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Franciscan Friars California, Inc.*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re:

FRANCISCAN FRIARS OF CALIFORNIA,
INC.,

Debtor.

Case No. 23-41723 WJL

Chapter 11

**NOTICE OF DEADLINES REQUIRING
FILING OF PROOFS OF CLAIM**

Judge: Hon. William J. Lafferty

**TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST FRANCISCAN FRIARS
OF CALIFORNIA, INC. (THE “DEBTOR”):**

The General Bar Date. The United States Bankruptcy Court for the Northern District of California, Oakland Division (the “Court”) has entered an order (the “Bar Date Order”) establishing **July 19, 2024 at 5:00 p.m., prevailing Pacific Time** as the last date and time for each

person (including “**Governmental Units**,” as defined in section 101(27) of the Bankruptcy Code¹) to file a proof of claim (such deadline, the “**General Bar Date**”) against the Debtor. The General Bar Date and the procedures set forth below for filing proofs of claim apply to all claims against the Debtor that arose before December 31, 2023 (the “**Petition Date**”), the date on which the Debtor commenced its case under chapter 11 of the Bankruptcy Code, excluding claims held by those listed in Section 4 below that are specifically excluded from the Bar Date filing requirement.

The Rejection Damages Bar Date. Counterparties to the Debtor’s executory contracts and unexpired leases have until the later of (i) the General Bar Date and (ii) 5:00 p.m. (prevailing Pacific Time) on the date that is thirty (30) days after entry of the order authorizing the rejection of such contract or lease (the “**Rejection Damages Bar Date**”), to file proofs of claim for rejection damages against the Debtor.

The Amended Schedules Bar Date. With respect to amendments or supplements to the Debtor’s schedules of assets and liabilities (the “**Schedules**”), claimants affected by any amendments or supplements to the Debtors schedules of assets and liabilities must file proofs of claim on or before (i) the General Bar Date and (ii) 5:00 p.m. (prevailing Pacific Time) on the date that is thirty (30) days from the date on which the Debtor provides notice of previously unfiled Schedules (as defined herein) or an amendment or supplement to the Schedules (the “**Amended Schedules Bar Date**”) and together with the General Bar Date and the Rejection Damages Bar Date, the “**Bar Dates**”), to file proofs of claim against the Debtor.

1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Debtor’s bankruptcy estate if you have a claim that arose before the Petition Date, and it is not one of the types of claims described in Section 4 below. Claims based on acts or omissions of the Debtor that occurred before the Petition Date must be filed on or before the Bar Dates, even

¹ 11 U.S.C. § 101 *et seq.* shall be referred to herein as the “**Bankruptcy Code**.”

1 if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated
2 or certain before the Petition Date.

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

9 **2. WHAT TO FILE FOR ALL CLAIMS**

10 Claimants must complete and file the *Official Form 410 Proof of Claim* (the “**Official**
11 **Proof of Claim Form**”). If your claim is listed on the Schedules, the proof of claim form also sets
12 forth the amount of your claim as listed on the Schedules, and whether the claim is scheduled as
13 “disputed,” “contingent,” or “unliquidated.” You will receive a different proof of claim form for
14 each claim listed in your name on the Schedules. Additional proof of claim forms and instructions
15 may be obtained at (a) the website established by the Debtor’s Court-approved claims and noticing
16 agent, Donlin Recano & Company, Inc. (the “**Claims Agent**”), located at
17 <https://www.donlinrecano.com/ffc> or (b) the Bankruptcy Court’s website located at
18 www.uscourts.gov/forms/bankruptcy-forms.

19 **THE COURT HAS APPROVED SEPARATE PROCEDURES—AND A SINGLE**
20 **DEADLINE BY WHICH CLAIMS MUST BE FILED—FOR CLAIMANTS ALLEGING**
21 **SEXUAL ABUSE CLAIMS AS SET FORTH IN MORE DETAIL IN THE BAR DATE ORDER**
22 **AND THE SEXUAL ABUSE CLAIM BAR DATE NOTICE AVAILABLE AT THE CLAIMS**
23 **AGENT’S WEBSITE. IF YOU BELIEVE YOU HOLD A CLAIM ARISING OUT OF SEXUAL**
24 **ABUSE FOR WHICH THE DEBTOR IS LIABLE, YOU SHOULD CONTACT COUNSEL FOR**
25 **THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS, LOWENSTEIN**
26 **SANDLER LLP AND KELLER BENVENUTTI KIM LLP, BY SENDING AN EMAIL TO**
27 **BRENT WEISENBERG AT BWEISENBERG@LOWENSTEIN.COM OR GABRIELLE**
28

ALBERT AT GALBERT@KBKLLP.COM.

All proof of claim forms must be signed by the claimant or his or her counsel or, if the claimant is not an individual, by an authorized agent of the claimant. It must be written in English and be denominated in United States currency (using the exchange rate, if applicable, as of the Petition Date). You also should attach to your completed proof of claim any documents on which the claim is based (if voluminous, also attach a summary) or explanation as to why the documents are not available.

Your proof of claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four (4) 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 (4) digits of such account number).

