



Order Filed on December 17, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Debtors in Possession*

In re:

WHITTAKER, CLARK & DANIELS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13575 (MBK)

(Jointly Administered)

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors' federal tax identification numbers, are: Whittaker, Clark & Daniels, Inc. (4760); Brilliant National Services, Inc. (2113); L. A. Terminals, Inc. (6800); and Soco West, Inc. (3400). The location of the Debtors' principal place of business and the Debtors' service address in these chapter 11 cases is 100 First Stamford Place, Stamford, Connecticut 06902.

DATED: December 17, 2024

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: WHITTAKER, CLARK & DANIELS, INC., *et al.*

Case No. 23-13575 (MBK)

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ORDER (I) SETTING BAR DATES FOR FILING PROOFS OF CLAIM, (II) APPROVING (A) CLAIM FORMS AND PROCEDURES FOR FILING PROOFS OF CLAIM, AND (B) THE FORM AND MANNER OF NOTICE OF BAR DATES, AND (III) GRANTING RELATED RELIEF

The relief set forth on the following pages, numbered three (3) through twenty (20), is

ORDERED.

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Upon the *Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Filing Proofs of Claim, (II) Approving (A) Claim Forms and Procedures for Filing Proofs of Claim, (B) the Form and Manner of Notice of Bar Dates, and (C) Confidentiality Procedures, and (III) Granting Related Relief* (the "Motion"),² of the above-captioned debtors and debtors in possession (collectively, the "Debtors"), for entry of an order (this "Bar Date Order"): (a) setting the Bar Dates for filing proofs of claim; (b) approving the Claim Form; (c) approving the form and manner of the Bar Date Notices and the publication notices and procedures related thereto; and (d) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); and this 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 this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief

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

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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 THAT:**

1. The Motion is granted as set forth in this Bar Date Order.

I. Defined Terms and Bar Dates.

2. For purposes of this Bar Date Order and the relief granted herein:
 - a. “Affiliate” has the meaning set forth in section 101(2) of the Bankruptcy Code; *provided* that the NICO entities shall not be Affiliates of the Debtors for purposes of this Bar Date Order. With respect to any Entity that is not a Debtor, the term “Affiliate” shall apply to such Entity as if the Entity were a Debtor.
 - b. “Bar Dates” means, collectively, the General Bar Date, the Rejection Bar Date, and the Supplemental Bar Date (each as defined below).
 - c. “Bar Date Notices” means the General Bar Date Notice.
 - d. “Claim Form” means, the general claim form attached hereto as **Exhibit 1** (the “General Claim Form”).
 - e. “General Bar Date Notice” means the form attached hereto as **Exhibit 2**.
 - f. “General Publication Notice” means the form attached hereto as **Exhibit 3**.
 - g. “Predecessors-in-Interest” means:
 - i. with respect to Debtor Brilliant National Services, Inc., (a) Stinnes Oil & Chemical, (b) Eastech Chemical Inc., (c) Soco Chemical Inc., and (d) Brenntag Inc.;
 - ii. with respect to Debtor Soco West, Inc., (a) A.J. Lynch Co., (b) Western Chemical & Manufacturing Co., (c) Dyce Chemical Inc., (d) Crown Chemical Corp., (e) Holchem Inc., (f) Brenntag West, Inc.; and
 - iii. any other prior Affiliate of the Debtors that was dissolved, cancelled, or otherwise wound-down prior to the Petition Date.

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Debtors: WHITTAKER, CLARK & DANIELS, INC., *et al.*

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- h. “Tort Claim” means any claim or Cause of Action (as defined in the Plan) against a Debtor whether known or unknown, manifested or unmanifested, for costs or damages, including with respect to any manner of alleged bodily injury, death, sickness, disease, emotional distress, fear of cancer, medical monitoring, or other personal injuries (whether physical, emotional or otherwise), directly or indirectly arising out of or in any way relating to the presence of or exposure to asbestos, talc, asbestiform minerals or any other chemical compound, or asbestos-, talc-, asbestiform- or any other chemical compound containing products caused or allegedly caused by, based on or allegedly based on, arising or allegedly arising from, attributable or allegedly attributable to, or in connection with, directly or indirectly, in whole or in part, the alleged acts, omissions, or conduct of the Debtors or any of the Debtors’ Predecessors-in-Interest (as defined in the Plan), including any such claims directly or indirectly, in whole or in part, arising out of or in any way relating to: (a) any products previously mined, manufactured, engineered, assembled, distributed, sold, used, consumed, installed, maintained, owned, occupied, stored, possessed, processed, designed, marketed, fabricated, constructed, supplied, produced, serviced, specified, selected, repaired, removed, replaced, released, and/or in any other way made available by the Debtors or any of the Debtors’ Predecessors-in-Interest; (b) any materials present at any premises owned, leased, occupied, or operated by the Debtors or the Debtors’ Predecessors-in-Interest; or (c) any talc in any way connected to the Debtors.
 - i. “Tort Claimants” means holders of Tort Claims.
1. The Bar Dates are set forth below. All Proofs of Claim must be actually received by Stretto, Inc. (the “Notice and Claims Agent”) before the applicable Bar Date.
 - a. The “General Bar Date” is **March 26, 2025**, at **4:00 p.m.**, prevailing Eastern Time.
 - b. The “Supplemental Bar Date” is the later of (i) the General Bar Date or (ii) **4:00 p.m.**, prevailing Eastern Time, on the date that is **30 days** from the date on which the Debtors mail notice of the amendment to the Schedules.
 - c. The “Rejection Bar Date” is the later of (i) the General Bar Date or (ii) any date this Court may fix in the applicable order authorizing such rejection and, if no such date is provided, **4:00 p.m., prevailing Eastern Time**, on the date that is **30 days** after entry of the order approving such rejection.
 3. The Claim Forms and the Bar Date Notices are approved in all respects.

