

**UNITED STATES BANKRUPTCY COURT, DISTRICT OF DELAWARE**

<p><b>In re</b></p> <p><b>WESTERN GLOBAL AIRLINES, INC., et al.,</b></p> <p align="center"><b>Debtors.<sup>1</sup></b></p>	<p align="center"><b>Chapter 11 Case No. 23-11093 (KBO)</b></p>
--	---

**NOTICE OF DEADLINES TO FILE PROOFS OF CLAIM**

**TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST WESTERN GLOBAL AIRLINES, INC. AND ITS DEBTOR SUBSIDIARIES**

<p><b><u>Attorneys for Debtors</u></b>                  RICHARDS, LAYTON &amp; FINGER, P.A.                  Mark D. Collins (No. 2981)                  Zachary I. Shapiro (No. 5103)                  Amanda R. Steele (No. 5530)                  One Rodney Square                  920 North King Street                  Wilmington, Delaware 19801                  Telephone: (302) 651-7700</p>	<p><b><u>Attorneys for Debtors</u></b>                  WEIL, GOTSHAL &amp; MANGES LLP                  Gary T. Holtzer (admitted <i>pro hac vice</i>)                  Candace M. Arthur (admitted <i>pro hac vice</i>)                  Jason H. George (admitted <i>pro hac vice</i>)                  767 Fifth Avenue                  New York, New York 10153                  Telephone: (212) 310-8000</p>
--	---

Address of the Clerk of the Bankruptcy Court  
 Clerk of the United States Bankruptcy Court,  
 824 Market Street North, 3rd Floor, Wilmington, DE 19801  
 Telephone: 302-252-2900  
 Hours Open: 8:00 a.m.–4:00 p.m. Monday–Friday

**PLEASE TAKE NOTICE THAT:**

**YOU ARE RECEIVING THIS NOTICE (“NOTICE”) BECAUSE YOU MAY HAVE A CLAIM AGAINST THE DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES. THEREFORE, YOU SHOULD READ THIS NOTICE CAREFULLY AND CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.**

On August 7, 2023 (the “**Petition Date**”), Western Global Airlines, Inc. and its debtor subsidiaries, the debtors and debtors in possession in the above-captioned cases (the “**Debtors**”), filed voluntary cases under chapter 11 of the United States Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the District of Delaware (the “**Court**”).

---

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Western Global Airlines, Inc. (9265); Keldann Air LLC (6103); Jimsunn Air LLC (4789); B26344 LLC (2769); B26356 LLC (6221); M48411 LLC (3014); M48412 LLC (4041); M48415 LLC (8455); M48435 LLC (1643); M48512 LLC (5395); M48513 LLC (4817); M48542 LLC (5799); M48543 LLC (0630); M48544 LLC (5332); M48545 LLC (4459); M48546 LLC (6344); M48581 LLC (N/A); Mobility Air, LLC (3651); and NCF680C2 LLC (9966). The Debtors’ principal offices are located at 9260 Estero Park Commons Blvd., Suite 200, Estero, FL 33928.

On September 6, 2023, the Court, having jurisdiction over the chapter 11 cases of the Debtors, entered an order [Docket No. 195] (the “**Bar Date Order**”)<sup>2</sup> establishing the Bar Dates and the procedures set forth below (the “**Procedures**”):

(i) **October 10, 2023 at 5:00 p.m. (Eastern Time)** as the deadline for each person or entity (including individuals, partnerships, corporations, joint ventures, trusts, but not including governmental units (as defined in section 101(27) of the Bankruptcy Code (“**Governmental Units**”))), to file a proof of claim (each, a “**Proof of Claim**”) in respect of a prepetition claim (as defined in section 101(5) of the Bankruptcy Code), including, for the avoidance of doubt, secured claims, unsecured priority claims, unsecured non-priority claims, and claims arising under section 503(b)(9) of the Bankruptcy Code against any of the Debtors (the “**General Bar Date**”);

(ii) **February 5, 2024 at 5:00 p.m. (Eastern Time)** as the deadline for Governmental Units to file a Proof of Claim in respect of a prepetition claim against any of the Debtors (the “**Governmental Bar Date**”);

(iii) **The later of (i) the General Bar Date or the Governmental Bar Date, as applicable, and (ii) 5:00 p.m. (Eastern Time) on the date that is 30 days from the date on which the Debtors provide notice of an amendment or supplement to the Schedules** (as defined herein) as the deadline by which claimants holding claims affected by such amendment or supplement must file Proofs of Claim with respect to such claim (the “**Amended Schedules Bar Date**”); and

(iv) **The later of (i) the General Bar Date or the Governmental Bar Date, as applicable, and (ii) 5:00 p.m. (Eastern Time) on the date that is 30 days following service of an order approving rejection of any executory contract or unexpired lease of the Debtors** as the deadline by which claimants asserting claims resulting from the Debtors’ rejection of an executory contract or unexpired lease must file Proofs of Claim for damages arising from such rejection<sup>3</sup> (the “**Rejection Damages Bar Date**,” and, together with the General Bar Date, the Governmental Bar Date, and the Amended Schedules Bar Date, the “**Bar Dates**”).

