

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	:	Chapter 11
	:	
DEAN & DELUCA NEW YORK, INC., <i>et al.</i> ,	:	Case No. 20-10916 (MEW)
	:	
Debtors. ¹	:	(Jointly Administered)

NOTICE OF ADMINISTRATIVE EXPENSE CLAIMS BAR DATE

TO ALL PERSONS WITH CLAIMS AGAINST ANY DEBTOR SET FORTH BELOW

	Name of Debtor and Last Four Digits of Federal Tax Identification Number	Case No.
1	Dean & Deluca New York, Inc. (3111)	20-10916
2	Dean & Deluca, Inc. (2998)	20-10917
3	Dean & Deluca Brands, Inc. (2878)	20-10918
4	Dean & Deluca International, LLC (8995)	20-10919
5	Dean & Deluca Small Format, LLC (1806)	20-10920
6	Dean & Deluca Atlanta, LLC (6678)	20-10921
7	Dean & Deluca Markets, LLC (2674)	20-10922

The United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) has entered an order (the “Bar Date Order”) establishing established **July 10, 2020 at 11:59 p.m. (ET)** as the last date and time for each person to file an Administrative Expense Claim based on claims arising under 11 U.S.C. § 503(b)(9) (the “Administrative Expense Bar Date”) against Dean & DeLuca New York, Inc. and the debtors and debtors in possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases (collectively, the “Chapter 11 Cases”).

The Administrative Expense Bar Date and the procedures set forth below for filing an Administrative Expense Claim (the “Procedures”) apply to all claims against the Debtors that arose or accrued after March 31, 2020 (the “Petition Date”), which was the date that the Debtors commenced their Chapter 11 Cases, through and including the date of this notice. The Administrative Expense Bar Date applies to all such Administrative Expense Claims whether or not such Administrative Expense Claims continue to accrue after the date of this notice.

¹ The Debtors in the Chapter 11 Cases and the last four digits of each Debtor's taxpayer identification number are as follows: Dean & Deluca New York, Inc. (3111); Dean & Deluca, Inc. (2998); Dean & Deluca Brands, Inc. (2878); Dean & Deluca International, LLC (8995); Dean & Deluca Small Format, LLC (1806); Dean & Deluca Atlanta, LLC (6678); Dean & Deluca Markets, LLC (2674). The registered address for the Debtors is 251 Little Falls Drive, Wilmington, Delaware 19808.

Under Bankruptcy Code section 101(5) and as used in this notice, the word “claim” means a right to (a) payment, whether such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

24. WHAT IS AN ADMINISTRATIVE EXPENSE CLAIM

As used herein, the term “Administrative Expense Claim” means a claim allowable under Bankruptcy Code section 503(b)(9) from the Petition Date through and including the date of this notice. For the avoidance of doubt, such Administrative Expense Claims shall not include (x) claims for the fees and expenses of professionals retained in these chapter 11 cases or professionals requesting compensation pursuant to sections 326, 327, 328, 330, 331, 363 and 503(b) of the Bankruptcy Code, or (y) any claims arising under sections 507(a) or 503(b) of the Bankruptcy Code, other than section 503(b)(9).

25. WHAT TO FILE

A creditor may seek payment of an Administrative Expense Claim only through either a written application or written motion filed with Bankruptcy Court.

IF YOU ARE ASSERTING AN ADMINISTRATIVE EXPENSE CLAIM AGAINST MORE THAN ONE DEBTOR, SEPARATE APPLICATIONS OR MOTIONS MUST BE FILED AGAINST EACH SUCH DEBTOR. A LIST OF THE NAMES OF THE DEBTORS AND THEIR CASE NUMBERS IS SET FORTH ABOVE.

26. WHEN AND WHERE TO FILE

Any Administrative Expense Claim must be filed with the Bankruptcy Court and delivered by first-class mail, overnight delivery, or hand delivery to Debtors’ counsel at the appropriate address below, so as to be received on or before **July 10, 2020 at 11:59 p.m. (ET):**

IF BY FIRST-CLASS MAIL, OVERNIGHT DELIVERY OR HAND DELIVERY:

Brown Rudnick LLP
c/o William R. Baldiga
Seven Times Square
New York, NY 10036

27. WHO DOES NOT NEED TO FILE AN ADMINISTRATIVE EXPENSE CLAIM

Administrative Expense Claims need not be filed on or before the Administrative Expense Bar Date if such claim:

- a. has already been filed against a Debtor;
- b. has been paid in full;
- c. has been allowed by an order of the Bankruptcy Court;
- d. is subject to a separate deadline to file a Proof of Claim fixed by the Bankruptcy Court; or
- e. is a claim for payment of fees or expenses incurred by a professional retained under the Bankruptcy Code.

This notice may be sent to many persons that have had some relationship with or have done some business with the Debtors, but that may not have an administrative expense claim against the Debtors. The fact that you have received this notice does not mean that you have an administrative expense claim against the Debtors or that the Bankruptcy Court or the Debtors believe that you have an administrative expense claim against the Debtors.

28. CONSEQUENCES OF THE FAILURE TO FILE AN ADMINISTRATIVE EXPENSE CLAIM BY THE ADMINISTRATIVE EXPENSE BAR DATE

ANY HOLDER OF AN ADMINISTRATIVE EXPENSE CLAIM THAT FAILS TO TIMELY FILE AN APPLICATION OR MOTION FOR THE ALLOWANCE OF AN ADMINISTRATIVE EXPENSE CLAIM IN THE APPROPRIATE FORM SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH ALLEGED CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CHAPTER 11 CASES AND FOR PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CHAPTER 11 CASES ON ACCOUNT OF SUCH ALLEGED CLAIM.

A HOLDER OF A POTENTIAL CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER OF SUCH A POTENTIAL CLAIM SHOULD FILE AN APPLICATION OR MOTION FOR THE ALLOWANCE OF AN ADMINISTRATIVE EXPENSE CLAIM.

Dated: Respectfully submitted,

_____, 2020
New York,
New York

BROWN RUDNICK LLP

By: _____
William R. Baldiga, Esq.
Bennett S. Silverberg, Esq.
Seven Times Square
New York, NY 10036
wbaldiga@brownrudnick.com
bsilverberg@brownrudnick.com
Telephone: (212) 209-4800
Facsimile: (212) 209-4801

and

Tristan G. Axelrod, Esq. (*Pro Hac Vice*)
One Financial Center
Boston, MA 02111
taxelrod@brownrudnick.com
Telephone: (617) 856-8200
Facsimile: (617) 856-8201

*Counsel for Debtors
and Debtors-in-Possession*