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II. Procedures for Filing Proofs of Claim.

4. All holders of claims (except Tort Claimants) shall file Proofs of Claim using the General Claim Form (“General Proofs of Claim”) by the General Bar Date, **except** as set forth below:

- a. All holders of Rejection Claims shall file General Proofs of Claim by the Rejection Bar Date.
- b. All holders of Supplemental Claims shall file General Proofs of Claim by the Supplemental Bar Date.

5. In addition to the exceptions listed in the preceding paragraph, the following entities are **exempt** from any requirement to file a Proof of Claim prior to any Bar Date:

- a. any person or entity that has already submitted a Proof of Claim against the Debtors with the Clerk of this Court or the Notice and Claims Agent in a form substantially similar to Official Bankruptcy Form 410;
- b. any entity whose claim is listed on the Schedules if: (i) the claim is *not* scheduled by the Debtors as any of “disputed,” “contingent,” or “unliquidated;” (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- c. any person or entity whose claim has previously been allowed by order of the Court;
- d. any Affiliate of the Debtors,³ including any Affiliate of the Debtors that holds a claim arising under any intercompany agreement;

³ “Affiliate” has the meaning set forth in section 101(2) of the Bankruptcy Code; *provided* that the NICO entities shall not be Affiliates of the Debtors for purposes of this Bar Date Order. With respect to any Entity that is not a Debtor, the term “Affiliate” shall apply to such Entity as if the Entity were a Debtor.

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- e. any person or entity whose claim has been paid in full or is otherwise fully satisfied by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- f. any Debtor having a claim against another Debtor;
- g. a current employee of the Debtors on account of any claim the Debtors are authorized to honor either in the ordinary course of business (including as a wage, commission, or benefit) or pursuant to any order of the Court; *provided* that a current or former employee must submit a Proof of Claim by the General Bar Date for all other claims arising from or relating to service or the termination thereof before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;
- h. any current or former officer, manager, director, or employee for claims based on indemnification, contribution, or reimbursement;
- i. any entity holding a claim for which a separate deadline is fixed by this Court, other than any deadline fixed by this Bar Date Order;
- j. any entity that holds an interest in any of the Debtors, where such interest is based exclusively on the ownership of common stock, preferred stock, membership interests, partnership interests, or rights to purchase, sell, or subscribe to such an interest; *provided* that interest holders who wish to assert claims (as opposed to ownership interests) against any of the Debtors, including claims that arise out of or relate to the ownership or purchase of an interest, must file proofs of claim before the applicable Bar Date unless another exception identified herein applies;
- k. any entity holding a claim allowable under sections 503(b) (except 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course); and
- l. any Settlement Party (as defined in the Plan).

6. The procedures described in the Claim Forms for the filing of the applicable Proofs of Claim are approved. The procedures that are applicable to all Proofs of Claim, unless otherwise specified, include:

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- a. ***Contents.*** Each Proof of Claim must: (i) be written in English; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) ***conform substantially with the applicable form***⁴ provided by the Debtors, including the format of any response (if specified); (iv) set forth with reasonable specificity the legal and factual basis for the alleged claim; (v) ***answer every applicable question to the extent capable***; and (vi) be signed by the claimant or by an authorized agent or legal representative of the claimant on behalf of the claimant, whether such signature is an electronic signature or is ink.
- b. ***Electronic Signatures Permitted.*** Each Proof of Claim signed electronically by the claimant (or an authorized agent or legal representative of the claimant) may be deemed acceptable for purposes of claims administration. **Copies** of Proofs of Claim submitted in paper form, or those sent by facsimile or email, will **not** be **accepted**.
- c. ***Identification of the Debtor Entity.***
 - (1) **General Proofs of Claim.** Each General Proof of Claim must clearly identify the Debtor against which a Claim is asserted, including the individual Debtor's case number. However, the failure to select the correct Debtor on the General Proof of Claim Form alone is not a basis to object to the allowability to the Claim; *provided* that the asserted Claim is otherwise acceptable in all respects and complies with the terms of this Order such that the Claim would have been allowed if not for the failure to select the correct Debtor on the General Proof of Claim Form. Any General Proof of Claim that is filed against more than one Debtor, filed under the joint administration case number, or fails to identify a specific Debtor, will be deemed as filed (in the Debtors' sole discretion) as against the appropriate Debtor based on a review of the Debtors' books and records and/or Schedules and Statements, as applicable.
- d. ***Supporting Documentation.*** Each Proof of Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d), or as otherwise required by the applicable Claim Form. If, however, such documentation is voluminous, such Proof of Claim may include a summary

⁴ General Proofs of Claims must substantially conform to the General Claim Form.

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of such documentation or an explanation as to why such documentation is not available; *provided* that (i) the Proof of Claim contains current contact information for the creditor or its designated representative from whom the Debtors may request the full supporting documentation and (ii) such party must produce the supporting documentation to Debtors' counsel upon request no later than ten (10) days from the date of such request. Failure to provide such supporting documentation within ten (10) days may result in the disallowance of some or all of the amounts asserted on the applicable Proof of Claim.

