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The following constitutes the order of the Court.
Signed: January 31, 2025

M. Elaine Hammond
U.S. Bankruptcy Judge

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Counsel to the Debtors and Debtors in Possession

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:

SWC INDUSTRIES LLC *et al.*,
Debtors.¹

Case Nos.: 24-51721-MEH (Lead Case);
24-51720-MEH; 24-51722-MEH;
24-51723-MEH; 24-51724-MEH;
24-51725-MEH; 24-51733-MEH;
24-51727-MEH; 24-51728-MEH;
24-51729-MEH; 24-51730-MEH;
24-51731-MEH; 24-51732-MEH

<input checked="" type="checkbox"/>	Affects All Debtors
<input type="checkbox"/>	Affects SWC Industries LLC

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's tax identification number are: SWC Industries LLC (8214); SWC Limited Partnership (3203); SWC Holdings, LLC (0051); Yuba Heat Transfer, LLC (0587); SWC Aluminum Properties, L.L.C. (0299); SWC Tool Properties, LLC (0106); SencorpWhite, Inc. (2755); SWC CeraTek LLC (2504); Accu-Seal SencorpWhite, Inc. (1845); IITI Acquisition LLC (9038); SWC White Systems LLC (8135); Intek Integration Technologies, Inc. (3507); Minerva Associates, Inc. (5223). The Debtors' service address is One International Place, Suite 3110, Boston, MA 02110.

- Affects SWC Limited Partnership
- Affects SWC Holdings, LLC
- Affects Yuba Heat Transfer, LLC
- Affects SWC Aluminum Properties, L.L.C.
- Affects SWC Tool Properties, LLC
- Affects SencorpWhite, Inc.
- Affects SWC CeraTek LLC.
- Affects Accu-Seal SencorpWhite, Inc.
- Affects IITI Acquisition LLC
- Affects SWC White Systems LLC
- Affects Intek Integration Technologies, Inc.
- Affects Minerva Associates, Inc.

Chapter 11
(Jointly Administered)

**ORDER (I) ESTABLISHING
DEADLINES FOR FILING OF PROOFS
OF CLAIM, INCLUDING SECTION
503(b)(9) CLAIMS; AND
(II) APPROVING THE FORM AND
MANNER OF NOTICE OF BAR DATE**

Date: January 29, 2025
Time: 10:00 a.m., (prevailing Pacific Time)
Place: Courtroom 11

Judge: M. Elaine Hammond

Upon the motion (the “Motion”)²; of the Debtors for entry of an order (this “Order”) pursuant to sections 105(a), 501, 502, 503, and 1111(a) of the Bankruptcy Code, Bankruptcy Rules 2002 and 3003(c)(3), and Bankruptcy Local Rule 3003-1 (i) establishing deadlines for filing claims against the Debtors in the Chapter 11 Cases and (ii) approving the form and manner of notice thereof; and the Court having jurisdiction here under 28 U.S.C. §§ 157 and 1334; and due and sufficient notice of the Motion having been given; and no other or further notice being necessary; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties-in-interest; and after due deliberation thereon; and good and sufficient cause therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED on a final basis as set forth herein.
2. General Bar Date. Pursuant to Bankruptcy Rule 3003(c)(3), all persons and entities, except any governmental unit or an Asbestos Claimant³, that hold or wish to assert a claim arising

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

³ As used in this Order, “Asbestos Claimant” means an individual, or trustee for the estate of any individual, who has or holds any claim or right of action against any of the Debtors for personal injury or wrongful death resulting or allegedly resulting from the presence of, or exposure to, asbestos or asbestos containing products; *provided, however*, “Asbestos Claimant” does not include any corporation (as defined in section 101(9) of the Bankruptcy Code), partnership, limited company, insurance company or other form of business entity. A separate bar date for Asbestos Claimants shall be set at a later date.

1 on or before the Petition Date, including any claim arising under section 503(b)(9) of the
2 Bankruptcy Code, are required to file with the Debtors' claims and noticing agent, Stretto, Inc.
3 (the "Claims Agent" or "Stretto"), on or before *March 20, 2025 at 5:00 p.m. (Pacific Time)* (the
4 "General Bar Date"), a completed and executed Proof of Claim Form, in substantially the form
5 attached hereto as Exhibit A, on account of any such claim in accordance with the procedures set
6 forth below.

7 3. Governmental Bar Date. Pursuant to Bankruptcy Rule 3003(c) and section
8 502(b)(9) of the Bankruptcy Code, all governmental units that hold or wish to assert a claim arising
9 on or before the Petition Date against the Debtors are required to file with the Claims Agent on or
10 before *May 12, 2025 at 5:00 p.m. (Pacific Time)* (the "Governmental Bar Date"), a completed and
11 executed Proof of Claim Form in substantially the form attached hereto as Exhibit A, in
12 accordance with the procedures set forth below.