You may be a creditor of the Debtors.

**If you have questions concerning the filing or processing of Claims, you may contact the Debtors’ claims agent, Stretto, Inc. (“**Stretto**”), at (844) 500-8484 (toll free in the U.S.) or (949) 522-9797 (international) or by email at [WGAIquiries@stretto.com](mailto:WGAIquiries@stretto.com).**

NOTE: The Debtors, the Debtors’ advisors, the staff of the Bankruptcy Clerk’s Office, the Office of the United States Trustee, and Stretto cannot give legal advice.

## **INSTRUCTIONS:**

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

Except as otherwise set forth herein, the following persons and entities holding claims against the Debtors arising prior to the Petition Date **MUST** file Proofs of Claim on or before the applicable Bar Date:

---

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the same meanings ascribed to such terms in the Bar Date Order.

<sup>3</sup> For the avoidance of doubt, a party to an executory contract or unexpired lease who asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a Proof of Claim for such amounts on or before the General Bar Date, the Governmental Bar Date, or the Amended Schedules Bar Date, as applicable, unless an exception identified in this Notice applies.

- a) any person or 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 person or entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
- b) any person or entity that believes that its claim is improperly classified in the Schedules, is listed in an incorrect amount or is asserted against an incorrect Debtor and that desires to have its claim allowed in a different classification or amount or against a different Debtor other than as identified in the Schedules; and
- c) any person or entity that believes that its claim against a Debtor is or may be entitled to priority under section 503(b)(9) of the Bankruptcy Code.

Pursuant to section 101(5) of the Bankruptcy Code and as used in this Notice, the word "**claim**" means (i) a 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 (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. Further, claims include unsecured claims, secured claims, and priority claims.

Pursuant to section 101(15) of the Bankruptcy Code and as used in this Notice, the term "**entity**" has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons, estates, trusts, and governmental units. In addition, the terms "**persons**" and "**governmental units**" are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

## 2. **WHO NEED NOT FILE A PROOF OF CLAIM**

Proofs of Claim need not be filed on or prior to the Bar Dates as to the following types of claims:

- a) Any claim that is listed on the Schedules filed by the Debtors; *provided* that (i) the claim is not scheduled as "disputed," "contingent," or "unliquidated," (ii) the claimant does not disagree with the amount, nature, and priority of the claim as set forth in the Schedules and (iii) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- b) Any claim as to which the holder has already filed a Proof of Claim against the Debtors in the above-captioned cases in a form substantially similar to the Proof of Claim Form or the Official Bankruptcy Form No. 410 (the "**Official Form**")<sup>4</sup> and otherwise in compliance with the Procedures;
- c) Any claim that heretofore has been allowed by order of the Court;
- d) Any claim that has been paid in full by any of the Debtors;
- e) Any claim for which different specific deadlines have previously been fixed by the Court;
- f) Any claim by a Debtor or non-Debtor affiliate against another Debtor;
- g) Any claim that asserts an equity security interest in a Debtor, which interest is based exclusively upon the ownership of common or preferred units, membership interests, partnership interests, or

---

<sup>4</sup> The Proof of Claim Form can be found at <https://cases.stretto.com/WGA>, the website established by Stretto for the Debtors' chapter 11 cases. The Official Form can be found at [www.uscourts.gov/forms/bankruptcy-forms](http://www.uscourts.gov/forms/bankruptcy-forms), the official website for the United States Bankruptcy Courts.

warrants, options, or rights to purchase, sell, or subscribe to such a security or interest; *provided* that, if any holder asserts such a claim (as opposed to an ownership interest) against any of the Debtors (including a claim relating to an equity interest or the purchase or sale of such equity interest), a Proof of Claim must be filed on or before the applicable Bar Date pursuant to the Procedures;