- e. ***Timely Service.*** Each Proof of Claim must be filed, including supporting documentation, so that the Notice and Claims Agent ***actually receives*** the Proof of Claim before the applicable Bar Date (or, where applicable, before any other Bar Date by order of the Court).
- f. ***Submission Methods.*** Proofs of Claim may only be submitted via the methods described below. To ensure that the Notice and Claims Agent ***actually receives*** Proofs of Claim before the applicable Bar Date, holders of claims are ***strongly encouraged to use electronic submission.***
 - (1) ***Individual Electronic Submission.*** Proofs of Claim may be submitted electronically via the Notice and Claims Agent's Claims Website, available free of charge at <https://cases.stretto.com/whittaker>.
 - (2) ***Paper Submission (NOT recommended).*** Proofs of Claim may be submitted via first-class U.S. Mail, overnight mail, or other hand-delivery system, at the noticing address shown below. If claimants submit Proofs of Claim via paper submission, such Proofs of Claim **must include an original signature**. The Debtors are NOT responsible for any Proofs of Claim that are lost, destroyed, damaged, or delayed before they are received by the Notice and Claims Agent. Claimants using paper submission will NOT receive any confirmation that their materials have been timely received by the Notice and Claims Agent unless they also submit (A) a copy of the Proof of Claim (in addition to the original) and (B) a self-addressed envelope stamped with postage **paid for by the claimant**.

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NOTICING ADDRESS:

Whittaker, Clark & Daniels, Inc. Claims Processing
c/o Stretto
410 Exchange, Suite 100
Irvine, CA 92602

**PROOFS OF CLAIM SUBMITTED BY FAX OR EMAIL
WILL NOT BE ACCEPTED.**

III. Consequences for Failure to File a Proof of Claim.

7. Pursuant to Bankruptcy Rule 3003(c)(2), any creditor whose claim is not scheduled or is scheduled as disputed, contingent, or unliquidated that is required by the Bar Date Order to file a Proof of Claim and fails to file a Proof of Claim by the appropriate Bar Date shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution, except as otherwise ordered by the Court pursuant to the Bankruptcy Code, Bankruptcy Rules, and/or applicable law. Accordingly, any holder of a claim against the Debtors that is required to file a Proof of Claim in accordance with the Bar Date Order, but fails to do so before the appropriate Bar Date, shall be forever barred, estopped, and enjoined from asserting that claim against the Debtors, their property, or their estates and voting upon, or receiving distributions under, any chapter 11 plan in these chapter 11 cases with respect to such claim, except as otherwise ordered by the Court pursuant to the Bankruptcy Code, Bankruptcy Rules, and/or applicable law.

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IV. Procedures for Providing Notice of the Bar Dates.

a. General Bar Date Notices (*not applicable to Tort Claims*).

8. No later than January 15, 2025, the Debtors will cause the Notice and Claims Agent to serve the General Bar Date Notice and General Claim Form (personalized where applicable) by first-class mail upon:

- a. the U.S. Trustee;
- b. all creditors and other known holders of claims against the Debtors as of the date of entry of the Bar Date Order, including all entities to be listed in the Schedules as holding claims against the Debtors, but excluding Tort Claimants;
- c. all entities that have requested notice of the proceedings in these chapter 11 cases pursuant to Bankruptcy Rule 2002 as of the date of entry of this Bar Date Order;
- d. all entities that have filed General Proofs of Claim in these chapter 11 cases as of the date of entry of this Bar Date Order;
- e. all entities who are party to executory contracts and unexpired leases with the Debtors, if applicable;
- f. all entities that are party to litigation with the Debtors, ***excluding*** any litigation related to Tort Claims;
- g. all current employees and former employees who were employed by the Debtors in the twenty-four (24) months prior to the Petition Date, if any (to the extent that contact information for such former employees is available in the Debtors' records after reasonable inquiry);
- h. all regulatory authorities that regulated the Debtors' historical businesses, including environmental and permitting authorities;
- i. the United States Attorney's Office for the District of New Jersey and for the states in which the Debtors conduct business;

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- j. the office of the attorney general for each of the states in which the Debtors conduct business;
- k. the National Association of Attorneys General;
- l. the Internal Revenue Service;
- m. all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct business; and
- n. the Securities and Exchange Commission.

9. The Debtors shall only be required to mail the General Bar Date Notice to their reasonably ascertainable creditors (excluding Tort Claimants), and such mailing shall be made to the last known mailing address for each such creditor, as reflected in the Debtors' books and records at such time.

10. The Debtors shall also provide notice of the Bar Dates by publication to creditors to whom notice by mail is impracticable, including (a) creditors who are unknown or not reasonably ascertainable by the Debtors and/or (b) creditors whose names are known but whose addresses are unknown by the Debtors. Specifically, no later than January 15, 2025, the Debtors shall cause the General Publication Notice to be published, on one occasion, in *The New York Times* (national edition) and any other publications the Debtors, in consultation with the Contributing Parties, deem appropriate. Further, the Debtors shall post the General Claim Form and the General Bar Date Notice on the Claims Website.

