claim will be deemed filed only when **received** at the address listed above or filed electronically on or before the applicable Bar Date. Proofs of claim may NOT be delivered by facsimile, telecopy or electronic mail transmission.

4. CLAIMS FOR WHICH A PROOF OF CLAIM NEED NOT BE FILED

You do **not** need to file a proof of claim on or prior to the applicable Bar Date described in this Notice if your claim falls into one of the following categories:

- (a) Any that has been asserted in a filed, signed proof of claim against the applicable Debtor(s) with the Clerk of the Bankruptcy Court for the Southern District of New York or with DRC, the Debtors' claims agent, in a form substantially similar to Official Bankruptcy Form No. 410;
- (b) Any claim listed on the Schedules, provided that: (i) such claim is not scheduled as "disputed," "contingent" or "unliquidated," (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules, and (iii) the claimant does not dispute that the claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- (c) Any claim that has been allowed by a final order of the Court entered on or before the applicable Bar Date;
- (d) Any claim that has been paid in full by any of the Debtors;
- (e) A claim for which a different deadline previously has been fixed by order of the Court;
- (f) The claim of any Debtor against another Debtor, or any of the non-Debtor subsidiaries of Cosmoledo, LLC having a claim against any of the Debtors; and
- (g) Any claim that is allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense that arose after November 2, 2020.

If you are a holder of an equity interest in any of the Debtors, you need not file a proof of interest with respect to the ownership of such equity interest at this time. However, if you assert a claim against any of the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, a proof of such claim must be filed on or prior to the applicable Bar Date pursuant to the procedures set forth in this Notice.

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Court believe that you have a claim against the Debtors.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you have a claim arising out of the rejection of an executory contract or unexpired lease as to which the order authorizing such rejection is dated on or before the date hereof, the date of entry of the Bar Order, you must file a proof of claim by the Bar Date. Any person or entity that has a claim arising from the rejection of an executory contract or unexpired lease, as to which the order is dated after the date of entry of the Bar Order, you must file a proof of claim with respect to such claim by the date fixed by the Court in the applicable order authorizing rejection of such contract or lease.

6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM BY THE APPLICABLE BAR DATE AS DESCRIBED IN THIS NOTICE, SHALL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM: (A) ASSERTING THE APPLICABLE CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR PROPERTY, OR (B) VOTING ON OR RECEIVING ANY DISTRIBUTION UNDER ANY PLAN OF REORGANIZATION IN THESE CHAPTER 11 CASES, EXCEPT, IN EACH CASE, TO THE EXTENT SUCH CLAIM IS IDENTIFIED IN THE SCHEDULES AS AN UNDISPUTED, NONCONTINGENT AND LIQUIDATED CLAIM HELD BY SUCH ENTITY.

7. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against one or more of the Debtors in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed proof of claim form(s) regarding the nature, amount and status of your claim(s). If the Debtors believe that you may hold claims against more than one Debtor, you will receive multiple proof of claim forms, each of which will reflect the nature and amount of your claim against one Debtor, as listed in the Schedules.

If you rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. However, you may rely on the enclosed form, which lists

your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent or unliquidated. If you agree with the nature, amount and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim is only against the Debtor(s) specified by the Debtors in the Schedules, and if your claim is not described in the Schedules as "disputed," "contingent" or "unliquidated," you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Debtors' Schedules, the Bar Date Order and other information and documents regarding the Debtors' chapter 11 cases are available for a fee from the Court's website at <https://ecf.nysb.uscourts.gov>. A login and password to the Court's Public Access to Court Electronic Records ("PACER") system are required to access this information and can be obtained through the PACER Service Center at www.pacer.gov.

Copies of the Schedules, the Bar Date Order and other information and documents regarding these chapter 11 cases may be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, Room 534, New York, NY 10004-1408; and are also available free from charge from the website of the Debtors' claims agent at www.donlinrecano.com/maisonkayserusa, or by written request to the Debtors' claims agent at the address listed above in Section 3 of this Notice or by calling 1 (800) 467-0821 (for callers in the United States).

Questions concerning the contents to this Notice and requests for proofs of claim should be directed to DRC at 1 (800) 467-0821 (for callers in the United States) or via email to maisonkayserusa@info.com. Please note that neither DRC staff nor counsel to the Debtors are permitted to give you legal advice. You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the completion or filing of a proof of claim.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

Dated: November 25, 2020
New York, New York

BY ORDER OF THE COURT