13 4. Amended Schedules Bar Date. If the Debtors amend their Schedules to change the
14 amount, nature, classification or characterization of a claim, or to schedule a new claim, the
15 affected claimant shall be permitted to dispute the amount, nature, classification or characterization
16 of the scheduled claim by filing with Stretto a completed and executed Proof of Claim Form in
17 substantially the form attached hereto as Exhibit A on or before the later of (i) the General Bar
18 Date or (ii) thirty (30) days from the date notice is given to the affected creditor of an amendment
19 to the Schedules. If the Debtors amend the Schedules with respect to the claim of a governmental
20 unit, the affected governmental unit shall be permitted to dispute the amount, nature, classification
21 or characterization of the scheduled claim by filing with Stretto a completed and executed Proof
22 of Claim Form in substantially the form attached hereto as Exhibit A on or before the later of
23 (a) the Governmental Bar Date or (b) 30 days from the date notice is given to the affected
24 governmental unit of the applicable amendment to the Schedules.

25 5. Rejection Bar Date. Pursuant to Bankruptcy Rule 3003(c), each person or entity
26 (including, without limitation, each individual, partnership, joint venture, corporation, limited
27 liability company, estate, and trust) holding or asserting a claim for any damages arising from the

1 rejection of any unexpired lease or executory contract of a Debtor (an “Agreement”) during the
2 Chapter 11 Cases must file a Proof of Claim Form so that it is actually received by Stretto on or
3 before the later of (a) 30 days after the rejection of such Agreement (including as may be provided
4 for in another order of the Court), or (b) any date set by another order of this Court, or (c) the
5 General Bar Date or the Governmental Bar Date, whichever is applicable.

6 6. The following persons or entities are not required to file a Proof of Claim Form in
7 accordance with the procedures set forth herein:

- 8 i) any person or entity that has already properly filed a proof of claim with Stretto or
9 the Clerk of the Court for the United States Bankruptcy Court for the Northern
10 District of California in a form substantially similar to Official Form 410;
- 11 ii) any person or entity whose claim is listed in the Debtors’ Schedules and (a) the
12 claim is not described as “disputed,” “contingent,” or “unliquidated,” and (b) such
13 person or entity agrees with the amount, nature, and priority of the claim set forth
14 in the Schedules;
- 15 iii) any person or entity whose claim has been allowed by an order of the Court on or
16 before the applicable Bar Date;
- 17 iv) any person or entity whose claim has been satisfied in full by the Debtors or any
18 other entity prior to the applicable Bar Date;
- 19 v) any employee of the Debtors, if an order of this Court authorized the Debtors to
20 honor such claim in the ordinary course of business as a wage, commission, benefit
21 or other aspect of an employee program or obligation; provided, however, that an
22 employee must submit a proof of claim by the General Bar Date for all other claims
23 arising before the Petition Date, including (but not limited to) claims for wrongful
24 termination, discrimination, harassment, hostile work environment, and/or
25 retaliation;
- 26 vi) any current directors, managers, and officers of the Debtors for indemnification,
27 contribution, or reimbursement;
- 28 vii) any Asbestos Claimant;
- viii) any Debtor having a claim against another Debtor; and
- ix) any holder of an equity interest in a Debtor need not file a proof of interest with
respect to the ownership of such equity interest at this time; provided, however, that
any holder of an equity interest who wishes to assert a claim against a Debtor,
including any claim relating to such equity interest or the purchase or sale of such
interest, must file a Proof of Claim Form asserting such claim on or prior to the
applicable Bar Date pursuant to the procedures set forth herein.

- 1 v) Proofs of claim must: (a) be in writing and signed by the claimant or, if the claimant
2 is not an individual, by an authorized agent of the claimant, whether such signature
3 is an electronic signature or is ink, (b) include supporting documentation or, if
4 voluminous, and after obtaining prior written consent from the Debtors, a summary
5 of supporting documents and an explanation as to why such documentation is not
6 available and identify where such supporting documentation may be obtained, and
7 (c) be denominated in United States dollars.
- 8 vi) Section 503(b)(9) Claims must be asserted through proofs of claim, and each proof
9 of claim asserting a Section 503(b)(9) Claim must also: (a) include the value of the
10 goods delivered to and received by the applicable Debtor in the 20 days prior to the
11 Petition Date; (b) attach documentation identifying the particular invoices
12 corresponding to the Section 503(b)(9) Claim; and (c) attach documentation
13 demonstrating that the goods were actually received by the Debtors within the 20
14 days preceding the Petition Date.
- 15 vii) Each proof of claim must specify by name the Debtor against which the claim is
16 asserted and the corresponding case number. If the holder asserts a claim against
17 more than one Debtor, a separate proof of claim must be filed against each such
18 Debtor. Any claim filed against the joint administration case number 24-51721 that
19 does not identify a specific Debtor against which the claim is asserted will be
20 deemed as filed only against SWC Industries LLC.

21 10. Any person or entity that is required to file a Proof of Claim Form as specified in
22 this Order and that fails to do so on or before the applicable Bar Date: (a) shall be forever barred,
23 estopped, and enjoined from asserting such claim against the Debtors, their estates, or the property
24 of the estates, or thereafter filing any Proof of Claim Form in the Chapter 11 Cases; (b) shall not,
25 with respect to such claim, be treated as a creditor of the Debtors for the purpose of voting upon
26 any plan in these proceedings; and (c) shall not receive or be entitled to receive any payment or
27 distribution of property from the Debtors or their successors or assigns with respect to such claim.

