

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

In re:

KIDDE-FENWAL, INC.,¹

Debtor.

Chapter 11

Case No. 23-10638 (LSS)

NOTICE OF DEADLINES REQUIRING FILING OF (I) NON-PFAS PROOFS OF CLAIM ON OR BEFORE NOVEMBER 10, 2023, (II) PROOFS OF CLAIM FOR NON-PFAS CLAIMS HELD BY GOVERNMENTAL UNITS ON OR BEFORE NOVEMBER 10, 2023, (III) NON-PFAS PROOFS OF CLAIM AFFECTED BY THE REJECTION OF AN EXECUTORY CONTRACT OR LEASE AND (IV) NON-PFAS PROOFS OF CLAIM AFFECTED BY THE AMENDMENT OF OR SUPPLEMENT TO THE DEBTOR'S SCHEDULES OF ASSETS AND LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS

NOTICE TO ALL HOLDERS OF PFAS CLAIMS: THIS MOTION DOES NOT ESTABLISH THE DEADLINE FOR FILING A PROOF OF CLAIM ON ACCOUNT OF PFAS CLAIMS. THE DEBTOR INTENDS TO SEPARATELY REQUEST A BAR DATE DEADLINE FOR FILING PFAS CLAIMS. ONCE ESTABLISHED, HOLDERS OF PFAS CLAIMS WILL BE SERVED WITH NOTICE OF THAT DEADLINE. IN THE MEANTIME, VISIT [HTTPS://CASES.STRETTO.COM/KFI](https://cases.stretto.com/kfi) FOR MORE INFORMATION CURRENTLY AVAILABLE ABOUT THE PROOF OF CLAIM PROCESS FOR HOLDERS OF PFAS CLAIMS.

**TO ALL PERSONS AND ENTITIES WITH NON-PFAS CLAIMS AGAINST
THE ABOVE-CAPTIONED DEBTOR:**

On September 29, 2023, the United States Bankruptcy Court for the District of Delaware (the "Court") entered an order [D.I. 502] (the "Order") in the chapter 11 case (the "Chapter 11 Case") of Kidde-Fenwal, Inc. (the "Debtor"), establishing **November 10, 2023 at 5:00 p.m. (prevailing Eastern Time)** (the "Non-PFAS Bar Date") as the general deadline for each person or entity (including individuals, partnerships, corporations, joint ventures and trusts), but not including governmental units, holding a Non-PFAS Claim (as defined below) to file a proof of claim against the Debtor.

The Non-PFAS Bar Date, the other deadlines established by the Order, and the procedures set forth below for filing proofs of claim apply to all Non-PFAS Claims against the Debtor that arose on or prior to **May 14, 2023** (the "Petition Date"), the date on which the Debtor

¹ The last four digits of Kidde-Fenwal, Inc.'s tax identification number are 5282. The Debtor's corporate headquarters is located at 400 Main Street, Ashland, Massachusetts 01721.

commenced this Chapter 11 Case, except for those holders of claims listed in Section 4 below that are specifically excluded from the filing requirements established by the Order.

1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to vote on a Chapter 11 plan or to share in distributions from the Debtor's bankruptcy estate if you hold a claim against the Debtor *other than* a PFAS Claim (a "Non-PFAS Claim"). "PFAS Claims" are claims against the Debtor that arise from the design, manufacture, storage, marketing, use, distribution, discharge or sale of per- and polyfluoroalkyl substances ("PFAS") and PFAS-containing products (including but not limited to aqueous film-forming foam ("AFFF")), and claims that relate directly or indirectly to precursor, derivative or resultant chemicals from PFAS or AFFF.

The Order establishes the following bar dates for filing proofs of claim in this Chapter 11 Case (collectively, the "Bar Dates"):

