

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

In re:

HC LIQUIDATING, INC.,

Debtor.¹

Chapter 11

Case No. 23-10259 (TMH)

**NOTICE OF DEADLINE FOR FILING PROOFS OF CLAIM AND
REQUESTS FOR ALLOWANCE OF ADMINISTRATIVE CLAIMS**

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY HAVE A CLAIM AGAINST THE DEBTOR IN THE ABOVE-CAPTIONED CASE. YOU SHOULD READ THIS NOTICE CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

Please take notice that on February 24, 2023 (the “Petition Date”), the above-captioned debtor (the “Debtor”), formerly known as HyreCar, Inc., filed a voluntary petition for relief under chapter 11 of title 11 of the U.S. Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”), with the United States Bankruptcy Court for the District of Delaware (the “Court”).

Please take further notice that on **July 12, 2023**, the Court entered an order (the “Bar Date Order”)² establishing: (i) **August 18, 2023 at 5:00 p.m. (prevailing Eastern Time)** (the “General Bar Date”) as the last date and time for each person or entity to file a Proof of Claim in this Chapter 11 Case (a “Proof of Claim” or “Proofs of Claim,” as applicable), provided that, solely with respect to a governmental unit, the last date and time for such governmental unit to file a Proof of Claim in this Chapter 11 Case is **August 23, 2023 at 5:00 p.m. (prevailing Eastern Time)** (the “Governmental Bar Date”); and (ii) **August 18, 2023 at 5:00 p.m. (prevailing Eastern Time)** (the “Administrative Claim Bar Date”) as the last date and time for each person or entity to file a request for allowance of an Administrative Expense Claims (a “Payment Request” or “Payment Requests,” as applicable) arising during the period **from the Petition Date through and including July 17, 2023**. For your convenience, enclosed with this Notice is a Proof of Claim form (the “Proof of Claim Form”) and a Payment Request form (the “Payment Request Form”).

THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM AGAINST THE DEBTOR OR THAT THE DEBTOR BELIEVES THAT YOU HAVE A CLAIM AGAINST THE DEBTOR.

Please take further notice that the Bar Date Order and the procedures set forth therein and herein for the filing of Proofs of Claim apply to all Claims (the holder of any such Claim, a “claimant”) that arose, or are deemed to have arisen, prior to the Petition Date, regardless of their character or nature, whether secured or unsecured, priority or non-priority, liquidated or unliquidated, fixed or

¹ The last four digits of the Debtor’s federal tax identification numbers are 0487. The Debtor’s mailing address is 1001 Wilshire Boulevard PMB 2196, Los Angeles, CA 90017.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Bar Date Order.

contingent, including, without limitation, Claims entitled to administrative priority status under section 503(b)(9) of the Bankruptcy Code, no matter how remote or contingent.

As used in this Notice, the term “creditor” has the meaning given to it in section 101(10) of the Bankruptcy Code, and includes all persons, entities, estates, trusts, governmental units and the United States Trustee. In addition, the terms “persons,” “entities” and “governmental units” are defined in sections 101(41), 101(15) and 101(27) of the Bankruptcy Code, respectively.

As used in this Notice, the term “Claim” or “Claims” has the meaning given to it in section 101(5) of the Bankruptcy Code, and includes as to or against the Debtor: (a) any 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) any 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.