28 11. The Debtors have authority to make non-substantive and non-material changes to
the Bar Date Notices without further order of the Court, including, without limitation, changes to
correct typographical and grammatical errors, insert dates, and to make conforming changes prior
to mailing and publication.

12. The ACE Companies and the Chubb Companies. Notwithstanding anything to the
contrary in this Order: (a) ACE American Insurance Company, on its own behalf and on behalf
of all of its U.S.-based affiliates and successors (collectively, the "ACE Companies"), may file a
single consolidated proof of claim based on the insurance policies issued by any of the ACE

1 Companies to (or providing coverage to) the Debtors (or their predecessors) and any agreements
2 related thereto (the “ACE Proof of Claim”) in the chapter 11 case of SWC Industries LLC, Case
3 No. 24-51721 (the “Lead Case”), which shall be deemed filed by each of the ACE Companies not
4 only in the Lead Case, but also in the chapter 11 case of each of the Debtors; (b) Federal Insurance
5 Company, on its own behalf and on behalf of all of its U.S.-based affiliates and successors
6 (collectively, the “Chubb Companies”), may file a single consolidated proof of claim based on the
7 insurance policies issued by any of the Chubb Companies to (or providing coverage to) the Debtors
8 (or their predecessors) and any agreements related thereto (the “Chubb Proof of Claim,” and
9 collectively with the ACE Proof of Claim, the “Consolidated Claims”) in the Lead Case, which
10 shall be deemed filed by each of the Chubb Companies not only in the Lead Case, but also in the
11 chapter 11 case of each of the Debtors; and (c) as the documents supporting the Consolidated
12 Claims are voluminous and contain confidential information, the documents supporting the
13 Consolidated Claims will not need to be filed with the Consolidated Claims, *provided, however,*
14 *that:* (i) a description of such supporting documentation will be included in each of the
15 Consolidated Claims and the documents supporting the Consolidated Claims shall be provided to
16 counsel to the Debtors and Official Committee of Unsecured Creditors prior to the General Bar
17 Date; and (ii) each of the Consolidated Claims shall include a detailed schedule and description
18 setting forth each claim contained within the respective Consolidated Claims with information
19 sufficient to identify (a) the particular creditor or entity asserting each individual claim or cause of
20 action, (b) the amount, priority and nature of each such claim or cause of action, (c) the Debtor or
21 Debtors that each claim is asserted against and (d) the basis of each claim asserted. Nothing
22 contained in this paragraph shall be construed as a waiver or modification of any rights, claims or
23 defenses, including, without limitation, the right of the ACE Companies or the Chubb Companies
24 to (i) assert joint and several liability against some or all of the Debtors to the extent permitted by
25 applicable law, (ii) modify the Debtor(s) against which the Consolidated Claims are asserted to
26 the extent permitted by applicable law, or (iii) amend the amount or nature of the Consolidated
27 Claims to the extent permitted by applicable law.

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EXHIBIT A
Proof of Claim Form

Fill in this information to identify the case:

Name of Debtor & Case Number:

- SWC Industries LLC (Case No. 24-51721)
- SWC Limited Partnership (Case No. 24-51722)
- Yuba Heat Transfer LLC (Case No. 24-51724)
- SWC Aluminum Properties, L.L.C. (Case No. 24-51725)
- SWC Tool Properties, LLC (Case No. 24-51733)
- SWC Holdings, LLC (Case No. 24-51723)

- SencorpWhite, Inc. (Case No. 24-51727)
- SWC CeraTek LLC (Case No. 24-51720)
- Accu-Seal SencorpWhite, Inc. (Case No. 24-51728)
- IITI Acquisition LLC (Case No. 24-51729)
- SWC White Systems LLC (Case No. 24-51730)
- Intek Integration Technologies, Inc. (Case No. 24-51731)
- Minerva Associates, Inc. (Case No. 24-51732)

United States Bankruptcy Court for the Northern District of California

Official Form 410

Proof of Claim

12/24

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. With the exception of administrative expenses arising under 11 U.S.C. §503(b)(9), do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

<p>1. Who is the current creditor?</p>	<p>Name of the current creditor (the person or entity to be paid for this claim) _____</p> <p>Other names the creditor used with the debtor _____</p>	
<p>2. Has this claim been acquired from someone else?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. From whom? _____</p>	
<p>3. Where should notices and payments to the creditor be sent?</p> <p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p>Where should notices to the creditor be sent?</p>	<p>Where should payments to the creditor be sent? (if different)</p>
	<p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Contact phone _____</p> <p>Contact email _____</p> <p>Uniform claim identifier (if you use one): _____</p>	<p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Contact phone _____</p> <p>Contact email _____</p>
<p>4. Does this claim amend one already filed?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY</p>	
<p>5. Do you know if anyone else has filed a proof of claim for this claim?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Who made the earlier filing? _____</p>	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ _

7. How much is the claim? \$ _____. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.

Nature of property:
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

Instructions for Proof of Claim

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form.
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form.
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)
Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called “Bankruptcy Rule”) 3001(c) and (d).
- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

- A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual’s tax identification number, or financial account number, and only the year of any person’s date of birth. See Bankruptcy Rule 9037.
- For a minor child, fill in only the child’s initials and the full name and address of the child’s parent or guardian. For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or go to <https://cases.stretto.com/SWCIndustries/claims/>

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate.
11 U.S.C. § 503.

