

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

MUJI U.S.A. LIMITED,¹

Debtor.

Chapter 11

Case No. 20-11805 (MFW)

Re: Docket Nos. 56, 116

**ORDER (I) FIXING DEADLINES FOR FILING PROOFS OF CLAIM AND
(II) APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Upon the *Motion of the Debtor for Entry of an Order (I) Fixing Deadlines for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* (the “Motion”);² and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference*, dated February 29, 2012, issued by the United States District Court for the District of Delaware; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue of this Chapter 11 Case and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and this Court having held a hearing (the “Hearing”) to consider the relief requested in the Motion; and upon the record of the Hearing, this Court having determined that there is good and sufficient cause for the relief set forth in this Order; and after due deliberation thereon,

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.

¹ The last four digits of the Debtor’s federal tax identification number are 2229. The location of the Debtor’s principal place of business is 250 West 39th Street, Suite 202, New York, NY 10018.

² Capitalized terms used but not otherwise defined herein shall have the same meanings as ascribed to them in the Motion.

2. The proposed Bar Date Notice and the Proof of Claim Form, substantially in the forms annexed hereto as **Exhibit 1** and **Exhibit 2**, respectively, are approved.

3. Except as otherwise provided for or specifically excepted in this Order, all “claims” (as defined in section 101(5) of the Bankruptcy Code) of a person or entity (other than a governmental unit) arising before July 10, 2020 (the “Petition Date”), including any claims under section 503(b)(9) of the Bankruptcy Code against the Debtor’s estate for the value of goods sold to the Debtor in the ordinary course of business and received by the Debtor within twenty (20) days before the Petition Date, shall be filed with Donlin, Recano & Company, Inc. (“DRC”) pursuant to the procedures provided in this Order so as to be actually received on or before **September 22, 2020 at 5:00 p.m.** (prevailing Eastern Time) (the “General Bar Date”).

4. All governmental units (as defined in section 101(27) of the Bankruptcy Code) holding or wishing to assert claims against the Debtor arising before the Petition Date are required to file a proof of claim so that any such proof of claim is actually received by DRC on or before **January 6, 2021 at 5:00 p.m.** (prevailing Eastern Time) (the “Government Bar Date”).

5. If the Debtor amends or supplements its Schedules of Assets and Liabilities (the “Schedules”) after the Bar Date Notice is served, in accordance with Local Rule 1009-2, the Debtor shall give notice of any amendment or supplement to the holders of claims affected thereby within fourteen (14) days thereof, and such holders, as set forth in any such notice, shall have until the later of (i) the General Bar Date or, if the creditor is a governmental unit, the Government Bar Date, and (ii) twenty-one (21) days from the date of service of such notice to file a proof of claim (the “Amended Schedules Bar Date”). For the avoidance of doubt, the Amended Schedules Bar Date is only applicable where a creditor previously did not file a proof of claim in reliance on the Schedules and the Schedules are subsequently amended in a way that adversely affects the

creditor's claim. The Debtor's filing of an amendment or supplement to its Schedules will not invalidate, alter, or function as an objection to a proof of claim filed by a creditor prior to such filing, and a creditor that has filed a proof of claim prior to the Debtor's filing of an amendment or supplement to its Schedules shall not be required to file a new proof of claim.

6. Holders of claims against the Debtor arising from the Debtor's rejection of an executory contract or unexpired lease must file a proof of claim on or before the later of (a) the General Bar Date, (b) thirty (30) days after service of an order by the Court authorizing such rejection, and (c) such other date, if any, as the Court may fix in the order authorizing such rejection (the "Rejection Damages Bar Date" and together with the General Bar Date, the Government Bar Date, the Amended Schedules Bar Date, and the Supplemental Bar Date (as defined below), as applicable, the "Bar Dates"). For the avoidance of doubt, with respect to nonresidential real property leases, claims arising from the Debtor's rejection of unexpired leases shall include any claims under such unexpired leases as of the Petition Date for purposes of this Order and such counter-parties shall not be required to file proofs of claim with respect to prepetition amounts unless and until such unexpired leases have been rejected.