A. PROOFS OF CLAIM, PAYMENT REQUESTS, AND MANNER OF FILING

i. Proofs of Claim

Except as otherwise provided herein, any person or entity that has or seeks to assert a Claim which arose, or is deemed to have arisen, prior to the Petition Date, including, without limitation, a Claim under section 503(b)(9) of the Bankruptcy Code, **MUST FILE A PROOF OF CLAIM ON OR BEFORE THE APPLICABLE BAR DATE** in order to potentially share in the Debtor’s estate. For the avoidance of doubt, pursuant to Bankruptcy Rule 3003(c)(2), any claimant who asserts a Claim that arose, or is deemed to have arisen, prior to the Petition Date and whose Claim is either (a) not listed on the Debtor’s Schedules or (b) is listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” shall be required to file a Proof of Claim on or prior to the applicable Bar Date in order to potentially share in the Debtor’s estate. Under the Bar Date Order, the filing of a Proof of Claim Form shall be deemed to also satisfy the procedural requirements for the assertion of administrative priority Claims under section 503(b)(9) of the Bankruptcy Code. All other administrative Claims under section 503(b) of the Bankruptcy Code must be made pursuant to the procedures below and shall not be deemed proper if made by Proof of Claim. Acts or omissions of the Debtor that occurred or arose before the Petition Date may give rise to Claims that must be filed by the applicable Bar Date, notwithstanding that such Claims may not have matured, are contingent, or have not become fixed or liquidated prior to or as of the Petition Date.

1. Claims for Which a Proof of Claim Need Not be Filed

Notwithstanding the above, holders of the following Claims are not required to file a Proof of Claim on or before the applicable Bar Date solely with respect to such claim:

- a) any person or entity that already has filed a Proof of Claim against the Debtor with the Debtor’s claims agent, Donlin, Recano & Company, Inc. (“Donlin Recano”) or the Clerk of the Court in a form substantially similar to Official Bankruptcy Form B 410;
- b) any person or entity whose claim is listed on the Debtor’s Schedules or any amendments thereto unless (i) the claim is scheduled as “disputed,” “contingent,” or

“unliquidated,” or (ii) the claimant disagrees with the amount, nature, and/or priority of the claim as set forth in the Schedules. In the case of either (i) or (ii), a Proof of Claim must be filed on or before the applicable Bar Date;

- c) professionals retained by the Debtor and the Committee, pursuant to orders of the Court, that assert administrative claims for fees and expenses subject to the Court’s approval pursuant to sections 330, 331, and 503(b) of the Bankruptcy Code;
- d) a claim on account of indemnification, contribution, or reimbursement by an officer, director, or employee of the Debtor who held such position as of the Petition Date; provided, however, that any director, officer, or employee of the Debtor as of the Petition Date that resigns or otherwise leaves the employment of the Debtor following the Petition Date must file a proof of claim by the later of (i) the General Bar Date or (ii) thirty (30) days following such resignation or termination of employment if such director, officer, or employee of the Debtor asserts a claim against the Debtor for indemnification, contribution, or for reimbursement related to the foregoing;
- e) a holder of a claim that has previously been allowed by order of the Court;
- f) a holder of a claim that has been paid in full by the Debtor or any other party, including but not limited to claims authorized to be paid pursuant to the Critical Vendor Order or Insurance Order;
- g) Any unpaid Pre-2023 Drivers’ Liability Claims but only to the extent such claims have by the Bar Date been paid by Insurers providing coverage for Pre-2023 Drivers’ Liability Claims; and
- h) any present or former employee of the Debtor, solely with respect to any claim based on the payment of an obligation arising in the ordinary course of business as a wage, commission, or benefit and previously authorized to be paid by any orders granting the *Debtor’s Motion for Entry of Interim and Final Orders Authorizing Debtor to (I) Pay Prepetition Wages, Employee Expenses, and Other Compensation, (II) Maintain Employee Benefit Programs, and (III) Granting Related Relief* [Docket No. 10;].

Please take notice that any claimant exempted from filing a Proof of Claim for a claim as described in the list above must still properly and timely file a Proof of Claim for any other claim that does not fall within the exemptions described in the list above.

ii. Payment Requests

Except as otherwise provided herein, each person or entity (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts, and governmental units) that holds or wishes to assert an alleged Administrative Expense Claim against the Debtor’s estate that may have arisen during the period **from the Petition Date through and including July 17, 2023 MUST FILE A PAYMENT REQUEST ON OR BEFORE THE ADMINISTRATIVE CLAIM BAR DATE** in order to potentially share in the Debtor’s estate.