Claim: A creditor’s right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Claim Pursuant to 11 U.S.C. §503(b)(9): A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Uniform claim identifier: An optional 24-character identifier that some creditors use to facilitate payment.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

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EXHIBIT B
General Bar Date Notice

1 **ALLEN OVERY**
2 **SHEARMAN STERLING US LLP**
3 C. Luckey McDowell (TX Bar No. 24034565)
(admitted *pro hac vice*)
4 Ian E. Roberts (TX Bar No. 24056217)
(admitted *pro hac vice*)
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6 Dallas, TX 75201
7 Phone: (214) 271-5777
8 Email: luckey.mcdowell@aoshearman.com
9 ian.roberts@aoshearman.com

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10 Phone: (212) 848-4000
11 Email: william.holste@aoshearman.com

11 **BINDER MALTER**
12 **HARRIS & ROME-BANKS LLP**
13 Robert G. Harris (CA Bar No. 124678)
14 Reno Fernandez (CA Bar No. 251934)
15 2775 Park Avenue
16 Santa Clara, CA 95050
17 Phone: (408) 295-1700
18 Email: rob@bindermalter.com
19 reno@bindermalter.com

20 *Counsel to the Debtors and Debtors in Possession*

21 **UNITED STATES BANKRUPTCY COURT**
22 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
23 **SAN JOSE DIVISION**

24 **In re:**

25 **SWC INDUSTRIES LLC *et al.*,**
26 **Debtors.¹**

<input checked="" type="checkbox"/>	Affects All Debtors
<input type="checkbox"/>	Affects SWC Industries LLC
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Chapter 11

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's tax identification number are: SWC Industries LLC (8214); SWC Limited Partnership (3203); SWC Holdings, LLC (0051); Yuba Heat Transfer, LLC (0587); SWC Aluminum Properties, L.L.C. (0299); SWC Tool Properties, LLC (0106); SencorpWhite, Inc. (2755); SWC CeraTek LLC (2504); Accu-Seal SencorpWhite, Inc. (1845); IITI Acquisition LLC (9038); SWC White

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- Affects Intek Integration Technologies, Inc.
- Affects Minerva Associates, Inc.

(Jointly Administered)

**NOTICE OF BAR DATES FOR FILING
PROOF OF CLAIMS**

PLEASE TAKE NOTICE THAT:

On November 13, 2024 (the “Petition Date”), SWC Industries and certain of its affiliates, the debtors and debtors-in-possession in the above-captioned cases (collectively, the “Debtors”), filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Northern District of California, San Jose Division (the “Bankruptcy Court”).

On [___], 2025, the Bankruptcy Court entered an order [Docket No. ___] (the “Bar Date Order”)² establishing certain deadlines for non-Asbestos Claimants³ for filing proofs of claim (“Proofs of Claim”) against the Debtors (the “Bar Dates”), including a General Bar Date, Governmental Bar Date, Amended Schedules Bar Date, and Rejection Bar Date (each as defined in the Bar Date Order).

The Bar Dates and the procedures set forth below for the filing of Proofs of Claim against the Debtors apply to all claims against the Debtors that arose (or are deemed to have arisen) on or prior to the Petition Date, including any claims arising under section 503(b)(9) of the Bankruptcy Code, except for the types of claims listed in Section 2 below.

You may obtain a copy of the Bar Date Order and other case pleadings, including the Schedules (as defined below), once filed, at the Debtors’ case website (<https://cases.stretto.com/SWCIndustries>) or the Bankruptcy Court’s website (www.canb.uscourts.gov) (for a fee). Copies of case pleadings also may be examined between the hours of 9:00 a.m. and 4:30 p.m. (Pacific Time), Monday through Friday, excluding federal holidays, at the Office of the Clerk of the Bankruptcy Court (the “Clerk”), 280 South First Street, Room 3035, San Jose, CA 95113-3099. Further, persons authorized to use the PACER electronic filing system may view pleadings online at any time by logging in at ecf.canb.uscourts.gov. Finally, copies of case pleadings also may be obtained by written request to Stretto, Inc. (“Stretto”),

Systems LLC (8135); Intek Integration Technologies, Inc. (3507); Minerva Associates, Inc. (5223). The Debtors’ service address is One International Place, Suite 3110, Boston, MA 02110.

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

³ As used in the Bar Date Order, “Asbestos Claimant” means an individual, or trustee for the estate of any individual, who has or holds any claim or right of action against any of the Debtors for personal injury or wrongful death resulting or allegedly resulting from the presence of, or exposure to, asbestos or asbestos containing products; *provided, however*, “Asbestos Claimant” does not include any corporation (as defined in section 101(9) of the Bankruptcy Code), partnership, limited company, insurance company or other form of business entity. A separate bar date for Asbestos Claimants shall be set at a later date.

