

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

In re:

Chapter 11

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

Case No. 13- 11452 (MFW)

**NOTICE OF BAR DATES BY WHICH PARTIES MUST FILE PROOFS OF CLAIM  
AND PROCEDURES FOR ASSERTING CLAIMS AGAINST TRIAD GUARANTY INC.**

**PLEASE TAKE NOTICE THAT** Triad Guaranty Inc. (the “Debtor”), the debtor and debtor-in-possession in the above-captioned case (the “Case”), filed a voluntary petition for relief under chapter 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”) on June 3, 2013 (the “Petition Date”).

**PLEASE TAKE FURTHER NOTICE THAT** on July 31, 2013, the Debtor filed a motion requesting approval of certain bar dates by which proofs of claim must be filed in the Case and approving procedures relating thereto (the “Bar Date Motion”), which was approved by the Court on August 20, 2013 (the “Bar Date Order”) [D.I. 124]. Pursuant to the Bar Date Order, the Court established the bar dates set forth herein as the deadlines for parties to file proofs of claim asserting claims against the Debtor that arose, or that are deemed to have arisen, prior to the Petition Date.

**YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE HOLDING A CLAIM AGAINST THE ABOVE-CAPTIONED DEBTOR. THEREFORE, 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.**

**Background to the Debtor’s Case**

**General Information.** No request for the appointment of a trustee or examiner has been made in the Case, and no committee has been appointed.

**Obtaining Additional Information.** If you have any questions regarding the claims<sup>2</sup> process and/or if you wish to obtain a copy of the Bar Date Motion, the Bar Date Order, proof of claim form,

<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

<sup>2</sup> Except as otherwise defined herein, all terms shall have the meanings ascribed to them by the Bankruptcy Code. In particular, as used herein: (a) the term “claim” has the meaning given to it at Bankruptcy Code section 101(5); (b) the term “entity” has the meaning given to it at Bankruptcy Code section 101(15); (c) the term “governmental unit” has the meaning given to it at Bankruptcy Code section 101(27); and (d) the term “person” has the meaning given to it at Bankruptcy Code section 101(41).

Schedules, or related documents (and/or any other pleadings filed in the Debtor's chapter 11 case) you may do so by contacting Donlin Recano & Company, Inc., the notice and claims agent retained by the Debtor (the "Notice and Claims Agent") by writing to Donlin Recano & Company, Inc., Re: Triad Guaranty Inc., P.O. Box 899, Madison Square Station, New York, NY 10010 or by sending an email requesting such documents to wyeung@donlinrecano.com. **Please note** that the Notice and Claims Agent can not advise you how to, or whether you should, file a claim.

**Schedules of Liabilities.** The Debtor filed with the Court its schedules of assets and liabilities, list of equity holders, and statement of financial affairs (collectively, the "Schedules") on June 17, 2013. The Debtor's Schedules are available from the Notice and Claims Agent and may also be examined and inspected by interested parties during regular business hours at the Office of the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. The Court's docket sheet and documents are also accessible at the Court's internet site: <https://ecf.deb.uscourts.gov> through an account obtained from the PACER website at <http://pacer.psc.uscourts.gov>. **Please note that creditors have the responsibility for determining that their claims are listed accurately on the Schedules.**

#### **Bar Dates Approved by the Court**

The Court has established the following deadlines by which persons or entities holding secured, unsecured priority, or unsecured non-priority claims against the Debtor that are **not** listed in the Schedules, or that are listed as contingent, unliquidated, or disputed in the Schedules (or any person or entity who believes its claim is improperly classified or is listed in an incorrect amount in the Schedules and who desires to have its claim allowed in a different classification or amount), must file an original proof of that claim in accordance with the instructions below:

**General Bar Date:** **5:00 p.m. prevailing Eastern Time on October 31, 2013** is the date by which all proofs of claim (except as explicitly set forth in the Bar Date Order) asserting claims against the Debtor must be filed so as to be **actually received** in accordance with the procedures set forth herein (the "General Bar Date").

**Governmental Bar Date:** **5:00 p.m. prevailing Eastern Time on December 2, 2013** is the date by which all governmental units must file proofs of claim asserting claims against the Debtor, including claims for unpaid taxes, whether such claims arose from prepetition tax years or periods or are based on prepetition transactions to which the Debtor was a party (the "Governmental Bar Date").

#### **Persons or Entities Who Are Not Required To File a Proof of Claim**

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 the Notice and Claims Agent 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 the Case pursuant to orders of this Court who assert administrative claims for fees and expenses subject to the Court's approval pursuant to Bankruptcy Code sections 330, 331, and 503(b);
- d. any person or entity that asserts an administrative expense claim against the Debtor pursuant to Bankruptcy Code section 503(b);
- 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.