7. The following persons and entities are **not** required to file a proof of claim on or before the applicable Bar Dates solely with respect to the types of claims held by such persons and entities described in the applicable paragraph below:

- a. pursuant to Paragraph 5.23 of the *Final Order (I) Authorizing the Debtor to Obtain Post-Petition Financing, (II) Authorizing the Debtor to Use Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, and (VI) Granting Related Relief* [Docket No. 105] (the "Final DIP Order"), the Prepetition Lender (as defined therein), solely in its capacity as Prepetition Lender, shall not be required to file a proof of claim in the Chapter 11 Case (or any subsequent case) of the Debtor under any chapter of the Bankruptcy Code, and the Debtor's Stipulations (as defined therein) in the Final DIP Order shall be deemed to constitute a timely filed proof of claim

against the Debtor;

- b. any person or entity who has already filed a proof of claim in the Chapter 11 Case with DRC or with the Clerk of the Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware, 19801, solely with respect to the claims asserted in that proof of claim;
- c. any person or entity whose claim is listed on the Debtor's Schedules, provided that (i) the claim is not listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not have or assert any other claims against the Debtor (the assertion of which would require the filing of a proof of claim unless another exception applies);
- d. any person or entity whose claim or claims have been paid in full;
- e. any holder of a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration of the Debtor's estate, except for a holder of a claim arising under section 503(b)(9) of the Bankruptcy Code, which must be asserted by filing a proof of claim on or prior to the applicable Bar Date;
- f. any person or entity holding a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;
- g. any holder of a claim for which a separate deadline is (or has been) fixed by this Court; and
- h. any holder of a claim that has been allowed by an order of this Court entered on or before the applicable Bar Date.

8. Any creditor whose prepetition claim against the Debtor is not listed in the Schedules or is listed therein as "disputed," "contingent," or "unliquidated" and that desires to participate in the Chapter 11 Case or share in any distribution in the Chapter 11 Case, and any creditor whose prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount, must file a proof of claim on or before the applicable Bar Date for such claim.

9. Each proof of claim, to be properly filed pursuant to this Order, shall: (i) be signed, (ii) be written in the English language, (iii) be denominated in currency of the United States, (iv) conform substantially to the Proof of Claim Form attached hereto as **Exhibit 2**, and (v) be

submitted with copies of supporting documents (or a summary if voluminous) or an explanation of why the supporting documents are not available.

10. In addition to meeting all the other requirements of the immediately preceding paragraph above, any proof of claim asserting a section 503(b)(9) claim must (i) include the value of the goods delivered to and received by the Debtor in the twenty (20) days prior to the Petition Date, (ii) attach any documentation identifying the date such goods were received by the Debtor, (iii) state whether the amount asserted in the proof of claim represents a combination of goods and services and, if applicable, the portion of the claim that relates solely to the value of goods, and (iv) identify the particular invoices on which the section 503(b)(9) claim is based.

11. Proofs of claim filed with DRC will be deemed timely filed only if *actually received* by DRC on or before the applicable Bar Date for such claim as follows:

- a. if by U.S. Mail, at Donlin Recano & Company, Inc., Re: MUJI U.S.A. Limited, P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219;
- b. if by hand delivery or overnight mail, at Donlin Recano & Company, Inc., Re: MUJI U.S.A. Limited, 6201 15th Avenue, Brooklyn, NY 11219; or
- c. electronically using the interface available on the following website maintained by DRC: <https://www.donlinrecano.com/Clients/mu/FileClaim>.

12. DRC shall not accept proofs of claim submitted by fax or email.

13. Parties who file an originally executed proof of claim and wish to receive from DRC a proof of receipt of their proofs of claim, must also include with their original proof of claim a copy of such claim and a self-addressed and pre-stamped envelope. A party who files a proof of claim electronically can verify receipt of its claim by reviewing claims on the website of DRC at <https://www.donlinrecano.com/Clients/mu/ClaimsSearch>.

