

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

In re:

TRIAD GUARANTY INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 13- 11452 (MFW)

**Re: Docket No. 96**

**ORDER PURSUANT TO SECTIONS 501, 502, AND 1111(a) OF THE  
BANKRUPTCY CODE, BANKRUPTCY RULES 2002 AND 3003(c)(3), AND  
LOCAL RULE 2002-1(e) ESTABLISHING BAR DATES FOR FILING  
PROOFS OF CLAIM AND APPROVING THE FORM AND MANNER OF  
NOTICE THEREOF**

Upon consideration of the motion (the "Motion") of Triad Guaranty Inc. (the "Debtor"), pursuant to sections 501, 502, and 1111(a) of the Bankruptcy Code, Bankruptcy Rules 2002 and 3003(c)(3), and Local Rule 2002-1(e) for entry of an order (i) establishing deadlines for filing Proofs of Claim against the Debtor in its bankruptcy case (the "Case") and (ii) approving the form and manner of notice thereof, all as set forth in the Motion; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors, and other parties in interest; and notice of the Motion and the opportunity for a hearing on the Motion was

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<sup>1</sup> The last four digits of the Debtor's federal taxpayer identification number are 8519. The location of the Debtor's headquarters and the Debtor's service address is 1900 Crestwood Blvd., Birmingham, AL 35210

appropriate under the particular circumstances; and the Court having reviewed the Motion and having considered the statements in support of the relief requested therein at a hearing before the Court, if any (the "Hearing"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED:**

1. The Motion is granted as set forth below.
2. Except as otherwise provided herein, each person or entity, including, without limitation, each individual, partnership, joint venture, corporation, limited liability company, estate, trust, or governmental unit, that holds or asserts a claim, as defined at Bankruptcy Code section 101(5), against the Debtor, shall file a Proof of Claim<sup>2</sup> so that it is received, as provided in paragraphs 6 and 7 below, by Donlin Recano & Company, Inc. ("DRC") on or before October 31, 2013 at 5:00 p.m. (prevailing Eastern Time).
3. All governmental units (as defined at Bankruptcy Code section 101(27)) asserting claims against the Debtor shall file a Proof of Claim so that it is

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<sup>2</sup> Each capitalized term not otherwise defined herein shall have meaning ascribed to such term in the Motion.

received, as provided in paragraphs 6 and 7 below, by DRC, on or before December 2, 2013 at 5:00 p.m. (prevailing Eastern Time).

4. If, on or after the date on which the Debtor serve the Bar Date Notice, the Debtor amends or supplements its schedules of assets and liabilities, list of equity holders, and statement of financial affairs (collectively, the “Schedules”) (a) to reduce the undisputed, noncontingent, and liquidated amount of a claim, (b) to change the nature or characterization of a claim, or (c) to add a new claim to the Schedules, the affected claimant shall file a Proof of Claim or amend any previously filed Proof of Claim in respect of the amended scheduled claim in accordance with the procedures described herein so that it is received, as provided in paragraphs 6 and 7 below, by DRC on or before the later of (x) the General Bar Date or (y) twenty-one (21) days after the date of the mailing of the notice to the claimant of the applicable amendment or supplement to the Schedules.

5. In the event the Debtor rejects an executory contract or an unexpired lease pursuant to Bankruptcy Code section 365, Proofs of Claim in connection with Rejection Damages Claims shall be filed so that they are received, as provided in paragraphs 6 and 7 below, by DRC on or before the later of (a) the General Bar Date, or (b) 5:00 p.m. (prevailing eastern time) on the date that is thirty (30) days after the effective date of such Court order approving the rejection of an executory contract or unexpired lease, or (c) such other date as the Court may fix.

