

**ENTERED**

April 08, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:	: Chapter 11
	: :
BARRETTS MINERALS INC., <i>et al.</i> , <sup>1</sup>	: Case No. 23-90794 (MI)
	: :
Debtors.	: (Jointly Administered)
	: :
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**ORDER (I) SETTING  
BAR DATES FOR FILING PROOFS OF CLAIM  
OTHER THAN WITH RESPECT TO DIRECT TALC  
PERSONAL INJURY CLAIMS, (II) ESTABLISHING AMENDED  
SCHEDULES BAR DATE, (III) APPROVING THE FORM OF AND MANNER  
FOR FILING PROOFS OF CLAIM, AND (IV) APPROVING NOTICE OF BAR DATES**

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**[Related to Docket No. 719]**

Upon the motion (the “**Motion**”)<sup>2</sup> of the above-captioned debtors and debtors in possession (the “**Debtors**”) for entry of an order (this “**General Bar Date Order**”), (a) establishing deadlines for filing proofs of claim, including requests for payment under section 503(b)(9) of the Bankruptcy Code, in the Chapter 11 Cases, (b) establishing the Amended Schedules Bar Date and the Rejection Damages Bar Date (each as defined herein), (c) approving the form and manner for filing proofs of claim, including any section 503(b)(9) requests for payment, and (d) approving notice of the Bar Dates (as defined herein), all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Barretts Minerals Inc. (8715) and Barretts Ventures Texas LLC (0787). The Debtors’ address is 5605 North MacArthur Boulevard, Suite 1000, PMB 139, Irving, Texas 75038.

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

having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. § 1408; 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 and opportunity for a hearing on the Motion were appropriate and no other notice need be provided; and this Court having reviewed the Motion and any noted the absence of any opposition filed theret; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

**I. The Bar Dates and Procedures for Filing Proofs of Claim**

1. Nothing in this General Bar Date Order sets any deadline for holders of Direct Talc Personal Injury Claims to file proofs of claim with respect to such Direct Talc Personal Injury Claims regardless of whether any Direct Talc Personal Injury Claims are identified or referenced in the Debtors' Schedules, or any other filings made by the Debtors in the Chapter 11 Cases. Nothing in this General Bar Date Order sets any deadline for any Person to file a claim or cause of action (whether direct or derivative) against any party other than the Debtors.

2. Each entity<sup>3</sup> that asserts a claim other than a Direct Talc Personal Injury Claim<sup>4</sup> against the Debtors that arose before the Petition Date, including, without limitation, Indirect Talc

<sup>3</sup> Except as otherwise defined herein and in the Motion, 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 “claim” has the meaning given to it in section 101(5) of the Bankruptcy Code; (b) the term “entity” (including individuals, partnerships, corporations, joint ventures, and trusts) has the meaning given to it in section 101(15) of the Bankruptcy Code; (c) the term “governmental unit” has the meaning given to it in section 101(27) of the Bankruptcy Code; and (d) the term “person” has the meaning given to it in section 101(41) of the Bankruptcy Code.