1. Claims for Which a Payment Request Need Not be Filed

Pursuant to the terms of the Bar Date Order, the Administrative Claim Bar Date does not apply to the following claims:

- a) Administrative Expense Claims that (i) have been previously paid by the Debtor in the ordinary course of the Debtor's business or (ii) have otherwise been allowed by order of the Court;
- b) Administrative Expense Claims previously filed with Donlin Recano or the Court;
- c) Administrative Expense Claims held by a person or entity that filed a motion requesting allowance of such Administrative Expense Claim prior to the date of the Hearing;
- d) Administrative Expense Claims of any professional retained and employed by the Debtor pursuant to sections 327, 328, or 1103 of the Bankruptcy Code, including any ordinary course of business professionals retained, pursuant to an order of this Court approving the employment of ordinary course business professionals, for compensation, indemnification, or reimbursement of costs and expenses relating to professional services performed and expenses incurred on and after the Petition Date;
- e) claims for fees payable to the Clerk of this Court;
- f) fees payable to the Office of the United States Trustee under 28 U.S.C. § 1930(a)(6) or accrued interest thereon arising under 31 U.S.C. § 3717; and
- g) Administrative Expense Claims arising after July 17, 2023.

A CLAIMANT OR REPRESENTATIVE OF THE CLAIMANT SHOULD CONSULT HIS OR HER ATTORNEY IF THE CLAIMANT HAS ANY QUESTIONS, INCLUDING WHETHER SUCH CLAIMANT SHOULD FILE A PAYMENT REQUEST. NEITHER THE DEBTOR'S ATTORNEYS, NOR DONLIN RECANO, NOR THE CLERK OF THE COURT CAN ADVISE THE CLAIMANT WHETHER THE CLAIMANT SHOULD FILE A PAYMENT REQUEST.

iii. Claims Arising from Rejected Executory Contracts or Unexpired Leases

Any person or entity that holds a Claim that arises from the rejection of an executory contract or unexpired lease must file a Proof of Claim based on such rejection by the later of (a) the General Bar Date and (b) thirty (30) days after the effective date of such rejection established in a Court order authorizing such rejection (the "Rejection Bar Date").

iv. Equity Holders

Any person or entity holding an equity security or other ownership interest in the Debtor (an "Interest Holder") is not required to file a proof of interest with respect to the ownership of such equity interest; provided, however, that any Interest Holder that wishes to assert a claim against the Debtor, including a claim that arises out of or relates to the ownership or purchase of an equity

security or other ownership interests, including, but not limited to, a claim for damages, rescission based on the purchase or sale of such equity security or other ownership interests, must file a proof of claim on or prior to the General Bar Date, or the Governmental Bar Date, as applicable to such claim, pursuant to procedures set forth herein. The Debtor's rights are reserved to seek relief at a later date establishing a deadline for Interest Holders to file proofs of interest.

v. Schedules and Amendments thereto

You may be listed as the holder of a Claim in the Schedules. The Schedules are available free of charge on Donlin Recano's website at <https://donlinrecano.com/hyrecar>. If you rely on the Schedules, it is your responsibility to determine that your Claim is accurately listed in the Schedules. As described above, if (a) you agree with the nature, amount and status of your Claim as listed in the Schedules, (b) your Claim is NOT described as "disputed," "contingent," or "unliquidated," and (c) you do not dispute that the claim is an obligation of the particular Debtor against which the claim is listed in the Schedules, then you are not required to file a Proof of Claim in this Chapter 11 Case with respect to such 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 and the Bar Date Order.

If the Debtor amend its Schedules, then the Bar Date for those creditors affected by any such amendment shall be the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, to such claims, or (b) 5:00 p.m. (Prevailing Eastern Time) on the date that is twenty-one (21) days from the date that the Debtor provided written notice to the affected creditor that the Schedules have been amended (the "Amended Schedules Bar Date" and, together with the General Bar Date, Governmental Bar Date, and Rejection Bar Date, the "Bar Dates," and each a "Bar Date").