1 the Debtors' court-appointed claims and noticing agent.

2 **1. WHO MUST FILE A PROOF OF CLAIM**

3 You **must** file a Proof of Claim (a "Proof of Claim Form") to share in distributions from the
4 Debtors' bankruptcy estates if you hold a claim⁴ against the Debtors (including any claims arising
5 under section 503(b)(9) of the Bankruptcy Code) that arose (or is deemed to have arisen) on or
6 before the Petition Date, and it is not one of the kinds of claims set forth in Section 2 below. You
must file a Proof of Claim Form by the applicable Bar Date even if your claim is not now fixed,
liquidated, or certain or did not mature or become fixed, liquidated, or certain before the Petition
Date.

7 Specifically, and without limiting the generality of Bankruptcy Rule 3003(c)(2), you **must** file a
8 Proof of Claim Form on or before the applicable Bar Date if:

- 9 i) Your claim (a) is not listed in the Debtors' Schedules filed with the Bankruptcy
10 Court, or in any supplements or amendments to the Schedules, or (b) is listed in the
11 Debtors' Schedules filed with the Bankruptcy Court, or in any supplements or
12 amendments to the Schedules, as "contingent," "unliquidated," or "disputed;"
- 13 ii) Your claim is listed in the Debtors' Schedules filed with the Bankruptcy Court, or
14 in any supplements or amendments to the Schedules, and you disagree with the
amount, nature, classification, or characterization of the claim as set forth in the
Schedules; or
- 15 iii) You assert an administrative priority claim under section 503(b)(9) of the
Bankruptcy Code.⁵

16 **2. EXCLUDED CLAIMS**

17 The following persons or entities are **not** required to file a Proof of Claim Form:

- 18 i) Any person or entity that has already properly filed a proof of claim with Stretto or
19 the Clerk of the Court for the United States Bankruptcy Court for the Northern
20 District of California in a form substantially similar to Official Form 410;
- 21 ii) Any person or entity whose claim is listed in the Debtors' Schedules and (a) the
22 claim is not described as "disputed," "contingent," or "unliquidated," and (b) such
23 person or entity agrees with the amount, nature, and priority of the claim set forth in
the Schedules;
- 24 iii) Any person or entity whose claim has been allowed by an order of the Court on or
before the applicable Bar Date;

25 ⁴ Under section 101(5) of the Bankruptcy Code and as used herein, the word "claim" means (i) a right to payment,
26 whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured,
disputed, undisputed, legal, equitable, secured or unsecured; or (ii) a 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.

27 ⁵ Section 503(b)(9) of the Bankruptcy Code provides that "the value of any goods received by the debtor within 20
28 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in
the ordinary course of such debtor's business" is entitled to administrative priority.

- 1 iv) Any person or entity whose claim has been satisfied in full by the Debtors or any
2 other entity prior to the applicable Bar Date;
- 3 v) Any employee of the Debtors, if an order of this Court authorized the Debtors to
4 honor such claim in the ordinary course of business as a wage, commission, benefit
5 or other aspect of an employee program or obligation; provided, however, that an
6 employee must submit a proof of claim by the General Bar Date for all other claims
7 arising before the Petition Date, including (but not limited to) claims for wrongful
8 termination, discrimination, harassment, hostile work environment, and/or
9 retaliation;
- 10 vi) Any current directors, managers, and officers of the Debtors for indemnification,
11 contribution, or reimbursement;
- 12 vii) Any Asbestos Claimant;
- 13 viii) Any Debtor having a claim against another Debtor; and
- 14 ix) any holder of an equity interest in a Debtor need not file a proof of interest with
15 respect to the ownership of such equity interest at this time; provided, however, that
16 any holder of an equity interest who wishes to assert a claim against a Debtor,
17 including any claim relating to such equity interest or the purchase or sale of such
18 interest, must file a Proof of Claim Form asserting such claim on or prior to the
19 applicable Bar Date pursuant to the procedures set forth herein.

20 **You should not file a Proof of Claim Form if you do not have a claim against the Debtors.
21 The fact that you received this Notice of Bar Dates for Filing Proofs of Claims (this “Notice”
22 does not mean that you have a claim against the Debtors.**

23 **Additional copies of the Proof of Claim Form can be obtained at the Debtors’ case website,
24 <https://cases.stretto.com/swcindustries/file-a-claim> or by emailing your request to
25 sencorpinquiries@stretto.com.**

26 **3. THE BAR DATES**

27 The Bar Date Order establishes the following Bar Dates for filing proofs of claim in these cases:

28 **General Bar Date.** Except as otherwise provided herein, each person or entity (including, without
29 limitation, each individual, partnership, joint venture, corporation, limited liability company,
30 estate, or trust) holding or asserting a claim against the Debtors that arose on or prior to the Petition
31 Date (including any claims under section 503(b)(9) of the Bankruptcy Code) must file a Proof of
32 Claim Form, so that it is **actually received** by Stretto **on or before March 20, 2025 at 5:00 p.m.
33 (Pacific Time)** (the “General Bar Date”).