<sup>4</sup> As used herein, “**Direct Talc Personal Injury Claim**” shall mean any claim, commitment, obligation, suit, judgment, damage (whether compensatory, exemplary, punitive or otherwise), demand, debt, cause of action, theory of recovery, or liability of any kind or nature, or any portion thereof, against one or both of the Debtors, including but not limited to causes of action based on theories of conspiracy or concert of action, for, attributable to, arising out of, with respect to, in connection with, based upon, or resulting from, any alleged bodily injury, death, sickness, disease, emotional distress, fear of cancer, medical monitoring, or any other alleged personal injuries or harms to Persons (whether physical, emotional or otherwise and whether or not diagnosable, evident, or manifested), arising out of, based upon, or relating to, directly, or indirectly or where the theory of recovery is against one or both of the Debtors, in whole or in part, (i) the presence of or exposure to talc, asbestos, or talc-containing, asbestos-containing, or asbestos-contaminated products or things and (ii) the alleged acts, omissions, business, premises, or operations of either Debtor, or any predecessor, or any other Entity directly or indirectly arising out of or in any way relating to: (a) any materials or products mined, milled, processed, manufactured, sold, designed, marketed, fabricated, beneficiated, constructed, supplied, produced, installed, maintained, serviced, specified, selected, repaired, removed, replaced, released, distributed, tested, and/or in any other way made available by the Debtors or any other Entity; (b) any materials or products present at any premises owned, leased, occupied, or operated by any Entity; or (c) any talc or asbestos in any way connected to either Debtor. Direct Talc Personal Injury Claims include (but are not limited to), solely as to any recovery sought from one or both of the Debtors, all direct or derivative claims, commitments, obligations, suits, judgments, damages, demands, debts, causes of action and liabilities whatsoever, whether: (i) in tort, contract, warranty, restitution, conspiracy, guarantee, strict liability or any other theory of law, equity or admiralty; (ii) brought, threatened, arising in, or pursued in any United States jurisdiction or other jurisdiction anywhere in the world; (iii) liquidated or unliquidated, fixed or contingent, direct or indirect, disputed or undisputed, matured or unmatured, known or unknown, foreseen or unforeseen, now existing or hereafter arising, or asserted or unasserted; (iv) seeking compensatory, special, proximate, general, economic, non-economic, punitive, exemplary or any other measure of damages or compensation, administrative or other costs or fees, injunctive or similar relief, or any other relief of any kind whatsoever; (v) brought under any legal, equitable or other theory whatsoever (including, without limitation, under any theory of (a) piercing the corporate veil; (b) mere instrumentality, agency, domination or control; (c) alter ego; (d) successor liability; (e) vicarious liability; (f) mere continuation; (g) fraudulent transfer or conveyance; (h) conspiracy; (i) enterprise liability (including single business enterprise and common enterprise theories); (j) strict liability; (k) market share; (l) joint venture; (m) testing; (n) ordinary or gross negligence; (o) reckless, intentional, willful, or wanton misconduct; (p) fraud; (q) misrepresentation; (r) aiding and abetting; (s) loss of consortium; (t) medical monitoring; (u) personal or bodily injury tort; (v) wrongful death; (w) survivorship; or (x) failure to warn); or (vi) held by Persons residing within the United States or in any foreign jurisdiction. Direct Talc Personal Injury Claims include any such claims that have been resolved or are subject to resolution pursuant to any agreement, or any such claims that are based on a judgment or verdict; provided that such claims were not paid in full more than 90 days prior to the Petition Date. Direct Talc Personal Injury Claims do not include any (i) claim or demand by any present or former employee of a predecessor or Affiliate of either Debtor for benefits under a policy of workers’ compensation insurance or for benefits under any state or federal workers’ compensation statute or other statute providing compensation to an employee from an employer; or (ii) claim, commitment, obligation, suit, judgment, damage (whether compensatory, exemplary, punitive or otherwise), demand, debt, cause of action or liability of any kind or nature, or any portion thereof, of any corporation (as defined in section 101(9) of the Bankruptcy Code), codefendant of

Claims,<sup>5</sup> property damage claims, and requests for payment under section 503(b)(9) of the Bankruptcy Code, other than a Direct Talc Personal Injury Claim (a “**General Claim**”), shall be required to file an original, written proof of claim (a “**Proof of Claim**”), substantially in the form attached hereto as **Exhibit 1** (the “**Proof of Claim Form**”) or Official Form 410.<sup>6</sup> Except in the case of governmental units, and certain other exceptions explicitly set forth herein, all General Claims must be filed so that they are actually received on or before **May 6, 2024 at 5:00 p.m.**, prevailing Central **Time** (the “**General Claims Bar Date**”), at the addresses and in the form set forth herein.