14. Pursuant to Bankruptcy Rule 3003(c)(2), any holder of a claim who is required to timely file a proof of claim on or before the applicable Bar Date as provided herein, but fails to do

so, shall not be treated as a creditor of the Debtor for purposes of voting upon or receiving distributions under any plan of reorganization or liquidation in the Chapter 11 Case.

15. In accordance with Bankruptcy Rule 2002, the Debtor is authorized and directed to serve the Bar Date Notice and a Proof of Claim Form by first-class mail, postage prepaid, within five (5) business days following the date on which this Order is entered (such mailing date, the “Bar Date Notice Mailing Date”) on: (a) all known creditors; (b) all persons and entities with whom the Debtor conducted business post-petition; (c) all parties listed on the Debtor’s mailing matrix; (d) all parties to pending litigation against the Debtor; (e) all entities who have filed a notice of appearance in this Chapter 11 Case; (f) the Securities and Exchange Commission; (g) the Internal Revenue Service; and (h) local taxing authorities and states attorneys general in jurisdictions in which the Debtor conducts business.

16. The Proof of Claim Form may be customized for each creditor whose claim is listed on the Schedules with the creditor’s name, address, and/or information regarding the nature, amount, and status of its claim(s) as reflected in the Schedules.

17. Prior to mailing the Bar Date Package, the Debtor may cause to be filled in any missing dates and other information, correct any typographical errors, conform the provisions thereof to this Order, and make such other non-material changes to the Bar Date Notice and the Proof of Claim Form as the Debtor deems necessary or appropriate.

18. After the initial mailing of the Bar Date Package, the Debtor may, in its discretion, make supplemental mailings of the Bar Date Package, including in the event that: (i) the Bar Date Package is returned by the post office with forwarding addresses; and (ii) additional potential claimants become known as a result of the Bar Date mailing process. If notices are returned as “return to sender” without a forwarding address, the Debtor shall not be required to mail additional

notices to such creditors. If the Debtor determines after the Bar Date Notice Mailing Date that additional parties should receive the Bar Date Package, then the date by which a proof of claim must be filed by such parties shall be the later of (i) the General Bar Date or, if the creditor is a governmental unit, the Government Bar Date, and (ii) 21 days from the mailing of the Bar Date Package to such parties (the “Supplemental Bar Date”).

19. The Debtor, through DRC, shall post the Proof of Claim Form and the Bar Date Notice on the following website maintained by DRC: www.donlinrecano.com/muji.

20. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

21. The Debtor is authorized to take all actions necessary to implement the relief granted in this Order.

22. This Court shall retain jurisdiction with respect to all matters arising from or relating to the interpretation or implementation of this Order.

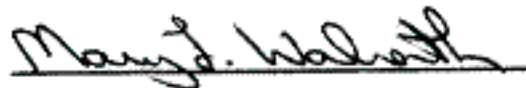


Exhibit 1

Bar Date Notice

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

MUJI U.S.A. LIMITED,¹

Debtor.

Chapter 11

Case No. 20-11805 (MFW)

Re: Docket Nos. 56 and [●]

**NOTICE OF BAR DATES FOR FILING PROOFS OF CLAIM
INCLUDING SECTION 503(b)(9) CLAIMS**

The chapter 11 bankruptcy case (the “Chapter 11 Case”) concerning the above-captioned debtor and debtor in possession (the “Debtor”) was filed on July 10, 2020 (the “Petition Date”). You may be a creditor of the Debtor.

On August __, 2020 the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) entered an order (the “Bar Date Order”) in the Chapter 11 Case in accordance with Bankruptcy Rule 3003(c) fixing:

- (a) **September 22, 2020 at 5:00 p.m.** (prevailing Eastern Time) (the “General Bar Date”) as the last date for persons or entities, other than governmental units, to file proofs of claim against the Debtor on account of claims arising, or deemed to have arisen, prior to the Petition Date, including, for the avoidance of doubt, claims arising under section 503(b)(9) of title 11 of the United States Code (the “Bankruptcy Code”); and
- (b) **January 6, 2021 at 5:00 p.m.** (prevailing Eastern Time) (the “Government Bar Date”)² as the last date for all governmental units, as defined in section 101(27) of the Bankruptcy Code, to file proofs of claim against the Debtor on account of claims arising, or deemed to have arisen, prior to the Petition Date.