V. Supplemental Mailings.

11. After serving the Bar Date Notices and related materials upon known claimants, the Debtors shall make supplemental mailings of notices or related materials, including in the event

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that: (a) notices are returned by the post office with forwarding addresses; (b) certain parties acting on behalf of parties in interest decline to pass along notices to these parties and instead return their names and addresses to the Debtors for direct mailing; (c) additional potential claimants become known as the result of the Bar Date Notice process; and (d) such notices are sent as part of any supplemental media noticing plan as described in the Motion. In this regard, the Debtors may make supplemental mailings of the Bar Date Notices and related materials in these and similar circumstances at any time up to seven (7) days in advance of the applicable Bar Date; *provided* that if the Debtors have received notice of an event in clauses (a)–(d) twenty-one (21) days prior to the applicable bar date, and such claimants shall submit their Proofs of Claim by the later of (a) the applicable Bar Date and (b) 4:00 p.m., prevailing Eastern Time, on the bar date that is thirty (30) calendar days after such person or entity is re-served with the Bar Date Notice and related materials; *provided further* that, if the Debtors provide supplemental mailings in accordance with the foregoing on or before the date which falls thirty (30) days prior to the applicable Bar Date, claimants receiving such supplemental mailings must submit their Claims on or before the applicable Bar Date.

VI. Miscellaneous.

12. All time periods set forth in this Bar Date Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

13. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Bar Date Order in accordance with the Motion.

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14. Notwithstanding anything in this Bar Date Order, the rights of the Debtors to seek, upon notice and a hearing, a deadline for filing proofs of claim and related relief with respect to Tort Claims, are reserved.

15. Notwithstanding anything in this Bar Date Order, neither the Official Committee of Talc Claimants (the “Committee”) nor the Future Claimants’ Representative (as defined in the Order (I) Appointing the Honorable Shelley C. Chapman (Ret.) as Future Claimants’ Representative, Effective as of the Petition Date and (II) Granting Related Relief [Docket No. 231], the “FCR”) have, or shall be presumed to have, consented or otherwise agreed to any provisions herein, including without limitation paragraph 7 of this Bar Date Order, which concerns the consequences for failing to timely file a proof of claim as may be required under this Bar Date Order, and entry of this Bar Date Order is without prejudice to and does not constitute a waiver of, expressly or implicitly, or otherwise impair any of the rights of the Committee, FCR, and/or U.S. Trustee to object to any request to seek a deadline for filing proofs of claim and related relief with respect to Tort Claims, or any subset thereof, on any and all grounds, and all such rights are reserved.

16. Notwithstanding Bankruptcy Rule 6004(h), to the extent applicable, this Bar Date Order shall be effective and enforceable immediately upon entry hereof.

17. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

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18. The requirement set forth in D.N.J. LBR 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

19. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Bar Date Order.

Exhibit 1

General Claim Form

United States Bankruptcy Court, District of New Jersey (Trenton)

Fill in this information to identify the case (Select only one Debtor per claim form):

<input type="checkbox"/> Whittaker, Clark & Daniels, Inc. (Case No. 23-13575)	<input type="checkbox"/> Brilliant National Services, Inc. (Case No. 23-13576)	<input type="checkbox"/> Soco West, Inc. (Case No. 23-13578)	<input type="checkbox"/> L.A. Terminals, Inc. (Case No. 23-13581)
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**Official Form 410
Proof of Claim**

[•]/24

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. This form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or 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, April 26, 2023.

Part 1: Identify the Claim	
1. Who is the current creditor?	
Name of the current creditor (the person or entity to be paid for this claim) _____	
Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	
<input type="checkbox"/> No	
<input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?
	Where should payments to the creditor be sent? (if different)
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name _____
	Name _____
Number _____ Street _____	Number _____ Street _____
City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____
Country _____	Country _____
Contact phone _____	Contact phone _____
Contact email _____	Contact email _____
Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
4. Does this claim amend one already filed?	
<input type="checkbox"/> No	
<input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____	
Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	
<input type="checkbox"/> No	
<input type="checkbox"/> Yes. Who made the earlier filing? _____	

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 amount 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: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)? No
 Yes. Check all that apply:

<p>A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.</p>	<p><input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____</p> <p><input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____</p> <p><input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____</p> <p><input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____</p> <p><input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____</p> <p><input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. \$ _____</p>	<p>Amount entitled to priority</p>
--	--	---

* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

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.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____
MM / DD / YYYY

 Signature

Print the name of the person who is completing and signing this claim:

Name _____
First name Middle name Last name

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____
Number Street

City State ZIP Code Country

Contact phone _____ Email _____

Attach Supporting Documentation:

I have supporting documentation. (attach below)

I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE. IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Stretto and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Stretto and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Stretto or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Stretto and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

Instructions for Proof of Claim

United States Bankruptcy Court

12/15

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 delivery 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 you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent’s website at <https://cases.stretto.com/whittaker/>.

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 that 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.

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 to 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.

Do not file these instructions with your form.

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 a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In 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.

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.

Please send completed Proof(s) of Claim to:

Whittaker, Clark & Daniels, Inc. Claims Processing
c/o Stretto
410 Exchange, Suite 100
Irvine, CA 92602

You may also file your claim electronically at:
<https://cases.stretto.com/whittaker/>

Exhibit 2

General Bar Date Notice

KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
joshua.sussberg@kirkland.com

-and-

KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
Chad J. Husnick, P.C. (admitted *pro hac vice*)
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2400
chad.husnick@kirkland.com

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*Co-Counsel for Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

WHITTAKER, CLARK & DANIELS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13575 (MBK)

(Jointly Administered)

**NOTICE OF DEADLINES FOR THE FILING OF
PROOFS OF CLAIM, EXCEPT FOR HOLDERS OF TORT CLAIMS**

**TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST ANY OF
THE FOLLOWING DEBTOR ENTITIES, EXCLUDING TORT CLAIMS:**

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors' federal tax identification number, are: Whittaker, Clark & Daniels, Inc. (4760); Brilliant National Services, Inc. (2113); L. A. Terminals, Inc. (6800); and Soco West, Inc. (3400). The location of the Debtors' principal place of business and the Debtors' service address in these chapter 11 cases is 100 First Stamford Place, Stamford, Connecticut 06902.