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a Debtor, or predecessor of a Debtor for (a) contribution, reimbursement, subrogation, or indemnity, whether contractual or implied by law (as those terms are defined by applicable non-bankruptcy law of the relevant jurisdiction), or (b) any other harm, whether in the nature of or sounding in contract, tort, warranty, or other theory of law.

The definition of Direct Talc Personal Injury Claims and the use of the term herein is for the purposes of this General Bar Date Order only. It is not the intent or the effect of this General Bar Date Order that the definition of Direct Talc Personal Injury Claims or the description of the claims, remedies, and theories of recovery defined therein has any legal effect on whether or not such claims, remedies, and theories of recovery are or are not derivative or are properly claims asserted against any Debtor or against non-debtors or are assertable by the Debtor. The determination of the legal character of the claims, remedies, and theories of recovery included in the definition of Direct Talc Personal Injury Claims is expressly preserved as to all parties and is not being adjudicated by this General Bar Date Order.

<sup>5</sup> As used herein, “Indirect Talc Claim” shall mean any claim, of any corporation (as defined in section 101(9) of the Bankruptcy Code), co-defendant of a Debtor, or predecessor of a Debtor for contribution, reimbursement, subrogation, or indemnity, whether contractual or implied by law (as those terms are defined by applicable non-bankruptcy law of the relevant jurisdiction), and any other derivative claim or theory of recovery against a Debtor whether in the nature of or sounding in contract, tort, warranty, or other theory of law. For the avoidance of doubt, Indirect Talc Claims include claims, commitments, obligations, suits, judgments, damages, demands, debts, causes of action and liabilities brought under any legal or equitable theory, other than any such claim that falls within the definition of Direct Talc Personal Injury Claim. The definition of Indirect Talc Personal Injury Claims and the use of the term herein is for the purposes of this General Bar Date Order only. It is not the intent or the effect of this General Bar Date Order that the definition of Indirect Talc Personal Injury Claims or the description of the claims, remedies, and theories of recovery defined therein has any legal effect on whether or not such claims, remedies, and theories of recovery are or are not derivative or are properly claims asserted against any Debtor or against non-debtors or are assertable by the Debtor. The determination of the legal character of the claims, remedies, and theories of recovery included in the definition of Indirect Talc Personal Injury Claims is expressly preserved as to all parties and is not being adjudicated by this General Bar Date Order.

<sup>6</sup> Copies of Official Form 410 may be obtained by: (a) calling the Debtors’ restructuring hotline at (888) 332-1230 (US/Canada Toll Free) or (949) 744-7978 (International); (b) visiting the Debtors’ restructuring website at: <https://cases.stretto.com/bmi> and/or (c) visiting the website maintained by the Court at <http://ecf.txsb.uscourts.gov>.

3. Each employee and former employee of the Debtors and their non-Debtor affiliates that asserts a claim against the Debtors that arose before the Petition Date is authorized to file a Proof of Claim that redacts personally identifiable information.<sup>7</sup> Such employees and former employees that file a redacted Proof of Claim are required to serve an unredacted Proof of Claim upon the: (a) co-counsel to the Debtor, Latham & Watkins LLP; (b) counsel to the Unsecured Creditors' Committee; and (c) counsel to the FCR.

4. The Debtors are authorized to take reasonable action to prevent employees and former employees' personally identifiable information from being publicly available on the claims register. For the avoidance of doubt, however, the Debtors will not be liable for any information filed publicly by or on behalf of a holder of claim on the docket or on the Claims and Administrative Agent's website.

5. All governmental units holding claims (whether secured, unsecured priority, or unsecured non-priority) that arose (or are deemed to have arisen) prior to the Petition Date, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code, must file Proofs of Claims, including claims for unpaid taxes, whether such claims arise from prepetition tax years or periods or prepetition transactions to which the Debtors were a party, so they are actually received on or before *May 6, 2024, at 5:00 p.m.*, prevailing Central Time (the "**Governmental Bar Date**"), at the address and in the form set forth herein.