3. WHEN AND WHERE TO FILE

All proofs of claim must be filed so as to be received on or before **July 19, 2024 at 5:00 p.m.** (prevailing Pacific Time) as follows:

(i) Electronically through the website for this Chapter 11 Case hosted by Donlin, Recano & Company, Inc. (the "**Claims Agent**") at:

(i) <https://www.donlinrecano.com/Clients/ffc/FileClaim> for General Claims, or

(ii) <https://www.donlinrecano.com/Clients/ffc/FileSurvivorClaim> for Sexual Abuse Claims, by following the instructions for filing proofs of claim electronically set forth on that website.

(ii) By mail through the United States Postal Service to:

Donlin, Recano & Company, Inc.
Re: Franciscan Friars of California, Inc.
P.O. Box 2053
New York, NY 10272-2042

(iii) By overnight mail or hand-delivery to the Claims Agent at the following address:

Donlin, Recano & Company, Inc.
c/o Equiniti
Re: Franciscan Friars of California, Inc.
48 Wall Street, 22nd Floor
New York, NY 10005

Proofs of claim will be deemed filed only when actually received at the addresses listed above or via the electronic filing system 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 PROOFS OF CLAIM NEED NOT BE FILED

The Bar Date Order further provides that the following entities, whose claims otherwise would be subject to the General Bar Date, need not file proofs of claim:

- (a) any person or entity that already has filed a proof of claim against the Debtor in a form substantially similar to Official Bankruptcy Form No. 410;
- (b) any person or entity whose claim is listed on the Schedules filed by the Debtor, provided that (i) the claim is not scheduled as “disputed”, “contingent”, or “unliquidated” and (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules;
- (c) any holder of a claim that heretofore has been allowed by Order of this Court;
- (d) any person or entity whose claim has been paid in full by the Debtor prior to the Bar Dates;
- (e) any holder of a claim for which specific deadlines have previously been fixed by this Court;
- (f) any officer, director, employee, or independent contractor of the Debtor who held such position as of the Petition Date and has a claim against the Debtor for indemnification, contribution, or reimbursement; provided, however, that any of the foregoing parties that wishes to assert a claim other than a claim arising from or relating to indemnification, contribution, or reimbursement will be required to file a proof of claim by the General Bar Date, unless another exception identified in this section 4 applies; and
- (g) the United States Trustee regarding a claim for quarterly fees under 28 U.S.C. § 1930(a)(6).

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 an unpaid claim against the Debtor. The fact that you have received this Notice does not mean that you have a claim or that the Debtor or the Court believe that you have a claim against the Debtor.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you have a claim arising out of the rejection of an executory contract or unexpired lease, you must file your claim by the applicable Rejection Damages Bar Date (as defined herein).

1 **6. AMENDMENTS TO THE DEBTOR'S SCHEDULES**

2 If you have a claim arising out of any amendments that the Debtor files to its Schedules,
3 you must file it by the Amended Schedules Bar Date (as defined herein).

4 **7. CONSEQUENCES OF FAILURE TO FILE A CLAIM**

5 ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE
6 REQUIREMENTS OF THIS NOTICE, AS SET FORTH IN SECTION 4 ABOVE, AND THAT
7 FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM SHALL NOT
8 BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES
9 OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THIS CASE AND
10 PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTOR'S CASES ON ACCOUNT OF
11 SUCH CLAIM.

12 **8. THE DEBTOR'S SCHEDULES AND ACCESS THERETO**

13 To determine if and how you are listed on the Schedules, please refer to the descriptions
14 set forth on the enclosed proof of claim form(s) regarding the nature, amount, and status of your
15 claim(s).

16 IF YOU RELY ON THE DEBTOR'S SCHEDULES OR THE ENCLOSED PROOF OF
17 CLAIM FORM(S), IT IS YOUR RESPONSIBILITY TO DETERMINE THAT THE CLAIM
18 ACCURATELY IS LISTED ON THE SCHEDULES.

19 As set forth above, if you agree with the nature, amount, and status of your claim as listed
20 in the Schedules, and if your claim is not described as "disputed," "contingent," or "unliquidated,"
21 you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must
22 do so before the applicable Bar Date, in accordance with the procedures set forth in this notice.

23 Copies of the Schedules are available for inspection on (a) the website established by the
24 Claims Agent at <https://donlinrecano.com/Clients/ffc/Static/SOALS> and (b) on the Bankruptcy
25 Court's website at <http://www.canb.uscourts.gov>. A login and password to the Court's Public
26 Access to Electronic Records ("**PACER**") are required to access this information on the Court's
27 website and can be obtained through the PACER Service Center at <http://www.pacer.gov>. Copies
28

of the Schedules also 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, located at 1300 Clay Street, Suite 300, Oakland, CA 94612. Copies of the Schedules also may be obtained by request to the Claims Agent:

Donlin Recano & Company, Inc.
Re: Franciscan Friars of California, Inc.
P.O. Box 2053
New York, NY 10272-2042

9. ADDITIONAL INFORMATION

If you have any questions regarding the claims process and/or you wish to obtain a copy of the proof of claim form, or related documents you may do so by: (i) calling Donlin Recano & Company, Inc. at (888) 444-4055; (ii) visiting the Debtor's restructuring website at <https://www.donlinrecano.com/ffc>; and/or (iii) emailing inquiries to ffcinfo@drc.equiniti.com. Please note that the Claims Agent cannot offer legal advice or advise whether you should file a proof of claim.

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

Dated: May 28, 2024

BINDER MALTER HARRIS & ROME-
BANKS LLP

By: /s/ Robert G. Harris
Robert G. Harris

*Attorneys for Debtor in Possession,
Franciscan Friars of California, Inc.*