34 **Governmental Bar Date.** Each governmental unit holding or asserting a claim against the
35 Debtors that arose on or prior to the Petition Date must file a Proof of Claim Form so that it is
36 **actually received** by Stretto **on or before May 12, 2025 at 5:00 p.m. (Pacific Time).**

37 **Amended Schedules Bar Date.** If, on or after the date the Debtors serve this Notice, the Debtors
38 amend their Schedules to change the amount, nature, classification, or characterization of a claim,
39 or to schedule a new claim, the affected claimant may dispute the amount, nature, classification,
40 or characterization of the scheduled claim by filing a Proof of Claim Form with respect to the
41 scheduled claim, so that the Proof of claim, the affected claimant may dispute the amount, nature,
42 classification, or characterization of the scheduled claim by filing a Proof of Claim Form with

1 respect to the scheduled claim, so that the Proof of Claim Form is **actually received** by Stretto **on**
2 **or before the later of (i) the General Bar Date or (ii) 30 days from the date notice is served**
3 **alerting the affected creditor of an applicable amendment to the Schedules.**

3 **Rejection Bar Date.** Each person or entity (including, without limitation, each individual,
4 partnership, joint venture, corporation, limited liability company, estate, and trust) holding or
5 asserting a claim for any rejection damages arising from the rejection of any unexpired lease or
6 executory contract of a Debtor (an “Agreement”) during the Chapter 11 Cases must file a Proof of
7 Claim Form so that it is **actually received** by Stretto **on or before the later of (i) 30 days after**
8 **the rejection of such Agreement (including as may be provided for in another order of the**
9 **Court) or (ii) the General Bar Date or the Governmental Bar Date, whichever is applicable.**

7 **4. WHAT FORMS AND DOCUMENTS TO FILE**

8 Any Proof of Claim Form previously and properly filed with either Stretto or the Clerk prior to the
9 mailing of this Notice shall be deemed to be, and shall be treated as, a timely-filed claim subject
10 to the rights of the Debtors or any party-in-interest to object to the allowance thereof. No additional
11 Proof of Claim Form is required to be asserted with respect to such a previously-filed claim.

11 **If you have not filed your Proof of Claim yet,** a Proof of Claim Form should be submitted on
12 the Proof of Claim Form enclosed with this notice. Additional copies of the Proof of Claim Form
13 and general information related to these cases can be obtained at:
14 <https://cases.stretto.com/swcindustries> or by emailing your request to
15 sencorpinquiries@stretto.com.

13 **Proof of Claim Form.** If your claim is scheduled by the Debtors, the enclosed Proof of Claim
14 Form sets forth (i) the amount of the scheduled claim, if any; (ii) whether the claim is listed as
15 disputed, contingent, or unliquidated; (iii) whether the claim is listed as a secured, unsecured
16 priority, or unsecured nonpriority claim; and (iv) the identity of the Debtor against which the
17 person or entity’s claim is scheduled. To the extent you disagree with the information on the Proof
18 of Claim Form, you should make the necessary changes to the information on the Proof of Claim
19 Form.

17 **503(b)(9) Claim.** If you assert a claim pursuant to section 503(b)(9) of the Bankruptcy Code, you
18 must complete the appropriate box in the Proof of Claim Form and (i) identify the amount of such
19 claim believed to be entitled to administrative expense priority treatment under section 503(b)(9)
20 of the Bankruptcy Code and (ii) attach documentation supporting such claim. If you fail to identify
21 the existence and amount of your 503(b)(9) Claim on the Proof of Claim Form, the claim will not
22 be regarded as a 503(b)(9) Claim, and the claim will not be entitled to priority treatment under
23 section 503(b)(9) of the Bankruptcy Code.

21 All Proof of Claim Forms must be filed with original signatures and be denominated in United
22 States dollars. If possible, you should file your Proof of Claim Form in English. You should attach
23 to your completed Proof of Claim Form copies of any documents on which the claim is based or
24 an explanation as to why such documents are not available.

24 Except as otherwise provided by the Bar Date Order, each Proof of Claim Form must state a claim
25 against only one Debtor and clearly indicate the Debtor against which the claim is asserted. To
26 the extent more than one Debtor is listed on the Proof of Claim, such claim will be treated as if
27 filed only against SWC Industries LLC. If a holder of a claim asserts a claim against more than
28 one Debtor, a separate Proof of Claim must be filed against each such Debtor.

1 **5. WHERE TO FILE**

2 Persons or entities filing a Proof of Claim Form must deliver such forms to Stretto at one of the
3 following addresses in the manner indicated below:

4 If by First-Class Mail, Overnight Mail or Hand Delivery:

5 **SWC Industries LLC, et al. Claims Processing**

6 **c/o Stretto**
7 **410 Exchange, Suite 100**
8 **Irvine, CA 92602**

9 Alternatively, claimants may submit a Proof of Claim electronically by completing the Proof of
10 Claim Form that can be accessed at Stretto's website: [https://cases.stretto.com/swcindustries/file-](https://cases.stretto.com/swcindustries/file-a-claim)
11 [a-claim](https://cases.stretto.com/swcindustries/file-a-claim). Proof of Claim Forms will be deemed timely and properly filed only if such forms are
12 **actually received** by Stretto on or before the applicable Bar Date. Do not file your Proof of Claim
13 Form with the Clerk.