6. Unless otherwise ordered, each entity asserting a Rejection Damages Claim shall file a Proof of Claim on account of such Rejection Damages Claim by the later of (a) May 5, 2024 at 5:00 p.m. and (b) 5:00 p.m. prevailing Central

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<sup>7</sup> For the avoidance of doubt, personally identifiable information shall only include birthdate, Social Security Number, and addresses of employees and former employees of the Debtors and their non-Debtor affiliates.

Time on the date that is thirty days following entry of the order approving the Debtors' rejection of the applicable executory contract or unexpired lease (the "**Rejection Damages Bar Date**").

7. If the Debtors further amend the Schedules after having given notice of the Bar Dates (as defined below), the Debtors shall give notice by first-class mail of any amendment to holders of claims affected thereby,<sup>8</sup> and, except for entities that are exempt from complying with the applicable Bar Dates, as set forth in this General Bar Date Order, the deadline for those holders to file Proofs of Claim, if necessary, shall be the later of (a) May 6, 2024 at 5:00 p.m., and (b) 5:00 p.m., prevailing Central Time, on the date that is fifty (50) days from the date the notice of the Schedule amendment is mailed (the "**Amended Schedules Bar Date**" and together with the General Claims Bar Date, the Governmental Bar Date, and the Rejection Damages Bar Date, as applicable, the "**Bar Date**" or "**Bar Dates**").

8. All Proofs of Claim must be filed so as to be *actually received* by the Claims and Administrative Agent on or before the applicable Bar Date.

## II. Parties Exempt from the Bar Dates

9. The following categories of claimants, in the capacities described below, shall not be required by this General Bar Date Order to file a Proof of Claim by a Bar Date:

- a. the U.S. Trustee, on account of claims for fees payable pursuant to 28 U.S.C. § 1930;
- b. any entity that already has filed a signed Proof of Claim against the applicable Debtors with the Claims and Administrative Agent in a form substantially similar to Official Form 410;
- c. 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

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<sup>8</sup> Holders of affected claims include those (i) who had a General Claim or Governmental Claim set forth on the Schedules as of the date of the Motion and (ii) whose scheduled claim is updated as to amount, priority, or secured status and or is changed from liquidated, noncontingent, and/or undisputed to unliquidated, contingent, and/or disputed.

dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;

- d. any holder of a Direct Talc Personal Injury Claim (solely as to such Direct Talc Personal Injury Claim);
- e. any entity whose claim has previously been allowed by a final order of the Court;
- f. any entity whose claim has been paid in full by the Debtors pursuant to a Court order;
- g. any entity holding a claim for which a separate deadline is fixed by this Court; and
- h. any entity holding 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, *provided* that any entity asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must assert such claim by filing a request for payment or a Proof of Claim on or prior to the General Claims Bar Date.

### III. Substantive Requirements of Proofs of Claim

10. The following requirements shall apply with respect to filing and preparing each

Proof of Claim:

- a. **Contents.** Each Proof of Claim must: (i) be written in legible English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the Proof of Claim Form provided by the Debtors or Official Form 410; and (iv) be signed under penalty of perjury 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. **Section 503(b)(9) Claim.** Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the twenty (20) days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- c. **Electronic Signatures Permitted.** Only *original* Proofs 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 facsimile or electronic mail, will not be accepted.