B. WHEN AND WHERE TO FILE PROOFS OF CLAIM AND PAYMENT REQUESTS

All claimants must submit (by overnight mail, courier service, hand delivery, regular mail or in person) an original, written: (i) Proof of Claim that substantially conforms to the Official Bankruptcy Form No. B 410 or the enclosed Proof of Claim Form; and/or (ii) the Payment Request Form, as applicable, so as to be **actually received** by Donlin Recano by no later than 5:00 p.m. (prevailing Eastern Time) on or before the applicable Bar Date at the following address:

(by first-class mail)
Donlin, Recano & Company, Inc.
Re: HyreCar, Inc.
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219

(by overnight mail or hand delivery)
Donlin, Recano & Company, Inc.
Re: HyreCar, Inc.
6201 15th Avenue
Brooklyn, NY 11219

Alternatively, claimants may submit a Proof of Claim or Payment Request, as applicable, electronically through the electronic Claims filing system available at <https://donlinrecano.com/Clients/hci/FileClaim>.

Proofs of Claim and Payment Requests will be deemed timely filed only if actually received by Donlin Recano on or before the applicable Bar Date. Proofs of Claim and Payment Requests may not be delivered by facsimile, telecopy, or electronic mail transmission. Any facsimile, telecopy, or electronic mail submissions will **not** be accepted and will **not** be deemed filed until a Proof of Claim or Payment Request, as applicable, is submitted to Donlin Recano by overnight mail, courier service, hand delivery, regular mail or in person or through the electronic filing system described above. Claimants wishing to receive acknowledgment that their original, written Proofs of Claim or Payment Requests, as applicable, were received by Donlin Recano must submit (i) a copy of the Proof of Claim or Payment Request, as applicable, and (ii) a self-addressed, stamped envelope (in addition to the original Proof of Claim or Payment Request, as applicable, sent to Donlin Recano).

C. CONTENTS OF A PROOF OF CLAIM AND PAYMENT REQUEST

i. Proofs of Claim

As noted above, the Debtor is enclosing a Proof of Claim Form for use in this Chapter 11 Case, or you may use another Proof of Claim form that substantially conforms to Official Bankruptcy Form No. B 410. The Proof of Claim Form is available free of charge on Donlin Recano's website at <https://donlinrecano.com/Clients/hci/FileClaim>.

If your Claim listed in the Debtor's Schedules, the Proof of Claim Form sent to you will indicate how the Debtor has scheduled your Claim in the Schedules, including (a) the amount of the scheduled Claim, if any; (b) whether the Claim is listed as disputed, contingent, or unliquidated; and (c) whether the Claim is listed as a secured, unsecured priority, or unsecured non-priority Claim.

To be valid, your Proof of Claim **MUST**: (a) be signed by the claimant (which, if submitted electronically, may be satisfied by electronic signature through the electronic Claims filing system described above); (b) be written in the English language; (c) be denominated in lawful currency of the United States; provided that Claims in foreign currency must state the amounts claimed in such foreign currency and must also convert each such amount to United States dollars as of the Petition Date; (d) conform substantially to the enclosed Proof of Claim Form or Official Form B 410; (e) set forth with specificity the legal and factual basis for the alleged Claim; and (f) include supporting documentation or an explanation as to why such documentation is not available. **You should redact any sensitive information from your supporting documentation prior to filing your Proof of Claim.**