- h) Any claim based on indemnification (including advancement), contribution, or reimbursement of a current or former officer or director of any of the Debtors that served in such capacity at any time after the Petition Date;
- i) Any claim by a person employed by the Debtors as of the General Bar Date for ordinary course wages, commissions or benefits;
- j) Any claim allowable under sections 503(b) and 507 of the Bankruptcy Code as an expense of administration (other than a claim arising under section 503(b)(9) of the Bankruptcy Code); or
- k) Any claim held by a person or entity that is not required to file a Proof of Claim pursuant to any order of this Court, including the *Interim Order (I) Authorizing the Debtors to Obtain Postpetition Senior Secured Superpriority Financing, (II) Authorizing the Debtors' Limited Use of Cash Collateral, (III) Granting Liens and Providing Claims with Superpriority Administrative Expenses Status, (IV) Granting Adequate Protection to the Prepetition Lender, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief* [Docket No. 75] (the “**Interim DIP Order**”) or any Final Order (as defined in the Interim DIP Order and, together with the Interim DIP Order, the “**DIP Orders**”), solely with respect to the claims set forth in such orders; *provided*, that a holder of a claim that is not required to file a Proof of Claim pursuant to the DIP Orders may, but is not required to, file a Master Proof of Claim (as defined in the DIP Orders) in accordance with the DIP Orders.

**The fact that you have received this Notice does not mean that you have claim or that the Debtors or the Court believe that you have a claim against any of the Debtors. You should not file a Proof of Claim if you do not have a claim against the Debtors.**

### **3. INSTRUCTIONS FOR FILING PROOFS OF CLAIM**

Except as otherwise set forth herein, each person and entity that asserts a claim against the Debtors that arose before the Petition Date **MUST** file a Proof of Claim.

**The following procedures with respect to preparing and filing of Proofs of Claim will apply:**

- a) Proofs of Claim must substantially conform to the attached Proof of Claim Form or the Official Form;
- b) Proofs of Claim must (i) be written in the English language; (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) specify by name and case number the Debtor against which the claim is filed; (iv) set forth with specificity the legal and factual basis for the alleged claim; (v) include supporting documentation for the claim or an explanation as to why such documentation is not available; and (vi) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant under penalty of perjury;
- c) Except as set forth in the DIP Orders with respect to a Master Proof of Claim, if a claimant asserts a claim against more than one Debtor or has claims against different Debtors, the claimant must file a separate Proof of Claim against each Debtor; *provided* that if the claimant files a Proof of Claim without identifying a Debtor, such Proof of Claim will be deemed as filed only against Western Global Airlines, Inc.;

- d) Proofs of Claim must be filed (i) electronically through the website of the Debtors' claims and noticing agent, Stretto, using the interface available on such website located at <https://cases.stretto.com/WGA> under the link entitled "File a Claim" (the "**Electronic Filing System**") or (ii) by delivering the original Proof of Claim form by hand or mailing the original Proof of Claim form so as to be received on or before the applicable Bar Date at the following address:

**Western Global Airlines, Inc. Claims Processing**  
c/o Stretto, Inc.  
410 Exchange, Suite 100  
Irvine, CA 92602

- e) A Proof of Claim shall be deemed timely filed only if it **actually is received** by Stretto as set forth in subparagraph (d) above, in each case, on or before the applicable Bar Date;
- f) Proofs of Claim **will not** be accepted if submitted by facsimile, telecopy, or electronic mail transmission (other than Proofs of Claim filed electronically through the Electronic Filing System); and
- g) For the avoidance of doubt, a party to an executory contract or unexpired lease who asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a Proof of Claim for such amounts on or before the General Bar Date, the Governmental Bar Date, or the Amended Schedules Bar Date, as applicable, unless an exception identified in the Motion [Docket No. 104] applies.

#### **4. CONSEQUENCES OF FAILURE TO TIMELY FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

**Pursuant to the Bar Date Order and Bankruptcy Rule 3003(c)(2), any holder of a claim who is required to timely file a Proof of Claim on or before the applicable Bar Date as provided herein, but fails to do so, shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution in the chapter 11 cases on account of such claim. The failure to file a Proof of Claim for priority under section 503(b)(9) of the Bankruptcy Code shall eliminate any right that a holder of a claim may have to such priority.**

#### **5. THE DEBTORS' SCHEDULES, ACCESS THERETO, AND CONSEQUENCES OF AMENDMENT THEREOF**

You may be listed as the holder of a claim against the Debtors in the Debtors' Schedules of Assets and Liabilities and/or Schedules of Executory Contracts and Unexpired Leases (collectively, the "**Schedules**").