Debtor Name and Names of Certain Predecessors-in-Interest	Last Four Digits of Debtor’s Tax Identification Number	Case Number
Whittaker, Clark & Daniels, Inc.	4760	23-13575
Brilliant National Services, Inc. <i>Predecessors-in-Interest</i> Stinnes Oil & Chemical Eastech Chemical Inc. Soco Chemical Inc. Brenntag Inc.	2113	23-13576
L. A. Terminals, Inc.	6800	23-13581
Soco West, Inc. <i>Predecessors-in-Interest</i> A.J. Lynch Co. Western Chemical & Manufacturing Co. Dyce Chemical Inc. Crown Chemical Corp. Holchem Inc. Brenntag West, Inc.	3400	23-13578

PLEASE TAKE NOTICE THAT:

On April 26, 2023, Whittaker, Clark & Daniels, Inc. and three of its affiliates (the “Debtors”) each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Court”).

On [●], the Court entered an order [Docket No. [●]] (the “Bar Date Order”)² establishing certain dates by which parties holding prepetition claims against the Debtors must file proofs of claim (“Proofs of Claim”).

For your convenience, enclosed with this notice (this “Notice”) is a General Claim Form, which identifies on its face the amount, nature, and classification of your claim(s), if any, listed in the Debtors’ schedules of assets and liabilities filed in these cases [Docket Nos. 134–37] (the “Schedules”). If the Debtors believe that you hold claims against more than one Debtor, you will receive multiple Proof of Claim forms, each of which will reflect the nature and amount of your claim as listed in the Schedules.

As used in this Notice, except as otherwise defined herein, all terms specifically defined in the Bankruptcy Code shall have those meanings ascribed to them by the Bankruptcy Code. In particular, as used herein: (a) the term “entity” has the meaning given to it in section 101(15) of the Bankruptcy Code; (b) the term “governmental unit” has the meaning given to it in section 101(27) of the Bankruptcy Code; and (c) the term “person” has the meaning given to it in section 101(41) of the Bankruptcy Code.

² Capitalized terms used but not immediately defined have the meanings ascribed to them elsewhere in this Notice or in the Bar Date Order.

As used in this Notice, and unless otherwise defined in the Bar Date Order, the term “claim” has the meaning given to it in section 101(5) of the Bankruptcy Code, including: (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.

* * *

The procedures described in this Notice shall NOT apply to any Tort Claims.

* * *

THE BAR DATES.

The Bar Date Order establishes, among other deadlines, the bar dates for filing Proofs of Claim in these chapter 11 cases (collectively, the “Bar Dates”) summarized in the table³ below and described more fully thereafter:

Description	Bar Date
General Claims	March 26, 2025 , at 4:00 p.m. ET (70 days after notice)
Government Claims	March 26, 2025 , at 4:00 p.m. ET (700 days after Petition Date)
Supplemental Claims	Later of (a) General Bar Date or (b) 30 days after amended schedules notice
Rejection Claims	Later of (a) General Bar Date or (b) 30 days after rejection order (unless otherwise ordered by the Court)

1. ***The General Bar Date.*** Pursuant to the Bar Date Order, except as described below, all entities (except governmental units) holding claims against the Debtors that (a) arose or are deemed to have arisen prior to the Petition Date and (b) are not Tort Claims, *are required to file Proofs of Claim by March 26, 2025 at 4:00 p.m., prevailing Eastern Time (the “General Bar Date”).* Except as expressly set forth in this Notice and the Bar Date Order, the General Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date, including secured claims, unsecured priority claims, and unsecured non-priority claims..
2. ***Government Claims.*** Pursuant to the Bar Date Order, *all governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date are*

³ The summary table is for illustrative purposes only; to the extent of any inconsistency between the summary table and the descriptions contained elsewhere in the Bar Date Order, the latter shall control.

required to file Proofs of Claim by the General Bar Date. The General Bar Date applies to all governmental units holding claims against the Debtors (whether secured, unsecured priority, or unsecured non-priority) that arose prior to the Petition Date, including governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax years or periods or prepetition transactions to which the Debtors were a party.

3. *The Supplemental Bar Date.* Pursuant to the Bar Date Order, all claimants holding claims directly affected by an amendment of the Debtors' Schedules must file Proofs of Claim against any Debtor (or amend any previously filed Proof of Claim) by the date that is *the later of (a) the General Bar Date or (b) 4:00 p.m., prevailing Eastern Time, on the date that is thirty (30) days from the date on which the Debtors mail notice of the amendment to the Schedules (the "Supplemental Bar Date").*
4. *The Rejection Bar Date.* Pursuant to the Bar Date Order, all entities holding claims arising from the rejection of an executory contract or unexpired lease must file Proofs of Claim by the date that is *the later of (a) the General Bar Date or (b) 4:00 p.m., prevailing Eastern Time, on the date that is thirty (30) days following entry of the order approving the rejection of the applicable executory contract or unexpired lease of the Debtors (the "Rejection Bar Date").*

A. WHO MUST FILE A PROOF OF CLAIM.

Except as otherwise set forth herein, the following entities holding claims against the Debtors that arose (or that are deemed to have arisen) prior to the Petition Date *must* file Proofs of Claim before the General Bar Date, Rejection Bar Date, or Supplemental Bar Date, as applicable:

- any entity whose claim against a Debtor is *not* listed in the applicable Debtor's Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
- any entity who believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;
- any former or present full-time, part-time, salaried, or hourly employees must submit Proofs of Claim relating to any grievance prior to the General Bar Date to the extent grounds for such grievances arose prior to the Petition Date; and
- any entity that believes that its prepetition claims as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the schedules.