14 **Proof of Claim Forms shall not be submitted by facsimile, telecopy, e-mail, or other**
15 **electronic means (except for the Electronic Proof of Claim), and Proof of Claim Forms**
16 **submitted by such means shall not be deemed timely filed.**

17 Time-stamped copies of Proof of Claim Forms will not be returned unless you provide the Claims
18 Agent with a copy of your Proof of Claim Form and a self-addressed, postage pre-paid envelope.

19 **CONSEQUENCES OF FAILURE TO TIMELY FILE PROOF OF CLAIM FORMS.** ANY
20 PERSON OR ENTITY THAT IS REQUIRED TO FILE A PROOF OF CLAIM FORM IN THE
21 FORM AND MANNER SPECIFIED IN THE BAR DATE ORDER AND THAT FAILS TO DO
22 SO ON OR BEFORE THE APPLICABLE BAR DATE: (I) SHALL BE FOREVER BARRED,
23 ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE
24 DEBTORS, THEIR ESTATES OR THE PROPERTY OF THE ESTATES, OR THEREAFTER
25 FILING A PROOF OF CLAIM FORM WITH RESPECT THERETO IN THE CHAPTER 11
26 CASES; (II) SHALL NOT, WITH RESPECT TO SUCH CLAIM, BE TREATED AS A
27 CREDITOR OF THE DEBTORS FOR THE PURPOSE OF VOTING UPON ANY PLAN IN
28 THESE PROCEEDINGS; AND (III) SHALL NOT RECEIVE OR BE ENTITLED TO RECEIVE
ANY PAYMENT OR DISTRIBUTION OF PROPERTY FROM THE DEBTORS OR THEIR
SUCCESSORS OR ASSIGNS WITH RESPECT TO SUCH CLAIM.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN
ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE AND ANY
RELATED MATTERS, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF
CLAIM FORM.

This notice is only a summary of the Bar Date Order, the terms of which control in the event of
any conflict with the information set forth in this notice. All creditors and other parties-in-interest
are referred to the text of the Bar Date Order itself and to the Bankruptcy Code, the Bankruptcy
Rules, and the Bankruptcy Local Rules for additional information regarding the filing and
treatment of proofs of claim.

**Questions concerning this Notice should be directed to Stretto at 855.994.3446 (Toll-Free) or
+1.657.999.6787 (International), or sencorpinquiries@stretto.com.**

1 **NEITHER THE ATTORNEYS FOR THE DEBTORS NOR STRETTO ARE**
2 **AUTHORIZED TO PROVIDE YOU WITH LEGAL ADVICE.**

3 Dated: _____, 2025

4 **ALLEN OVERY SHEARMAN STERLING US LLP**
5 **BINDER MALTER HARRIS & ROME-BANKS LLP**

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EXHIBIT C
Publication Notice

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 In re:

5 SWC INDUSTRIES LLC *et al.*,
6 Debtors.¹

Case Nos.: 24-51721-MEH (Lead Case);
24-51720-MEH; 24-51722-MEH;
24-51723-MEH; 24-51724-MEH;
24-51725-MEH; 24-51733-MEH;
24-51727-MEH; 24-51728-MEH;
24-51729-MEH; 24-51730-MEH;
24-51731-MEH; 24-51732-MEH

Chapter 11

(Jointly Administered)

NOTICE OF ENTRY OF BAR DATE
ORDER ESTABLISHING DEADLINES
FOR FILING PROOFS OF CLAIM

<input checked="" type="checkbox"/>	Affects All Debtors
<input type="checkbox"/>	Affects SWC Industries LLC
<input type="checkbox"/>	Affects SWC Limited Partnership
<input type="checkbox"/>	Affects SWC Holdings, LLC
<input type="checkbox"/>	Affects Yuba Heat Transfer, LLC
<input type="checkbox"/>	Affects SWC Aluminum Properties, L.L.C.
<input type="checkbox"/>	Affects SWC Tool Properties, LLC
<input type="checkbox"/>	Affects SencorpWhite, Inc.
<input type="checkbox"/>	Affects SWC CeraTek LLC.
<input type="checkbox"/>	Affects Accu-Seal SencorpWhite, Inc.
<input type="checkbox"/>	Affects IITI Acquisition LLC
<input type="checkbox"/>	Affects SWC White Systems LLC
<input type="checkbox"/>	Affects Intek Integration Technologies, Inc.
<input type="checkbox"/>	Affects Minerva Associates, Inc.

15 PLEASE TAKE NOTICE THAT:

16 On November 13, 2024 (the “Petition Date”), SWC Industries LLC and certain of its affiliates, the
17 debtors and debtors-in-possession in the above-captioned cases (collectively, the “Debtors”), filed
18 voluntary petitions for relief under chapter 11 of the United States Bankruptcy Code (the
“Bankruptcy Code”) with the United States Bankruptcy Court for the Northern District of
California, San Jose Division (the “Bankruptcy Court”).