6. Proofs of Claim sent to DRC via first-class mail shall be addressed to Donlin, Recano & Company, Inc., Re: Triad Guaranty Inc., P.O. Box 899, Madison

Square Station, New York, NY 10010. Proofs of Claim sent to DRC by messenger or overnight courier shall be delivered to Donlin, Recano & Company, Inc., Re: Triad Guaranty Inc., 419 Park Avenue South, Suite 1206, New York, NY 10016.

7. Proofs of Claim mailed or delivered to DRC will be deemed timely filed only if actually received by DRC on or before the bar date associated with such claim at one of the applicable addresses listed in paragraph 6 above.

8. DRC shall not accept Proofs of Claim by facsimile, telecopy, e-mail, or other electronic submission. Only Proofs of Claim with original signatures will be accepted by DRC.

9. The following persons or entities are not required to file Proofs of Claim:

- a. any person or entity that has already properly filed a Proof of Claim against the Debtor with either DRC or the Clerk of the Court for the United States Bankruptcy Court for the District of Delaware;
- b. any person or entity (i) whose claim is listed in the Debtor's Schedules or any amendments thereto, and (ii) whose claim is not described therein as "disputed," "contingent," or "unliquidated," and (iii) who does not dispute the amount or characterization of its claim as set forth in the Schedules;
- c. professionals retained by the Debtor or any official committee appointed in this Case pursuant to orders of this Court who 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. any person or entity that asserts an administrative expense claim against the Debtor pursuant to section 503(b) of the Bankruptcy Code;
- e. current officers and directors of the Debtor who assert claims for indemnification and/or contribution arising as a result of such

officers' or directors' prepetition or postpetition services to the Debtor;

- f. any person or entity whose claim against the Debtor has been allowed by an order of the Court entered on or before the applicable Bar Date;
- g. any person or entity whose claim has been paid by the Debtor; and
- h. any holder of an equity interest or membership interest in the Debtor need not file a proof of interest with respect to the ownership of such equity interest or membership interest at this time; provided, however, that any holder of an equity interest or membership interest who wishes to assert a claim against the Debtor, including a claim relating to such interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the applicable Bar Date pursuant to procedures set forth herein.

10. Pursuant to Bankruptcy Rule 3003(c)(2), any person or entity that is required to file a timely Proof of Claim in the form and manner specified by this Order and who fails to do so on or before the bar date associated with such claim shall not be treated as a creditor for purposes of voting upon, or receiving distributions under, any plan of reorganization in the Case in respect of that claim.

11. The Bar Date Notice, substantially in the form attached to the Motion as Exhibit A, is approved in all respects. Prior to mailing the Proof of Claim form and the Bar Date Notice, the Debtor may fill in any missing dates and other information, correct any typographical errors, conform the provisions thereof to the provisions of this Order, and make such other non material, non-substantive changes as it deems appropriate.

12. The Bar Date Notice shall be deemed good, adequate, and sufficient notice of the relief granted by this Order to all known creditors of the Debtor if it is

served, together with the Proof of Claim form, by being deposited in first-class U.S. mail, postage prepaid no later than five (5) business days following entry of this Order, upon all known persons and entities holding potential claims against the Debtor.

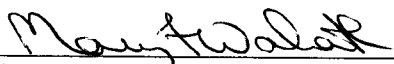
13. Pursuant to Bankruptcy Rules 2002(f) and 2002(1), the Debtor shall publish a modified form of the Bar Date Notice in the national edition of the Wall Street Journal on one (1) occasion at least sixty (60) days prior to the General Bar Date.

14. Nothing in this Order shall prejudice the right of the Debtor or any other party in interest herein to dispute, or to assert offsets or defenses to, any claim reflected in the Schedules as to amount, liability, characterization, or otherwise, and to subsequently designate any claim as disputed, contingent, or unliquidated.

15. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

16. The Court shall retain jurisdiction with respect to all matters arising under or relating to the implementation and enforcement of this Order.

Dated: Aug. 19, 2013

  
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The Honorable Mary F. Walrath  
United States Bankruptcy Judge