B. PARTIES WHO DO NOT NEED TO FILE PROOFS OF CLAIM.

Certain parties are not required to file Proofs of Claim. The Court may, however, enter one or more separate orders at a later time requiring creditors to file Proofs of Claim for some kinds of the following claims and setting related deadlines. If the Court does enter such an order, you will receive notice of it. The following entities holding claims that may otherwise be subject to the Bar Dates, in the capacities described below, need *not* file Proofs of Claims:

- any Tort Claimant;
- any person or entity that has already submitted a Proof of Claim against the Debtors with the Clerk of this Court or the Notice and Claims Agent in a form substantially similar to Official Bankruptcy Form 410;
- any person or entity whose claim is listed on the Schedules if: (a) the claim is *not* scheduled by the Debtors as “disputed,” “contingent,” or “unliquidated;” (b) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (c) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- any person or entity whose claim has previously been allowed by order of the Court;
- any Affiliate of the Debtors,⁴ including any Affiliate of the Debtors that holds a claim arising under any intercompany agreement;
- any Settlement Party (as defined in the Plan);
- any person or entity whose claim has been paid in full or is otherwise fully satisfied by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- any Debtor having a claim against another Debtor;
- a current employee of the Debtors on account of any claim the Debtors are authorized to honor either in the ordinary course of business (including as a wage, commission, or benefit) or pursuant to any order of the Court; *provided* that a current or former employee must submit a Proof of Claim by the General Bar Date for all other claims arising from or relating to service or the termination thereof before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;
- any current or former officer, manager, director, or employee for claims based on indemnification, contribution, or reimbursement;
- any entity holding a claim for which a separate deadline is fixed by this Court, other than any deadline fixed by the Bar Date Order;
- any entity that holds an interest in any of the Debtors, where such interest is based exclusively on the ownership of common stock, preferred stock, membership interests, partnership interests, or rights to purchase, sell, or subscribe to such an interest; *provided* that interest holders who wish to assert claims (as opposed to ownership interests) against any of the Debtors, including claims that arise out of or relate to the ownership or purchase of an

⁴ “Affiliate” has the meaning set forth in section 101(2) of the Bankruptcy Code; *provided* that the NICO entities shall not be Affiliates of the Debtors for purposes of this Bar Date Order. With respect to any Entity that is not a Debtor, the term “Affiliate” shall apply to such Entity as if the Entity were a Debtor.

interest, must file Proofs of Claim before the applicable Bar Date unless another exception identified herein applies;⁵ and

- any entity holding a claim allowable under sections 503(b) (except 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course).

A party alleging a claim should consult an attorney if such party has any questions, including whether he or she must file a claim. Information, but not legal advice, is obtainable from the Debtors' claims and noticing agent—Stretto Inc. (the "Notice and Claims Agent")—by calling +1 (833) 653-6464 (U.S./International) or visiting the public website maintained by the Notice and Claims Agent at <https://cases.stretto.com/whittaker> (the "Claims Website").

C. INSTRUCTIONS FOR FILING PROOFS OF CLAIM.

The following requirements shall apply with respect to filing and preparing each Proof of Claim:

- **Contents.** Each Proof of Claim must: (a) be written in English; (b) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (c) conform substantially with the General Claim Form provided by the Debtors, including the format of any response (if specified); (d) set forth with reasonable specificity the legal and factual basis for the alleged claim; (e) answer every applicable question to the extent capable; and (f) be signed by the claimant or by an authorized agent or legal representative of the claimant on behalf of the claimant, whether such signature is an electronic signature or is ink.
- **Electronic Signatures Permitted.** Each Proof of Claim signed electronically by the claimant (or an authorized agent or legal representative of the claimant) may be deemed acceptable for purposes of claims administration. Copies of Proofs of Claim or Proofs of Claim sent by fax or email will not be accepted.
- **Identification of the Debtor Entity.** Each Proof of Claim must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. However, the failure to select the correct Debtor on the General Proof of Claim Form alone is not a basis to object to the allowability to the Claim; *provided* that the asserted Claim is otherwise acceptable in all respects and complies with the terms of the Bar Date Order such that the Claim would have been allowed if not for the failure to select the correct Debtor on the General Proof of Claim Form. Any General Proof of Claim that is filed against more than one Debtor, filed under the joint administration case number, or fails to identify a specific Debtor, will be deemed as filed (in the Debtors' sole discretion) as against the appropriate Debtor based on a review of the Debtors' books and records and/or Schedules and Statements, as applicable.
- **Supporting Documentation for General Proofs of Claim.** Each Proof of Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d), or as otherwise required by the applicable Claim Form. If, however, such documentation is voluminous, such Proof of Claim may include a summary of such

⁵ The Debtors reserve all rights with respect to any such Claims, including to, *inter alia*, assert that such Claims are subject to subordination pursuant to Bankruptcy Code section 510(b).

documentation or an explanation as to why such documentation is not available; *provided* that the Proof of Claim contains current contact information for the creditor or its designated representative from whom the Debtors may request the full supporting documentation and (ii) such party must produce the supporting documentation to Debtors' counsel upon request no later than ten (10) business days from the date of such request. Failure to provide such supporting documentation within ten (10) business days may result in an objection to such Proof of Claim.