1. WHO MUST FILE A PROOF OF CLAIM

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtor but may not have a claim against the Debtor. The fact that you have received this Notice does not mean that you have a claim against the Debtor or that the Debtor or the Court believe that you have such a claim. **YOU SHOULD NOT FILE A PROOF**

¹ The last four digits of the Debtor’s federal tax identification number are 2229. The location of the Debtor’s principal place of business is 250 West 39th Street, Suite 202, New York, NY 10018.

² The General Bar Date, the Government Bar Date, the Rejection Damages Bar Date (as defined below), the Amended Schedules Bar Date (as defined below), and the Supplemental Bar Date (as defined below) are collectively referred to herein as the “Bar Dates”.

OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTOR.

You **MUST** file a proof of claim to vote on any chapter 11 plan of reorganization or liquidation or to share in distributions from the Debtor's bankruptcy estate if you have a claim (as defined in section 101(5) of the Bankruptcy Code) that arose prior to July 10, 2020 and it is not one of the types of claims described in Section 2 subparagraphs (a) through (h) below.

Acts or omissions of the Debtor that arose before the Petition Date may give rise to claims against the Debtor that must be filed by the applicable Bar Date, notwithstanding that such claims may not have matured or become fixed or liquidated prior to the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used herein, 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. PARTIES WHO NEED NOT FILE A PROOF OF CLAIM

The following persons and entities are **not** required to file a proof of claim on or before the applicable Bar Dates solely with respect to the types of claims held by such persons and entities described in the applicable paragraph below:

- a. pursuant to Paragraph 5.23 of the *Final Order (I) Authorizing the Debtor to Obtain Post-Petition Financing, (II) Authorizing the Debtor to Use Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, and (VI) Granting Related Relief* [Docket No. 105] (the "Final DIP Order"), the Prepetition Lender (as defined therein), solely in its capacity as Prepetition Lender, shall not be required to file a proof of claim in the Chapter 11 Case (or any subsequent case) of the Debtor under any chapter of the Bankruptcy Code, and the Debtor's Stipulations (as defined therein) in the Final DIP Order shall be deemed to constitute a timely filed proof of claim against the Debtor;
- b. any person or entity who has already filed a proof of claim in the Chapter 11 Case with DRC or with the Clerk of the Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware, 19801, solely with respect to the claims asserted in that proof of claim;
- c. any person or entity whose claim is listed on the Debtor's Schedules, provided that (i) the claim is not listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not have or assert any other claims against the Debtor (the assertion of which would require the filing of a proof of claim unless another exception applies);

- d. any person or entity whose claim or claims have been paid in full;
- e. any holder of a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration of the Debtor's estate, except for a holder of a claim arising under section 503(b)(9) of the Bankruptcy Code, which must be asserted by filing a proof of claim on or prior to the applicable Bar Date;
- f. any person or entity holding a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;
- g. any holder of a claim for which a separate deadline is (or has been) fixed by this Court; and
- h. any holder of a claim that has been allowed by an order of this Court entered on or before the applicable Bar Date.

If the Bankruptcy Court, in the future, fixes a date by which the claims described in Section 2 subparagraphs (a) through (h) must be filed, you will be notified.

3. AMENDMENTS OR SUPPLEMENTS TO SCHEDULES

If the Debtor amends or supplements its Schedules after this Notice is served, the Debtor shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders, as set forth in any such notice, shall have until the later of (i) the General Bar Date or, if the creditor is a governmental unit, the Government Bar Date, and (ii) twenty-one (21) days from the date of service of such notice to file a proof of claim or be barred from so doing (the "Amended Schedules Bar Date"). For the avoidance of doubt, the Amended Schedules Bar Date is only applicable where a creditor previously did not file a proof of claim in reliance on the Schedules and the Schedules are subsequently amended in a way that adversely affects the creditor's claim. The Debtor's filing of an amendment or supplement to its Schedules will not invalidate, alter, or function as an objection to a proof of claim filed by a creditor prior to such filing, and a creditor that has filed a proof of claim prior to the Debtor's filing of an amendment or supplement to its Schedules shall not be required to file a new proof of claim.

