

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Chapter 11
	:	
Museum of American Jewish History, d/b/a	:	Case No. 20-11285 (MDC)
National Museum of American Jewish History	:	
	:	
Debtor.	:	
	:	

**ORDER ESTABLISHING BAR DATES FOR FILING PROOFS OF
PREPETITION SECURED, UNSECURED AND § 503(B)(9) ADMINISTRATIVE
CLAIMS AND APPROVING FORM AND MANNER OF NOTICE**

Upon consideration of the motion (the “Motion”)¹ of the above-captioned debtor and debtor in possession (the “Debtor”) for entry of an Order (i) establishing bar dates for filing proofs of prepetition secured, unsecured and § 503(b)(9) administrative expense claims, and (ii) approving the form and manner of notice thereof;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED on the terms set forth herein.
2. Pursuant to Rule 3003(c)(3) and 5005(a) of the Federal Rules of Bankruptcy Procedure, except as set forth herein, all persons and entities including, without limitation, individuals, partnerships, corporations, estates, trusts, unions and governmental units (as defined in Section 101(27) of the Bankruptcy Code) (each a “Creditor” and, collectively, the “Creditors”), holding or wishing to assert prepetition secured, unsecured or section 503(b)(9) administrative claims against the Debtor are required to file a separate, completed and executed proof of claim form (either in the form mailed to Creditors or otherwise conforming substantially to Official Bankruptcy Form No. 410) together with accompanying documentation (a “Proof of

¹ Each capitalized term not otherwise defined herein shall have the meaning ascribed thereto in the Motion.

Claim”) on account of any Claims such Creditor holds or wishes to assert against the Debtor so that the Proof of Claim is actually received on or before **August 3, 2020 at 4:00 p.m. prevailing Eastern time** (the “General Bar Date”) or, in the case of governmental units, by **September 4, 2020 at 4:00 p.m. prevailing Eastern time** (the “Governmental Bar Date”).

3. Proofs of claim may be sent by mail, overnight mail or hand delivery to Donlin, Recano & Company, Inc., claims agent for the Debtor, or filed electronically with the United States Bankruptcy Court for the Eastern District of Pennsylvania.

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

Donlin, Recano & Company, Inc.
Re: Museum of American Jewish History
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: Museum of American Jewish History
6201 15th Avenue
Brooklyn, NY 11219

Claims may be filed electronically with the Bankruptcy Court at the following website: www.paeb.uscourts.gov and clicking on “ePOC”

4. Facsimile submissions will not be accepted. Proofs of Claim shall be deemed filed only when actually received.

5. 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 to the Motion as **Exhibit B**, and (v) be submitted with copies of supporting documents (or a summary if voluminous) or an explanation of why such document is not available.

6. 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 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) attach any documentation identifying the particular invoices for which the section 503(b)(9) claim is being asserted.

7. Proofs of Claim are not required to be filed at this time by Creditors holding or wishing to assert Claims against the Debtor of the following types:

a. any Creditor (a) that agrees with the nature, classification and amount of such Claim set forth in the Schedules and (b) whose Claim against the Debtor or Debtor is not listed as "disputed", "contingent" or "unliquidated" in the Schedules;

b. any Creditor that has already properly filed a Proof of Claim against the Debtor;

c. any Creditor whose Claim against the Debtor previously has been allowed by, or paid pursuant to, an order of the Court.

d. any Creditor asserting a Claim allowable under §§ 503(b) and 507(a)(1) of the Bankruptcy Code as an administrative expense of the Debtor's Chapter 11 case, other than administrative expense claims pursuant to Section 503(b)(9);

e. any holder of equity securities of the Debtor solely with respect to such holder's ownership interest in or possession of such equity securities; and

f. any individuals who have claims on account of an annual Membership to the Museum.

8. The Debtor shall retain the right to: (a) dispute or assert offsets or defenses against any filed Claim or any Claim reflected in the Schedules as to nature, amount, liability, classification or otherwise; or (b) subsequently designate any Claim as disputed, contingent or unliquidated; provided, however, that if the Debtor amends the Schedules to reduce the undisputed, non-contingent or liquidated amounts or to change the nature or classification of a Claim against the Debtor reflected therein, then the affected claimant shall have until the Amended Schedule Bar Date to file a Proof of Claim or to amend any previously filed Proof of Claim in respect of such amended scheduled claim. The "Amended Schedule Bar Date" shall be the later of the General Bar Date or thirty (30) days after a claimant is served with notice that the Debtor has amended its schedules of assets and liabilities to reduce the amount of, delete, or change the status of a scheduled claim of such claimant. Notwithstanding the foregoing, nothing set forth herein will preclude the Debtor from objecting to any Claim, whether scheduled or filed, on any grounds.

9. Notwithstanding anything in this Order to the contrary, except as otherwise set forth in any order authorizing rejection of an executory contract or unexpired lease, the holder of any Claim arising from the rejection of an executory contract or unexpired lease shall be required to file a Proof of Claim on account of such Claim against the Debtor on or before the later of (a) the General Bar Date or (b) thirty (30) days after the effective date of such rejection, as ordered by the Court.

10. Any Entity that is required to file a proof of claim pursuant to this Order but fails to do so in a timely manner will be forever barred, estopped and enjoined from: (a) asserting any

Claim against the Debtor that such entity has that (i) is in an amount that exceeds the amount, if any, that is set forth in the Schedules, or (ii) is of a different nature or in a different classification (in either case, an "Unscheduled Claim"); and (b) voting upon, or receiving distributions under, any plan or plans of reorganization in this Chapter 11 case in respect of an Unscheduled Claim.

11. The form of Notice of Deadline to File Proofs of Claim (the "Bar Date Notice") and the Proof of Claim Form, attached to the Motion as Exhibit A and Exhibit B, respectively, are approved. The Bar Date Notice shall be mailed by the Debtor by first-class mail, postage prepaid, as soon as practicable, but in no event later than three (3) business days from entry of this Order, to all known creditors holding potential pre-petition Claims and Section 503(b)(9) administrative expense Claims; provided, however, that the Bar Date Notice will not be sent to individuals who have claims on account of their annual Memberships.

12. Each party in interest that is entitled to receive notice hereunder will receive a Proof of Claim Form, substantially in the form attached to the motion as **Exhibit B**; *provided, however*, that such Proof of Claim Form may be customized for each creditor whose claim is listed on the Schedules with the creditor's name, address, and information regarding the nature, amount, and status of its claim(s) as reflected in the Schedules.

13. 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.

14. After the initial mailing of the Bar Date Package, the Debtor may, in its discretion, make supplemental mailings of notices or packages, including in the event that: (i) notices are 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 the Government Bar Date, as applicable, and thirty (30) days from the mailing of the Bar Date Package to such parties (the “**Supplemental Bar Date**”).

15. The Debtor, through Donlin Recano, shall post the Proof of Claim Form and the Bar Date Notice on the website established by Donlin Recano in this Chapter 11 Case at <https://www.donlinrecano.com/Clients/nmajh/Static/BDPOC>

16. The provisions for notice of the Bar Dates, as set forth in this Order, in the manner set forth herein, shall constitute adequate and sufficient notice of each of the Bar Dates and shall be deemed to satisfy the requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules of this Court.

17. All Creditors that desire to rely on the Schedules with respect to filing a Proof of Claim in the Debtor’s Chapter 11 case shall have the responsibility for determining that their Claims are accurately listed therein.

May 29, 2020



Magdeline D. Coleman
Chief U.S. Bankruptcy Judge