#### **Instructions for Filing Proofs of Claim**

The following requirements shall apply with respect to filing and preparing each proof of claim:

1. Contents of Proof of Claim. Each proof of claim must (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with Official Form B10; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant.
2. Original Signatures Required. Only original proofs of claim will be deemed acceptable for purposes of claims administration. Copies of proofs of claim or proofs of claim sent by facsimile, telecopy, e-mail, or other electronic submission will not be accepted.
3. Supporting Documentation. Each proof of claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, upon prior written consent of the Debtor's counsel, such proof of claim may include a summary of such documentation or an explanation as to why such documentation is not available; provided, however, that any creditor that received such written consent shall be required to transmit such writings to the Debtor's counsel upon request no later than ten (10) days from the date of such request.
4. Timely Service. Each proof of claim must be filed, including supporting documentation, so as to be **actually received** by the Notice and Claims Agent on or before the bar date applicable thereto in accordance with the Bar Date Order at:

**If by first-class mail:**

Donlin, Recano & Company, Inc.  
Re: Triad Guaranty Inc.  
P.O. Box 899  
Madison Square Station  
New York, NY 10010

**If by hand delivery or overnight mail:**

Donlin, Recano & Company, Inc.  
Re: Triad Guaranty Inc.  
419 Park Avenue South, Suite 1206  
New York, NY 10016

**PROOFS OF CLAIM SUBMITTED BY FACSIMILE OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.**

5. Receipt of Service. Any claimant wishing to receive acknowledgment that its Proof of Claim was received by the Notice and Claims Agent must submit (i) a copy of the Claim Form and (ii) a self-addressed, stamped envelope (in addition to the original Claim Form sent to the Notice and Claims Agent) concurrently with submitting its original Proof of Claim.

**What to File**

The Debtor is enclosing a proof of claim form for use in this case, substantially in the form of Official Form B10. You may utilize the proof of claim form(s) provided by the Debtor to file your claim. Additional Proof of Claim Forms may be obtained at <http://www.uscourts.gov>.

**Parties to Debtor's Leases and Executory Contracts**

**Rejection Damages.** The Bankruptcy Code provides that the Debtor may, at any time before a plan of reorganization is confirmed by the Court, choose to reject certain executory contracts or unexpired leases. If your contract or lease is rejected, you may have a claim resulting from that rejection. The deadline by which counterparties to executory contracts and unexpired leases rejected by the Debtor must file a proof of claim for damages relating to the rejection of the contract or lease is the later of (i) the General Bar Date and (ii) the date established by the Court in an order authorizing the Debtor to reject an unexpired lease or executory contract (each, a "Rejection Order") or, if no date is provided, then 5:00 p.m. (prevailing eastern time) on the date that is thirty (30) days after the date of any Rejection Order.

**Reservation of Rights**

Nothing herein or in the Motion is intended to or shall be deemed or construed as (a) an admission as to the validity or priority of any claim or lien against the Debtor, (b) an approval or assumption of any agreement, contract, or lease pursuant to Bankruptcy Code section 365, (c) a waiver of any right, or shall impair the ability of, the Debtor to (i) dispute, or assert offsets or defenses in respect of, any claim against the Debtor asserted in a proof of claim, or listed or reflected in the Schedules, including as to the nature, amount, liability, or classification thereof, (ii) subsequently change the designation of any claim listed in the Schedule to disputed, contingent, or unliquidated, or (iii) otherwise amend or supplement the Schedules.

**CONSEQUENCES OF FAILING TO TIMELY FILE A PROOF OF CLAIM**

ANY PERSON OR ENTITY WHO IS REQUIRED, BUT FAILS, TO FILE A PROOF OF CLAIM ON OR BEFORE THE BAR DATE APPLICABLE TO THEIR CLAIM(S) IN ACCORDANCE WITH THE TERMS SET FORTH IN THE BAR DATE ORDER, SHALL BE (A) FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTOR OR FILING A PROOF OF CLAIM WITH RESPECT THERETO AND, MOREOVER, THE DEBTOR'S PROPERTY SHALL BE FOREVER DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO OR ARISING FROM SUCH CLAIM AND (B) PROHIBITED FROM VOTING TO ACCEPT OR REJECT ANY PLAN FILED IN THIS CASE OR PARTICIPATING IN ANY DISTRIBUTION ON ACCOUNT OF SUCH CLAIM OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM, EXCEPT AS OTHERWISE AUTHORIZED BY ORDER OF THE COURT.