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you hold a claim against the Debtor arising from the rejection of an executory contract or unexpired lease, you must file a proof of claim on or before the later of: (a) the General Bar Date; (b) thirty (30) days after the entry of an order by the Court authorizing such rejection; and (c) such other date, if any, as the Court may fix in the order authorizing such rejection (the "Rejection Damages Bar Date"). For the avoidance of doubt, with respect to nonresidential real property leases, claims arising from the Debtor's rejection of unexpired leases shall include any claims under such unexpired leases as of the Petition Date for purposes of the Bar Date Order and such counter-parties shall not be required to file proofs of claim with respect to prepetition amounts unless and until such unexpired leases have been rejected.

5. WHEN AND WHERE TO FILE

All proofs of claim shall be filed with the Debtor's claims agent, Donlin, Recano & Company, Inc. ("DRC") pursuant to the procedures provided herein *so as to actually be received* on or before the applicable Bar Date at the following address if delivered by first class mail, hand delivery, or overnight courier:

If sent by United States Postal Service, send to:

Donlin, Recano & Company, Inc.
Re: MUJI U.S.A Limited
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219

If sent by Hand Delivery or Overnight Delivery, send to:

Donlin, Recano & Company, Inc.
Re: MUJI U.S.A Limited
6201 15th Avenue
Brooklyn, NY 11219

Proofs of claim sent by fax or email will not be accepted.

Alternatively, proofs of claim may be submitted electronically using the interface available on the following website maintained by DRC in connection with the Chapter 11 Case (<https://www.donlinrecano.com/Clients/mu/FileClaim>).

If you wish to receive from DRC a proof of receipt of your proof of claim, you must also include with your original proof of claim a copy of such claim and a self-addressed and pre-stamped envelope.

6. WHAT TO FILE

The Debtor is enclosing a proof of claim form (the "Proof of Claim Form") for use in the Chapter 11 Case. If your claim is scheduled by the Debtor, the form also may set forth the amount of your claim as scheduled by the Debtor. You will receive a different Proof of Claim Form for each claim scheduled in your name by the Debtor.

To be properly filed pursuant to this Notice, each proof of claim must: (i) be signed, (ii) be written in the English language, (iii) be denominated in currency of the United States, (iv) conform substantially with the Proof of Claim Form provided with this Notice, and (v) be submitted with copies of supporting documents (or a summary if voluminous) or an explanation of why the supporting documents are not available. In addition, any proof of claim asserting a section 503(b)(9) claim must: (a) include the value of the goods delivered to and received by the Debtor in the twenty (20) days prior to the Petition Date, (b) attach any documentation identifying the date such goods were received by the Debtor, (c) state whether the amount asserted in the proof of claim represents a combination of goods and services and, if applicable, the portion of the claim

that relates solely to the value of goods, and (d) identify the particular invoices on which the section 503(b)(9) claim is based.

The Proof of Claim Form can be obtained on the website maintained by DRC at <https://www.donlinrecano.com/Clients/mu/Static/POC>. Alternatively, the Official Bankruptcy Form B410 can be found at <http://www.uscourts.gov/forms/bankruptcy-forms>.

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

ANY HOLDER OF A CLAIM THAT IS NOT EXCEPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION 2 SUBPARAGRAPHS (a) THROUGH (h) ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM AS SET FORTH HEREIN ON OR BEFORE THE APPLICABLE BAR DATE SHALL NOT BE TREATED AS A CREDITOR OF THE DEBTOR FOR PURPOSES OF VOTING UPON OR RECEIVING DISTRIBUTIONS UNDER ANY PLAN OF REORGANIZATION OR LIQUIDATION FILED IN THE CHAPTER 11 CASE.

8. THE DEBTOR'S SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against the Debtor in the Schedules. Copies of the Debtor's Schedules may be examined and inspected by interested parties during regular business hours at the office of the Clerk of the Bankruptcy Court, 824 Market Street, Wilmington, DE, 19801, or at the DRC website, www.donlinrecano.com/muji.