If (i) you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, (ii) you do not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules and (iii) your claim is not listed 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 Schedules may be examined by interested parties on the Court's electronic docket for the Debtors' chapter 11 cases, which is posted (i) on the website established by Stretto for the Debtors' cases at <https://cases.stretto.com/WGA> and (ii) on the Court's website at <https://www.deb.uscourts.gov/>. (A login and password to the Court's Public Access to Electronic Court Records ("**PACER**") are required to access the information on the Court's website and can be obtained through the PACER Service Center at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)). Copies of the Debtors' Schedules also may be obtained by written request to the Debtors' claims and noticing agent, Stretto, at the address and telephone number set forth below:

**Western Global Airlines, Inc.**  
c/o Stretto, Inc.  
410 Exchange, Suite 100  
Irvine, CA 92602  
(844) 500-8484 (toll free)  
(949) 522-9797 (international)

In the event that the Debtors amend or supplement their Schedules subsequent to the entry of the Bar Date Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected by such amendment or supplement, and such holders must file a Proof of Claim by **the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m. (Eastern Time) on the date that is 30 days from the date on which the Debtors provide notice of an amendment or supplement to the Schedules**, and such deadline shall be contained in any notice of such amendment or supplement of the Schedules provided to the holders of claims affected thereby.

**6. 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.

**If you require additional information regarding the filing of a proof of claim, you may contact the Debtors' Claims and Noticing Agent, Stretto, directly by telephone at (844) 500-8484 (toll free in the U.S.) or (949) 522-9797 (international) or by email at [WGAinquiries@stretto.com](mailto:WGAinquiries@stretto.com).**

**A holder of a possible claim against the Debtors should consult an attorney if such holder has any questions regarding this Notice, including whether the holder should file a Proof of Claim.**

Dated: Wilmington, Delaware  
September 6, 2023

**BY ORDER OF THE COURT**

Gary T. Holtzer (admitted *pro hac vice*)  
Candace M. Arthur (admitted *pro hac vice*)  
Jason H. George (admitted *pro hac vice*)  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Mark D. Collins (No. 2981)  
Zachary I. Shapiro (No. 5103)  
Amanda R. Steele (No. 5530)  
RICHARDS, LAYTON & FINGER, P.A.  
One Rodney Square  
920 North King Street  
Wilmington, Delaware 19801  
Telephone: (302) 651-7700  
Facsimile: (302) 651-7701

ATTORNEYS FOR DEBTORS AND DEBTORS IN POSSESSION

**Fill in this information to identify the case:**

<p>Name of Debtor &amp; Case Number:</p> <p><input type="checkbox"/> Western Global Airlines, Inc. (Case No. 23-11093)</p> <p><input type="checkbox"/> Keldann Air LLC (Case No. 23-11094)</p> <p><input type="checkbox"/> Jimsunn Air LLC (Case No. 23-11095)</p> <p><input type="checkbox"/> B26344 LLC (Case No. 23-11096)</p> <p><input type="checkbox"/> B26356 LLC (Case No. 23-11097)</p> <p><input type="checkbox"/> M48411 LLC (Case No. 23-11098)</p> <p><input type="checkbox"/> M48412 LLC (Case No. 23-11099)</p> <p><input type="checkbox"/> M48415 LLC (Case No. 23-11100)</p> <p><input type="checkbox"/> M48435 LLC (Case No. 23-11101)</p>	<p><input type="checkbox"/> M48512 LLC (Case No. 23-11102)</p> <p><input type="checkbox"/> M48513 LLC (Case No. 23-11103)</p> <p><input type="checkbox"/> M48542 LLC (Case No. 23-11106)</p> <p><input type="checkbox"/> M48543 LLC (Case No. 23-11107)</p> <p><input type="checkbox"/> M48544 LLC (Case No. 23-11108)</p> <p><input type="checkbox"/> M48545 LLC (Case No. 23-11109)</p> <p><input type="checkbox"/> M48546 LLC (Case No. 23-11110)</p> <p><input type="checkbox"/> M48581 LLC (Case No. 23-11111)</p> <p><input type="checkbox"/> Mobility Air, LLC (Case No. 23-11112)</p> <p><input type="checkbox"/> NCF680C2 LLC (Case No. 23-11113)</p>
--	--

**United States Bankruptcy Court for the District of Delaware**

Official Form 410

**Proof of Claim**

04/22

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><b>Where should notices to the creditor be sent?</b></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 for electronic payments in chapter 13 (if you use one): _____</p>	<p><b>Where should payments to the creditor be sent? (if different)</b></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: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

- No
- Yes. Check one:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).
- 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).
- 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).
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).
- Other. Specify subsection of 11 U.S.C. § 507(a)(    ) that applies.

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

\* 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.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

- No
- Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within twenty (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 such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**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 acknowledgment 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 a 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

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

## Official Form 410

# 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 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/wga>

### 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.

**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 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 electronic 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.