If you are filing a Claim under section 503(b)(9) of the Bankruptcy Code, you must indicate in Box 13 of the Proof of Claim Form the amount of the Claim that arises under section 503(b)(9) of the Bankruptcy Code. For each Claim under section 503(b)(9) of the Bankruptcy Code, you must attach all documents supporting such Claim to the Proof of Claim Form and include a statement setting forth with specificity: (a) the value of the goods the claimant contends the Debtor received within twenty (20) days before the Petition Date; (b) documentation, including invoices, receipts, purchase orders, bills of lading, and the like, identifying the particular goods for which the claim is being asserted; and (c) a statement indicating (i) whether the value of such goods listed in the Proof of Claim Form represents a

combination of services and goods, (ii) the percentage of value related to services and related to goods, and (iii) whether the claimant has been paid on account of any other claim against the Debtor regarding the goods underlying its Proof of Claim Form.

ii. Payment Requests

As noted above, the Debtor is enclosing a Payment Request Form for use in this Chapter 11 Case. The Payment Request Form is available free of charge on Donlin Recano's website at <https://donlinrecano.com/Clients/hci/FileClaim>.

Each Payment Request must: (i) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant; (ii) be written English; (iii) denominate the claim in lawful currency of the United States as of the Administrative Claim Bar Date; and (iv) include supporting documentation (or, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available. Documentation should include both evidence of the nature of the Administrative Expense Claim asserted as well as evidence of the date on which the Administrative Expense Claim arose.

D. CONTINGENT CLAIMS

Acts or omissions of or by the Debtor that occurred, or that are deemed to have occurred, prior to the Petition Date, including, without limitation, acts or omissions related to any indemnity agreement, guarantee, services provided to or rendered by the Debtor, or goods provided to or by the Debtor, may give rise to Claims against the Debtor and its estate notwithstanding the fact that such Claims (or any injuries on which they may be based) may be contingent or may not have matured or become fixed or liquidated prior to the Petition Date. Therefore, any person or entity that holds a Claim or potential Claim against the Debtor and its estate, no matter how remote, contingent, or unliquidated, **MUST** file a Proof of Claim on or before the applicable Bar Date.

E. NO EFFECT ON INSURANCE

The Debtor offered certain insurance coverage for its customers, including, (i) automobile liability and third-party property damage provided to drivers (the "Drivers' Liability Program") and (ii) vehicle damage coverage provided to car owners (the "Physical Damage Program," and with the coverage provided under the Drivers' Liability Program, the "Rental Coverage"). The insurance policies within the Drivers' Liability Program provide liability coverage that satisfies various state law minimum coverage requirements subject to a \$15,000 self-insured retention (the "Drivers' Liability \$15k SIR"). The insurance carriers that provide coverage under the Drivers' Liability Program (the "Insurers") are as follows:

- I. For the coverage for the period ending December 31, 2022 for states other than California, Voyager Indemnity Insurance Company policy number FAR3381004, and Reliable Lloyds Insurance Company policy number FAR3381010;

- II. For coverage commencing January 1, 2023 until the Closing Date (as hereinafter defined), for states other than California, Mobilitas Insurance Company and Mobilitas Insurance Company of Arizona policy numbers TXBA0C4973227794 and AZBA0C4973227792;
- III. Pacific Insurance Company Limited policy number 57YR2OH8220, for coverage for all periods for California; and
- IV. The Physical Damage Program provided coverage to car owners for physical damage to their vehicles pursuant to a policy issued from the Debtor's wholly-owned subsidiary HFIS Insurance Company ("HFIS"), which is licensed as a protected cell captive insurance company.