- ***Timely Service.*** Each Proof of Claim must be filed, including supporting documentation, so that the Notice and Claims Agent *actually receives* the Proof of Claim before the applicable Bar Date (or, where applicable, before any other Bar Date as set forth herein or by order of the Court).
- ***Submission Methods.*** Proofs of Claim may only be submitted via the methods described below. To ensure that the Notice and Claims Agent *actually receives* Proofs of Claim before the applicable Bar Date, holders of claims are *strongly encouraged to use electronic submission*.
 - ***Individual Electronic Submission.*** Proofs of Claim may be submitted electronically via the Notice and Claims Agent's Claims Website, available free of charge at <https://cases.stretto.com/whittaker>.
 - ***Paper Submission (NOT recommended).*** Proofs of Claim may be submitted via first-class U.S. Mail, overnight mail, or other hand-delivery system, at the noticing address shown below. If claimants submit Proofs of Claim via paper submission, such Proofs of Claim **must include an original signature**. The Debtors are NOT responsible for any Proofs of Claim that are lost, destroyed, damaged, or delayed before they are received by the Notice and Claims Agent. Claimants using paper submission will NOT receive any confirmation that their materials have been timely received by the Notice and Claims Agent unless they also submit (a) a copy of the Proof of Claim (in addition to the original) and (b) a self-addressed envelope stamped with postage **paid for by the claimant**.

Whittaker, Clark & Daniels, Inc. Claims Processing
c/o Stretto
410 Exchange, Suite 100
Irvine, CA 926020

**PROOFS OF CLAIM SUBMITTED BY FAX OR EMAIL WILL
NOT BE ACCEPTED.**

D. CONSEQUENCES OF FAILING TO TIMELY FILE YOUR PROOF OF CLAIM.

Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you or any party or entity who is required, but fails, to file a Proof of Claim in accordance with the Bar Date Order before the applicable Bar Date, please be advised that:

- **YOU WILL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTORS (OR FILING A PROOF OF CLAIM WITH RESPECT THERETO);**
- **THE DEBTORS AND THEIR PROPERTY SHALL BE FOREVER DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO OR ARISING FROM SUCH CLAIM;**
- **YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND**
- **YOU WILL NOT BE PERMITTED TO VOTE ON ANY CHAPTER 11 PLAN FOR THE DEBTORS ON ACCOUNT OF THESE BARRED CLAIMS OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIMS.**

E. RESERVATION OF RIGHTS.

Nothing contained in this Notice is intended to or should be construed as a waiver of the Debtors' right 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; and (c) otherwise amend or supplement the Schedules.

F. THE DEBTORS' SCHEDULES AND ACCESS THERETO.

You may be listed as the holder of a claim against one or more of the Debtor entities in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed Proof of Claim forms regarding the nature, amount, and status of your claim(s). If the Debtors believe that you may hold claims against more than one Debtor entity, you will receive multiple General Claim Forms, each of which will reflect the nature and amount of your claim against one Debtor entity, as listed in the Schedules.

If you rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. However, you may rely on the enclosed form, which sets forth the amount of your claim (if any) as scheduled; identifies the Debtor entity against which it is scheduled; specifies whether your claim is listed in the Schedules as disputed, contingent, or unliquidated; and identifies whether your claim is scheduled as a secured, unsecured priority, or unsecured non-priority claim.

As described above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim is only against the Debtor entity specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need *not* file a Proof of 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.

G. ADDITIONAL INFORMATION.

Copies of the Debtors' Schedules, the Bar Date Order, and other information regarding these chapter 11 cases are available for inspection free of charge on the Debtors' website at <https://cases.stretto.com/whittaker>.

If you require additional information regarding the filing of a Proof of Claim, you may contact the Debtors' Notice and Claims Agent at: +1 (833) 653-6464 (U.S./International).

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

Exhibit 3

General Publication Notice

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*Co-Counsel for Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

WHITTAKER, CLARK & DANIELS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13575 (MBK)

(Jointly Administered)

**NOTICE OF DEADLINES FOR THE FILING OF
PROOFS OF CLAIM, EXCEPT FOR HOLDERS OF TORT CLAIMS**

PLEASE TAKE NOTICE THAT the United States Bankruptcy Court for the District of New Jersey (the “Court”) has entered an order [Docket No. [●]] (the “Bar Date Order”) establishing **4:00 p.m. Eastern Time on March 26, 2025** (the “General Bar Date”), as the last date for each person or entity (including individuals, partnerships, corporations, joint ventures and trusts) to submit proofs of claim (each, a “Proof of Claim”) against any of the Debtors listed below (collectively, the “Debtors”). A copy of the Bar Date Order, and any exhibits thereto are available (a) at the Debtors’ expense upon request to Stretto Inc., (the “Notice and Claims Agent”)—the noticing and claims agent retained in these chapter 11 cases—by calling +1 (833) 653-6464 (U.S./International) and (b) for no charge by visiting the Debtors’ chapter 11 website at <https://cases.stretto.com/whittaker>.