19 On [___], 2025, the Bankruptcy Court entered an order [Docket No. ___] (the “Bar Date Order”)²
20 establishing certain deadlines for non-Asbestos Claimants³ for filing proofs of claim (“Proofs of

21 ¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor’s tax identification number are: SWC
22 Industries LLC (8214); SWC Limited Partnership (3203); SWC Holdings, LLC (0051); Yuba Heat Transfer, LLC
23 (0587); SWC Aluminum Properties, L.L.C. (0299); SWC Tool Properties, LLC (0106); SencorpWhite, Inc. (2755);
SWC CeraTek LLC (2504); Accu-Seal SencorpWhite, Inc. (1845); IITI Acquisition LLC (9038); SWC White
Systems LLC (8135); Intek Integration Technologies, Inc. (3507); Minerva Associates, Inc. (5223). The Debtors’
service address is One International Place, Suite 3110, Boston, MA 02110.

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

25 ³ As used in the Bar Date Order, “Asbestos Claimant” means an individual, or trustee for the estate of any individual,
26 who has or holds any claim or right of action against any of the Debtors for personal injury or wrongful death
27 resulting or allegedly resulting from the presence of, or exposure to, asbestos or asbestos containing products;
provided, however, “Asbestos Claimant” does not include any corporation (as defined in section 101(9) of the
Bankruptcy Code), partnership, limited company, insurance company or other form of business entity. A separate
bar date for Asbestos Claimants shall be set at a later date.

1 Claim”) against the Debtors (the “Bar Dates”), including a General Bar Date, Governmental Bar
2 Date, Amended Schedules Bar Date, and Rejection Bar Date (each as defined in the Bar Date
Order). The Bar Dates do not apply to Asbestos Claimants.

3 **General Bar Date.** Except as otherwise provided in the Bar Date Order, each person or entity
4 (including, without limitation, each individual, partnership, joint venture, corporation, limited
5 liability company, estate, or trust) holding or asserting a claim against the Debtors that arose on or
6 prior to the Petition Date (including any claims arising under section 503(b)(9) of the Bankruptcy
Code) must file a Proof of Claim Form, so that it is **actually received** by the Debtors’ claims and
noticing agent (“Stretto”) **on or before March 20, 2025 at 5:00 p.m. (prevailing Pacific Time)**
(the “General Bar Date”).

7 **Governmental Bar Date.** Each governmental unit holding or asserting a claim against the
8 Debtors that arose on or prior to the Petition Date must file a Proof of Claim Form so that it is
actually received by Stretto **on or before May 12, 2025 at 5:00 p.m. (prevailing Pacific Time)**.

9 Proof of Claim Forms and the Bar Date Order can be obtained at the Debtors’ case website,
10 <https://cases.stretto.com/swcindustries/> or by emailing your request to
sencorpinquiries@stretto.com.

11 Proof of Claim Forms must be delivered to Stretto, so that such forms are **actually received** by
12 Stretto by the applicable Bar Date, at one of the following addresses in the manner indicated: (i) **If**
13 **by First-Class Mail, by Hand Delivery or Overnight Mail:** SWC Industries LLC, et al. Claims
14 Processing c/o Stretto, 410 Exchange, Suite 100 Irvine, CA 92602; and (ii) **If by Electronic**
15 **Submission:** claimants may submit a Proof of Claim electronically by completing the Proof of
Claim Form that can be accessed at Stretto’s website: [https://cases.stretto.com/swcindustries/file-](https://cases.stretto.com/swcindustries/file-a-claim)
[a-claim](https://cases.stretto.com/swcindustries/file-a-claim). Proof of Claim Forms will be deemed timely and properly filed only if such forms are
actually received by Stretto on or before the applicable Bar Date. Do not file your Proof of Claim
Form with the Clerk.

16 **Proof of Claim Forms shall not be submitted by facsimile, telecopy, e-mail, or other**
17 **electronic means (except for the Electronic Proof of Claim), and Proof of Claim Forms**
submitted by such means shall not be deemed timely filed.

18 **Any person or entity that is required to file a Proof of Claim Form in the form and manner**
19 **specified in the Bar Date Order and that fails to do so on or before the applicable Bar Date:**
20 **(i) shall be forever barred, estopped, and enjoined from asserting such claim against the**
21 **Debtors, their estates or the property of the estates, or thereafter filing a Proof of Claim**
22 **Form with respect thereto in the Chapter 11 Cases; (ii) shall not, with respect to such claim,**
be treated as a creditor of the Debtors for the purpose of voting upon any plan in these
proceedings; and (iii) shall not receive or be entitled to receive any payment or distribution
of property from the Debtors or their successors or assigns with respect to such claim.

23 **Questions concerning this Notice should be directed to Stretto at 855.994.3446 (Toll-Free) or**
+1.657.999.6787 (International), or sencorpinquiries@stretto.com.

24 ** END OF ORDER **

COURT SERVICE LIST

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None.