- a. **Non-PFAS Bar Date.** Except as otherwise described in this Notice, all persons and entities (as defined in section 101(15) of the Bankruptcy Code) holding a Non-PFAS Claim against the Debtor are required to file a proof of claim on or before **November 10, 2023, at 5:00 p.m. (prevailing Eastern Time)**. **For the avoidance of doubt, the Non-PFAS Bar Date applies to all 503(b)(9) Claims.**²
- b. **Governmental Non-PFAS Bar Date.** All governmental units (as defined in section 101(27) of the Bankruptcy Code) holding Non-PFAS Claims against the Debtor must file proofs of claim on or before **November 10, 2023, at 5:00 p.m. (prevailing Eastern Time)**.
- c. **Amended Schedules Non-PFAS Bar Date.** Any claimant holding a Non-PFAS Claim adversely affected by an amendment of, or supplement to, the Debtor's schedules of assets and liabilities and/or statement of financial affairs (together, the "Schedules") must file a proof of claim on or before the date that is ***the later of:*** **(a) the Non-PFAS Bar Date or the Governmental Non-PFAS Bar Date, as applicable, and (b) 5:00 p.m. (prevailing Eastern Time) on the date that is 30 days after the date that notice of the applicable amendment of or supplement to the Schedules is served on such entity.**
- d. **Rejection Bar Date.** Any claimant holding Non-PFAS Claims arising from the rejection of an executory contract or unexpired lease must file a proof of claim based on such rejection on or before the date that is ***the later of:*** **(a) the Non-PFAS Bar Date or the Governmental Non-PFAS Bar Date, as applicable, and (b) 5:00 p.m. (prevailing Eastern Time) on any date the Court may fix in the applicable order**

² "503(b)(9) Claims" are Claims on account of goods received by the Debtor within 20 days before the Petition Date, where such goods were sold to the Debtor in the ordinary course of the Debtor's business. *See* 11 U.S.C. § 503(b)(9).

authorizing such rejection, and, if no such date is provided, 30 days from the date of service of notice of entry of such order.

Section 101(5) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”) provides that the word “claim” means: (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.

Attention: This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtor but may not have an unpaid claim against the Debtor. The fact that you have received this Notice ***does not*** mean that you have a claim against the Debtor or that the Debtor or the Court believe that you have a claim against the Debtor.

2. WHAT TO FILE

The Debtor is enclosing a modified proof of claim form (the “Proof of Claim Form”) for use in this Chapter 11 Case. You may also use another proof of claim form that conforms substantially to Official Bankruptcy Form No. 410, if it: (a) is written in English; (b) is 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) sets forth with specificity the legal and factual basis for the alleged claim; (d) unless otherwise consented to by the Debtor in writing, includes supporting documentation unless voluminous, in which case a summary must be attached or an explanation provided as to why documentation is not available; and (e) is signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant.

If your Non-PFAS Claim is scheduled by the Debtor, the attached Proof of Claim Form also sets forth: (a) the amount of your Non-PFAS Claim as scheduled by the Debtor; (b) whether your Non-PFAS Claim is scheduled as disputed, contingent or unliquidated; and (c) whether your Non-PFAS Claim is scheduled as a secured claim, an unsecured priority claim, or an unsecured nonpriority claim. You will receive a different Proof of Claim Form for each Non-PFAS Claim scheduled in your name by the Debtor.

In addition to the requirements set forth above, any proof of claim asserting a 503(b)(9) Claim must also: (a) include the value of the goods delivered to and received by the Debtor in the 20 days prior to the Petition Date; (b) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted; (c) state whether the amount asserted represents a combination of goods and services and, if applicable, the portion that relates solely to the value of the goods; and (d) set forth whether any portion of the 503(b)(9) Claim was satisfied by payments made by the Debtor pursuant to any order of the Court authorizing the Debtor to pay prepetition claims.

Proof of Claim Forms may be obtained free of charge by clicking on “Proof of Claim – Official Form 410” at: <https://cases.stretto.com/kfi/file-a-claim/>. The Official Bankruptcy Form No. 410 may be obtained at <http://www.uscourts.gov/forms/bankruptcy-forms>.

Your Proof of Claim Form must NOT contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor’s initials) or a financial account number (only the last four digits of such financial account). ALL PROOFS OF CLAIM FORMS FILED WILL BE MADE AVAILABLE TO THE PUBLIC UNLESS OTHERWISE ORDERED BY THE COURT.

3. WHEN AND WHERE TO FILE

Except as provided for herein, all proofs of claim must be filed so as to be received **on or before the applicable Bar Date**:

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

Kidde-Fenwal, Inc. Claims Processing
c/o Stretto, Inc.
410 Exchange, Suite 100
Irvine, CA 92602

IF ELECTRONICALLY:

The website established by the Noticing and Claims Agent, using the interface available on such website located at <https://cases.stretto.com/kfi> under the link entitled “File a Claim.”

