

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

In re:

FIC RESTAURANTS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 20-12807 (CSS)

(Jointly Administered)

**NOTICE OF (A) ENTRY OF CONFIRMATION ORDER AND OCCURRENCE
OF THE EFFECTIVE DATE OF AMENDED COMBINED DISCLOSURE
STATEMENT AND JOINT CHAPTER 11 PLAN OF LIQUIDATION AND (B) BAR
DATES FOR FILING ADMINISTRATIVE EXPENSE CLAIMS, PROFESSIONAL
CLAIMS AND CONTRACT/LEASE REJECTION DAMAGES CLAIMS**

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. **Confirmation of the Plan.** On December 17, 2020, the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) entered an order (the “**Confirmation Order**”) confirming the Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Liquidation [Docket No. 278] (as modified or amended and supplemented, the “**Plan**”), in the Chapter 11 Cases of the above-captioned debtors and debtors-in-possession (collectively, the “**Debtors**”). Unless otherwise defined in this Notice, capitalized terms and phrases used herein have the meanings given to them in the Plan and the Confirmation Order. This Notice is intended solely to provide notice of the entry of the Confirmation Order and it does not, and shall not be construed to, limit, modify or interpret any of the provisions of the Confirmation Order. The following paragraphs identify some of the provisions of the Confirmation Order for the convenience of creditors; however, creditors should refer to the full text of the Confirmation Order and should not rely upon the summary provided below.

2. **Effective Date of the Plan.** On January 15, 2021, the Effective Date of the Plan occurred. All conditions precedent to the Effective Date enumerated in Article 14.2 of the Plan were satisfied or waived in accordance with the Plan. Pursuant to the Confirmation Order and the Plan, the releases, exculpation, and injunction provisions set forth in Article XIII of the Plan are now in full force and effect.

3. **Bar Dates.** If a Holder of an Administrative Claim (other than cure costs, or U.S. Trustee quarterly fees) that is required to, but does not, file and serve a request for

The Debtors in these chapter 11 cases, their jurisdictions of organization, and the last four digits of their U.S. taxpayer identification numbers are: (1) FIC Restaurants, Inc., a Massachusetts, corporation (1388) ("FIC"); (2) FIC Holdings, LLC, a Delaware limited liability company (0204) ("FIC Holdings"); (3) Neapolitan Group Holdings, LLC, a Delaware limited liability company (7922) ("Neapolitan"); (4) Friendly's Restaurants, LLC, a Delaware limited liability company (0696) ("Friendly's"); and (5) Friendly's Franchising, LLC, a Delaware limited liability company (4364) ("Franchising"). The Debtors' corporate headquarters is located at 1855 Boston Road, Suite 300, Wilbraham, MA 01095.

payment of such Administrative Claim, Professional Claim, or Rejection Claim by the applicable Bar Date the Holder of such Claim shall be forever barred, estopped and enjoined from asserting such Administrative Claim, Professional Claim or Rejection Claim against the Debtors, the Reorganized Debtors and their respective Estates.

- a. *Administrative Claims.* All requests for payment of an Administrative Claim (other than Cure Costs, Professional Claims, or U.S. Trustee quarterly fees) that accrued on or before the Effective Date that were not otherwise accrued in the ordinary course of business must be filed with the Bankruptcy Court and served on the Reorganized Debtors no later than the date that is the 30th day after the Effective Date.
- b. *Professional Claims.* All final requests for payment of Professional Claims for services rendered and reimbursement of expenses incurred prior to the Effective Date must be filed no later than 30th day after the Effective Date. Objections to any final requests for payment of Professional Claims must be filed no later than 21 days from the date of the filing of such final requests for payment of Professional Claims. The Bankruptcy Court shall determine the Allowed amounts of such Professional Claims after notice and a hearing in accordance with the procedures established by the Bankruptcy Code, the Bankruptcy Rules, and prior Bankruptcy Court orders. The Reorganized Debtors shall pay Professional Claims owing to the Professionals in Cash to such Professionals in the amount the Bankruptcy Court Allows.
- c. *Rejection Claims.* Unless otherwise provided by a Bankruptcy Court order, any Proofs of Claim asserting Claims arising from the rejection of the Executory Contracts and Unexpired Leases pursuant to the Plan must be filed with the Notice and Claims Agent by the later to occur of: (1) 30 days after the Effective Date and (2) 30 days after the Debtors surrender possession to a landlord of a rejected Unexpired Lease where surrender occurs after entry of an order approving such rejection.
 - i. Each Proof of Claim, including supporting documentation, for Rejection Claims must be submitted by electronic submission through the website of the Debtors' claims and noticing agent, Donlin Recano & Company, Inc. ("**Donlin Recano**") <https://www.donlinrecano.com/Clients/fr/FileClaim> or by hand delivery, courier service, first-class mail, overnight mail as to be **actually received** by Donlin Recano on or before the applicable deadline at:

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

Donlin, Recano & Company, Inc.
Re: FIC Restaurants, Inc., et al.
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: FIC Restaurants, Inc., et al.
6201 15th Avenue
Brooklyn, NY 11219

- ii. Receipt of Service. Persons or Entities wishing to receive acknowledgment that their paper-filed Proofs of Claim were received by Donlin Recano must submit: (i) a copy of the Proof of Claim form (in addition to the original Proof of Claim form sent to the Claims and Noticing Agent); and (ii) a self-addressed, stamped envelope.

4. Bankruptcy Court Address. For purposes of Filing requests for payment of Administrative Claims and applications for allowance of Professional Claims, the address of the Bankruptcy Court is 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801.

5. Copies of Confirmation Order. Copies of the Confirmation Order, the Plan, and any pleadings filed in these Chapter 11 Cases may be obtained by (a) visiting the Debtors' restructuring website at <https://www.donlinrecano.com/friendlys>; (b) sending an email to friendlyinfo@donlinrecano.com; and/or (c) calling the Debtors' restructuring hotline at 1-(866) 853-1834. The Confirmation Order and the Plan may also be examined by any party in interest during normal business hours at the Office of the Clerk of the Bankruptcy Court, United States Bankruptcy Court, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801. You may also obtain copies of the Confirmation Order or of any pleadings filed in these Chapter 11 Cases for a fee at <http://www.deb.uscourts.gov>.

Dated: January 15, 2021
Wilmington, Delaware

WOMBLE BOND DICKINSON (US) LLP

/s/ Ericka F. Johnson

Matthew P. Ward (DE Bar No. 4471)
Ericka F. Johnson (DE Bar No. 5024)
Morgan L. Patterson (DE Bar No. 5388)
Nicholas T. Verna (DE Bar No. 6082)
1313 North Market Street, Suite 1200
Wilmington, Delaware 19801
Telephone: (302) 252-4320
Facsimile: (302) 252-4330
Email: matthew.ward@wbd-us.com
Email: ericka.johnson@wbd-us.com
Email: morgan.patterson@wbd-us.com
Email: nick.verna@wbd-us.com

Counsel to the Debtors and Debtors in Possession