As provided in the Bar Date Order, the filing of a Proof of Claim or Payment Request shall not impact, implicate or affect any rights or obligations a claimant may have against any insurance policy or insurance carrier that may provide coverage for any Claim(s) asserted in this Chapter 11 Case, whether or not any such insurance policy was offered to claimant through the Debtor's car-sharing platform. Nothing in the Bar Date Order or this Notice shall be construed as having any effect whatsoever on the rights and obligations of any claimant, insurer or any other non-debtor third party with respect to insurance claims filed that may related to Claim(s) filed in this Chapter 11 Case. It is the sole responsibility of claimant to timely file a claim against any insurance policy that may be applicable to a Claim filed against the Debtor, and to pursue any such claim to resolution within the requirements of any such policy. In addition, it is the sole responsibility of the claimant to file a Proof of Claim in this Chapter 11 Case except to the extent such Claim has by the Bar Date been paid by Insurers providing coverage for such Claim. Further information about the Debtor's insurance programs may be found in the Debtor's Insurance Motion [Docket No. 80] and the Debtor's Bar Date Motion [Docket No. 360] online at <https://www.donlinrecano.com/Clients/hci/Index>

**CONSEQUENCES FOR FAILURE TO FILE A
PROOF OF CLAIM AND/OR PAYMENT REQUEST**

Any claimant that is required to file a Proof of Claim and in this Chapter 11 Case pursuant to the Bankruptcy Code, the Bankruptcy Rules or the Bar Date Order with respect to a particular Claim, but that fails to do so properly by the applicable Bar Date, shall be forever barred, estopped, and enjoined from: (a) asserting such Claim against the Debtor and its estate (or filing a Proof of Claim), and the Debtor and its properties and estate shall be forever discharged from any and all indebtedness or liability with respect to such Claim and (b) voting upon, or receiving distributions under, any chapter 11 plan in this Chapter 11 Case or otherwise in respect of or on account of such Claim, and such person or entity shall not be treated as a creditor with respect to such Claim for any purpose in this Chapter 11 Case.

Additionally, any party purportedly holding an Administrative Expense Claim against the Debtor that arose **between the Petition Date and July 17, 2023** that is required to file a Payment Request, but fails to do so properly or timely in accordance with the Bar Date Order, shall not, absent further order of the Court, participate in any distribution in this Chapter 11 Case on account of such

Administrative Expense Claim or, in the event that the Chapter 11 Case is converted, in any case under Chapter 7 of the Bankruptcy Code.

RESERVATION OF RIGHTS

Nothing contained in this Notice or the Bar Date Order is intended or should be construed as a waiver of any of the Debtor's rights, including without limitation, its rights to: (a) dispute, or assert offsets or defenses against, any filed Claim or any Claim listed or reflected in the Schedules as to the nature, amount, liability or classification thereof; (b) subsequently designate any scheduled Claim as disputed, contingent or unliquidated; or (c) otherwise amend or supplement the Schedules. In addition, nothing contained herein is intended or should be construed as an admission of the validity of any Claim or an approval, assumption or rejection of any agreement, contract or lease under section 365 of the Bankruptcy Code. All such rights and remedies are reserved.

ADDITIONAL INFORMATION

The Proof of Claim Form, the Payment Request Form, the Bar Date Order, and all other pleadings filed in these Chapter 11 Cases are available free of charge on Donlin Recano's website at <https://donlinrecano.com/hyrecar>. If you have questions concerning the filing or processing of Claims, you may contact the Debtor's claims and noticing agent, Donlin Recano, by e-mail at hyrecarinfo@drc.equiniti.com or by telephone at +1 (888) 396-0853 for U.S. parties, or +1 (212) 771-1128 for Non-U.S. parties.

Donlin Recano cannot advise you how to file, or whether you should file, a proof of claim. You may wish to consult an attorney regarding this matter.

Dated: July 13, 2023
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Andrew J. Roth-Moore

Norman L. Pernick (No. 2290)

Andrew J. Roth-Moore (No. 5988)

Michael E. Fitzpatrick (No. 6797)

500 Delaware Avenue, Suite 1410

Wilmington, DE 19801

- and -

GREENBERG GLUSKER LLP

Brian L. Davidoff, Esq. (admitted *pro hac vice*)

Keith P. Banner, Esq. (admitted *pro hac vice*)

2049 Century Park East, Suite 2600

Los Angeles, CA 90067

Counsel to Debtor and Debtor-in-Possession