- d. ***Supporting Documentation.*** Each Proof of Claim must include supporting documentation to the extent required by Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, upon prior written consent of the Debtors' counsel, the Unsecured Creditors' Committee's counsel, and the FCR's counsel, such Proof of Claim may include a summary of such documentation or an explanation as to why such documentation is not available; *provided* that any creditor that received such written consent shall be required to transmit supporting documentation to Debtors' counsel, the Unsecured Creditors' Committee's counsel, and the FCR's counsel upon request no later than ten (10) days from the date of such request.
- e. ***Timely Service.*** Each Proof of Claim must be filed, including supporting documentation, by either (i) electronic submission through PACER (Public Access to Court Electronic Records at <http://ecf.txsb.uscourts.gov>), (ii) electronic submission using the interface available on the Claims and Administrative Agent's website at <https://cases.stretto.com/BMI>, or (iii) if submitted through non-electronic means, by U.S. Mail or other hand delivery system, so as to be ***actually received*** by the Claims and Administrative Agent on or before the applicable Bar Date at the following address:

**If by First-Class Mail, Hand Delivery, or Overnight Mail**

Barretts Minerals Inc., et al. Claims Processing  
c/o Stretto  
410 Exchange, Suite 100  
Irvine, CA 92602

**PROOFS OF CLAIM SUBMITTED BY FACSIMILE  
OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.**

- f. ***Redacted Copies for Employees.*** Employees and former employees of the Debtors and their non-Debtor affiliates may file a redacted Proof of Claim with the Claims and Administrative Agent which does not disclose personally identifiable information; *provided* that employees and former employees also serve an unredacted Proof of Claim upon: (i) co-counsel to the Debtors; (ii) counsel to the Unsecured Creditors' Committee; and (iii) counsel to the FCR.
- g. ***Receipt of Service.*** Claimants submitting a Proof of Claim through non-electronic means wishing to receive acknowledgment that their Proofs of Claim were received by the Claims and Administrative Agent must submit (i) a copy of the Proof of Claim Form (marked "Copy" and in

addition to the original Proof of Claim Form sent to the Claims and Administrative Agent), and (ii) a self-addressed, stamped envelope.

#### **IV. Identification of Known Creditors and Contractual Counterparties**

11. The Debtors shall mail notice of the General Claims Bar Date (or the Governmental Bar Date, as applicable) to their known creditors and contractual counterparties, excluding holders of Direct Talc Personal Injury Claims, unless such holders also hold claims other than Direct Talc Personal Injury Claims, and such mailing shall be made to the last known mailing address for each such creditor or contractual counterparty, as reflected in the Debtors' books and records at such time.

#### **V. Procedures for Providing Notice of the Bar Date**

##### **A. Mailing of Bar Date Notices**

12. No later than five (5) business days after entry of the General Bar Date Order, the Debtors shall cause a written notice of the Bar Dates, substantially in the form attached hereto as **Exhibit 2** (the "**Bar Date Notice**") and a Proof of Claim Form (together, the "**Bar Date Package**") to be mailed via first-class mail to the following entities:

- a. the U.S. Trustee for the Southern District of Texas;<sup>9</sup>
- b. the entities listed as holding the thirty largest unsecured claims against the Debtors other than holders of Direct Talc Personal Injury Claims (solely as to such Direct Talc Personal Injury Claim) as listed on the *Notice of Consolidated List of Creditors Who Have the 30 Largest Unsecured Claims and Are Not Insiders* [Docket No. 111];
- c. all creditors and other known holders of General Claims and Governmental Claims against the Debtors as of the date of entry of the General Bar Date Order, including all entities listed in the Schedules as holding claims against the Debtors;

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<sup>9</sup> The U.S. Trustee will only receive a Bar Date Notice, without a Proof of Claim Form.

- d. all entities that have requested notice of the proceedings in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002 as of the date of the General Bar Date Order;
- e. all entities that have filed Proofs of Claim in the Chapter 11 Cases as of the date of the General Bar Date Order;
- f. all entities who are party to executory contracts and unexpired leases with the Debtors;
- g. all entities who are party to active litigation with the Debtors, other than parties who hold Direct Talc Personal Injury Claims;
- h. all current and former employees (to the extent that contact information for former employees is available in the Debtors' records);
- i. all other entities listed on the Debtors' matrix of creditors;
- j. all regulatory authorities that regulate the Debtors' business, including environmental and permitting authorities;
- k. the Offices of the Attorney General for the state of Texas and each of the states in which the Debtors conduct business;
- l. the District Director of the Internal Revenue Service for the Southern District of Texas;
- m. all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct business;
- n. the United States Securities and Exchange Commission; and
- o. the Office of the United States Attorney for the Southern District of Texas.