9. ADDITIONAL INFORMATION

If you require additional information regarding this Notice, you may contact DRC toll free at 1-800-813-0529 or submit an inquiry via e-mail to mujiinfo@donlinrecano.com.

If you believe that you hold a claim against the Debtor, you should consult an attorney if you have any questions regarding this Notice, including whether you should file a proof of claim. The fact that you received this Notice does not mean that you have a claim or that the Debtor or the Bankruptcy Court concedes that you have a claim.

Dated: August ___, 2020
Wilmington, Delaware

GREENBERG TRAURIG, LLP

By: _____
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- and -

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*Proposed Counsel for the Debtor and
Debtor in Possession*

Exhibit 2

Proof of Claim Form

9. Is all or part of the claim secured?	<input type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.	Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____
Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)		
Value of property: \$ _____ Amount of the claim that is secured: \$ _____		
Amount of the claim that is unsecured (the sum of the secured and unsecured amounts should match the amount in line 7): \$ _____		
Amount necessary to cure any default as of the date of the petition: \$ _____		Annual interest rate (when case was filed): _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable

10. Is this claim based on a lease?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____

12. Is all or part of the claim entitled to: (i) priority under 11 U.S.C. § 507(a), or (ii) administrative expense under 11 U.S.C. § 503(b)(9)? A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority. <small>* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.</small>	<input type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply:</i> <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. <input type="checkbox"/> Value of goods received by the debtor within 20 days before the date of commencement of the case. 11 U.S.C. § 503(b)(9).	Amount entitled to priority \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
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Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☐ I am the creditor's attorney or authorized agent.
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date (MM/DD/YYYY): _____

Signature: _____

Print the name of the person who is completing and signing this claim:

First name: _____ Middle: _____ Last: _____

Title: _____

Company (identify the corporate servicer as the company if the authorized agent is a servicer): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Instructions for Proof of Claim

United States Bankruptcy Court

12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of the date the case was filed.**
- **If the claim has been acquired from someone else, then state the identity of the last party** who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- **Attach any supporting documents to this form.**
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called “Bankruptcy Rule”) 3001(c) and (d).

For section 503(b)(9) claims, (i) include the value of the goods delivered to and received by the Debtor in the twenty (20) days prior to the Petition Date, (ii) attach any documentation identifying the date such goods were received by the Debtor, (iii) state whether the amount asserted in the proof of claim represents a combination of goods and services and, if applicable, the portion of the claim that relates solely to the value of goods, and (iv) identify the particular invoices on which the section 503(b)(9) claim is based.
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.**

- **A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual’s tax identification number, or financial account number, and only the year of any person’s date of birth.** See Bankruptcy Rule 9037.
- **For a minor child, fill in only the child’s initials and the full name and address of the child’s parent or guardian.** For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may access the claims agent’s website (www.donlinrecano.com/MUJI) to view the filed form.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate.
11 U.S.C. § 503.

Administrative expense claim under 11 U.S.C. § 503(b)(9): Administrative expense claims under 11 U.S.C. § 503(b)(9) include those claims for the value of any goods received by the debtor within 20 days before the date of commencement of a case under the Bankruptcy Code in which the goods have been sold to the debtor in the ordinary course of such debtor’s business.

Claim: A creditor’s right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. § 101(5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. § 101(10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101(13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. § 507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. § 506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Uniform claim identifier: An optional 24-character identifier that some creditors use to facilitate electronic payment.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

If Proof of Claim is sent by mail, send to:

Donlin, Recano & Company, Inc.
Re: MUJI U.S.A. Limited
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219

If Proof of Claim is sent by Overnight Courier or Hand Delivery, send to:

Donlin, Recano & Company, Inc.
Re: MUJI U.S.A. Limited
6201 15th Avenue
Brooklyn, NY 11219

Alternatively, your claim may be filed electronically on DRC's website at:

<https://www.donlinrecano.com/Clients/mu/FileClaim>

Do not file these instructions with your form.