Proofs of claim will be deemed filed only when **received** at the address listed above or filed electronically on or before the applicable Bar Date. **Proofs of claim may NOT be delivered by facsimile, telecopy or email transmission.**

4. WHO NEED NOT FILE A PROOF OF CLAIM

You do not need to file a proof of claim for Non-PFAS Claims on or prior to the applicable Bar Date described in this Notice if you are:

- a. any entity holding a PFAS Claim, *provided* that to the extent any such entity also holds a Non-PFAS Claim, a Non-PFAS Proof of Claim must be filed on or before the applicable Bar Date;
- b. any entity that holds an equity security interest in the Debtor, which interest is based exclusively upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants, options, or rights to purchase, sell, or subscribe to such security or interest, *provided* that if any such holder asserts a claim (as opposed to an ownership interest) against the Debtor (including a claim relating to an equity interest or the purchase or sale of such equity interest), a

Non-PFAS Proof of Claim must be filed on or before the applicable Bar Date;

- c. any entity that has already properly filed a proof of claim against the Debtor with either the clerk of the Bankruptcy Court in the District of Delaware (the “Clerk of Court”) or the Noticing and Claims Agent in a form substantially similar to Official Bankruptcy Form No. 410 (unless such entity wishes to assert the claim in a different amount or classification than the prior proof of claim, in which case an amended proof of claim must be filed);
- d. any entity (i) whose Non-PFAS Claim is listed on the Schedules filed by the Debtor; (ii) whose Non-PFAS Claim is *not* scheduled as “disputed,” “contingent,” or “unliquidated” and (iii) who agrees with the amount, nature, and priority of the Non-PFAS Claim as set forth in the Schedules;
- e. any entity holding any claim that has previously been allowed by order of this Court;
- f. any entity that has been paid in full by the Debtor;
- g. any entity with respect to a claim for which a different deadline has previously been fixed by this Court;
- h. any entity that holds a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course (other than a claim arising under section 503(b)(9) of the Bankruptcy Code);
- i. any entity holding administrative expense claims for postpetition fees and expenses of professionals retained in this Chapter 11 Case allowable under sections 330, 331 and 503(b) of the Bankruptcy Code;
- j. any entity that is exempt from filing a Non-PFAS Proof of Claim pursuant to an order of the Court in this Chapter 11 Case; and
- k. any entity holding a claim solely against a non-Debtor entity for such claim against a non-Debtor entity.

5. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

ABSENT FURTHER ORDER OF THE COURT, ANY HOLDER OF A NON-PFAS CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE ORDER, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM BY THE APPLICABLE BAR DATE AS DESCRIBED IN THIS NOTICE SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH NON-PFAS CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION.

6. THE DEBTOR'S SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against the Debtor in the Debtor's 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 Form(s) regarding the nature, amount and status of your claim(s). If you received payments postpetition from the Debtor (as authorized by the Court) on account of your claim, the information on the enclosed Proof of Claim Form(s) will reflect the net remaining amount of your claim(s). If you rely on the Debtor's 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 lists your claim as scheduled and specifies whether the claim is disputed, contingent or unliquidated. If you agree with the nature, amount and status of your claim as listed in the Debtor's Schedules and if your claim is not described in the Schedules 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.

Copies of the Debtor's Schedules, the Order and other information and documents regarding the Debtor's Chapter 11 Case are available for a fee from the Court's website at <https://ecf.deb.uscourts.gov>. A login and password to the Court's Public Access to Court Electronic Records ("PACER") system are required to access this information and can be obtained through the PACER Service Center at www.pacer.gov.

Copies of the Schedules, the Order and other information and documents regarding this Chapter 11 Case may be examined between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, 824 Market Street North, 3rd Floor, Wilmington, DE 19801; and are also available free of charge from the website of the Debtor's Noticing and Claims Agent at <https://cases.stretto.com/kfi>, or by written request to the Debtor's Noticing and Claims Agent at the address listed above in Section 3 of this Notice.

7. RESERVATION OF RIGHTS

Nothing contained in this Notice is intended, or should be construed, as a waiver of the Debtor's rights to: (a) dispute, or assert offsets or defenses against, any submitted proof of claim or any claim listed or reflected in the Schedules as to the nature, amount, liability, or classification of such claim; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

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

BY ORDER OF THE COURT

Dated: September 29, 2023
Wilmington, Delaware

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