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors’ federal tax identification number, are: Whittaker, Clark & Daniels, Inc. (4760); Brilliant National Services, Inc. (2113); L. A. Terminals, Inc. (6800); and Soco West, Inc. (3400). The location of the Debtors’ principal place of business and the Debtors’ service address in these chapter 11 cases is 100 First Stamford Place, Stamford, Connecticut 06902.

The Bar Date Order requires that all entities (collectively, the “Claimants”) holding or wishing to assert a claim that arose or is deemed to have arisen prior to April 26, 2023 (the “Petition Date”), against the Debtors to submit a Proof of Claim so as to be **actually received** by the Notice and Claims Agent before the applicable bar date (collectively, the “Bar Dates”) as set forth below. All governmental units shall have until **March 26, 2025**, 700 days from the commencement of these chapter 11 cases, to submit a claim against the Debtors.

Debtor Name and Names of Certain Predecessors-in-Interest	Last Four Digits of Debtor’s Tax Identification Number	Case Number
Whittaker, Clark & Daniels, Inc.	4760	23-13575
Brilliant National Services, Inc. <i>Predecessors-in-Interest</i> Stinnes Oil & Chemical Eastech Chemical Inc. Soco Chemical Inc. Brenntag Inc.	2113	23-13576
L. A. Terminals, Inc.	6800	23-13581
Soco West, Inc. <i>Predecessors-in-Interest</i> A.J. Lynch Co. Western Chemical & Manufacturing Co. Dyce Chemical Inc. Crown Chemical Corp. Holchem Inc. Brenntag West, Inc.	3400	23-13578

DESCRIPTION	BAR DATE
General Claims	All Claimants holding or wishing to assert a claim must submit a Proof of Claim with respect to such claim so as to be actually received by the Notice and Claims Agent by March 26, 2025, at 4:00 p.m. ET (the “ <u>General Bar Date</u> ”).
Government Claims	All governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date are required to file Proofs of Claim by the General Bar Date. The General Bar Date applies to all governmental units holding claims against the Debtors (whether secured, unsecured priority, or unsecured non-priority) that arose prior to the Petition Date, including governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax years or periods or prepetition transactions to which the Debtors were a party.
Supplemental Claims	In the event the Debtors amend or supplement their schedules of assets and liabilities, executory contracts and unexpired leases,

	<p>or statements of financial affairs (collectively, the “<u>Schedules</u>”), the Debtors shall give notice of any such amendment to the holders of any claim affected thereby. Such holders shall be required to submit a Proof of Claim by the later of (a) the General Bar Date or (b) thirty (30) days from the date on which such notice is given to with respect to such amended claim (any such date, a “<u>Supplemental Bar Date</u>”) or be forever barred from doing so.</p>
<p>Rejection Claims</p>	<p>If you have a claim arising from the rejection of an executory contract or unexpired lease, you must submit a Proof of Claim based on such rejection before the later of (a) the General Bar Date or (b) any date the Court may fix in the applicable order authorizing such rejection and, if no such date is provided, thirty (30) days from the date of entry of such order (the “<u>Rejection Bar Date</u>”). The Debtors will provide notice of the Rejection Bar Date to the contract or lease counterparty whose contract or lease is being rejected at the time the Debtors reject any executory contract or unexpired lease.</p>

When and Where to Submit

Each Proof of Claim, including supporting documentation, must be submitted so that the Notice and Claims Agent **actually receives** the Proof of Claim before the applicable Bar Date by: (a) electronically via Stretto’s website at <https://cases.stretto.com/whittaker> or (b) first-class U.S. Mail, overnight mail, or other hand-delivery system, which Proof of Claim must include an **original** signature, at the following address: Whittaker, Clark & Daniels, Inc. Claims Processing Center c/o Stretto, 410 Exchange, Suite 100, Irvine, CA 92602.

PROOFS OF CLAIM SUBMITTED BY FAX OR EMAIL WILL NOT BE ACCEPTED.

Contents of Proofs of Claim. Each Proof of Claim must: (a) be written in English; (b) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (c) **conform substantially with the applicable form²** provided by the Debtors, including the format of any response (if specified); (d) set forth with reasonable specificity the legal and factual basis for the alleged claim; (e) **answer every applicable question to the extent capable**; and (f) be signed by the claimant or by an authorized agent or legal representative of the claimant on behalf of the claimant, whether such signature is an electronic signature or is ink.

Consequences of Failing to Timely Submit Your Proof of Claim. Any holder of a claim that is not exempted from the requirements of the Bar Date Order, as set forth in paragraph 5 of the Bar Date Order, and that fails to timely file a Proof of Claim in the appropriate form, shall not be treated as a creditor with respect to such claim for the purposes of voting on any chapter 11 plan filed in these cases and participating in any distribution in the Debtors’ cases on account of such claim.

² General Proofs of Claims must substantially conform to the General Claim Form.

Reservation of Rights. Nothing contained in this notice is intended to or should be construed as a waiver of the Debtors' right 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; and (c) otherwise amend or supplement the Schedules.

Additional Information. If you have any questions regarding the claims process and/or if you wish to obtain a copy of the Bar Date Order (which contains a more detailed description of the requirements for submitting Proofs of Claim), a Proof of Claim form or related documents, you may do so by visiting the Debtors' restructuring website at <https://cases.stretto.com/whittaker> or contacting the Notice and Claims Agent by calling +1 (833) 653-6464 (U.S./International). Please note that the Notice and Claims Agent cannot advise you how to submit, or whether you should submit, a Proof of Claim.

[Remainder of page intentionally left blank]

Dated: [●]

/s/ DRAFT

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