13. The Debtors shall provide all known creditors listed in the Debtors' Schedules, other than holders of Direct Talc Personal Injury Claims (unless such holders are listed on the Debtors' Schedules as a holder of a claim other than a Direct Talc Personal Injury Claim) with a personalized Proof of Claim Form, which will set forth: (a) the amount of the scheduled claim, if any; (b) whether the claim is listed as contingent, unliquidated, or disputed; and (c) whether the claim is listed as secured, unsecured priority, or unsecured non-priority. Each creditor shall have an opportunity to inspect the Proof of Claim Form provided by the Debtors and correct any

information that is missing, incorrect, or incomplete. Any creditor may choose to submit a Proof of Claim on a different form as long as it is substantially similar to Official Form 410.

14. After the initial mailing of the Bar Date Packages, the Debtors may, in their sole discretion, make supplemental mailings of notices or packages, including in the event 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; and (c) additional potential claimants become known as the result of the Bar Date mailing process. In this regard, the Debtors may make supplemental mailings of the Bar Date Package in these and similar circumstances at any time up to fourteen (14) calendar days in advance of the applicable Bar Date, with any such mailings being deemed timely and the Bar Date being applicable to the recipients thereof.

**B. Publication of Bar Date Notice**

15. The Debtors shall cause notice of the Bar Dates to be given by publication to creditors to whom notice by mail is impracticable, including creditors who are unknown or not reasonably ascertainable by the Debtors and creditors whose identities are known but whose addresses are unknown by the Debtors. Specifically, the Debtors shall cause the Bar Date Notice to be published as soon as reasonably practicable after entry of the General Bar Date Order, modified for publication in substantially the form annexed hereto as **Exhibit 3** (the “**Publication Notice**”), on one occasion in *The New York Times*, the *Houston Chronicle*, and the *Dillon Tribune*.

16. The notice of the Bar Dates as set forth in this General Bar Date Order and in the manner set forth herein (including, but not limited to, the Bar Date Notice, the Publication Notice, and any supplemental notices that the Debtors may send from time to time) constitutes adequate and sufficient notice of each of the Bar Dates and satisfies the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Bankruptcy Local Rules.

**VI. Consequences of Failure to File a Proof of Claim**

17. Unless the Court orders otherwise, pursuant to Bankruptcy Rule 3003(c)(2), any entity that is required, but fails, to file a Proof of Claim in accordance with this General Bar Date Order on or before the applicable Bar Date shall be subject to such legal consequences as the Bankruptcy Code may prescribe or permit including (a) disallowance of an untimely filed claim; (b) the barring, estopping, and enjoining of the holder thereof from asserting any claim (or filing a Proof of Claim with respect thereto) against the Debtors and the discharge of the Debtors and their property from any and all indebtedness or liability with respect to or arising from such claim; and (c) prohibition from voting to accept or reject any plan or plans of reorganization, from participating in any distribution in the Debtors' Chapter 11 Cases on account of such claim, or from receiving further notices regarding such claim or the Chapter 11 Cases. Without limiting the foregoing sentence, any creditor asserting a claim entitled to priority pursuant to section 503(b)(9) of the Bankruptcy Code that fails to file a Proof of Claim in accordance with this General Bar Date Order may not be entitled to any priority treatment on account of such claim pursuant to section 503(b)(9) of the Bankruptcy Code, regardless of whether such claim is identified on the Schedules as not contingent, not disputed, and liquidated. Nothing in this General Bar Date Order expands or limits the otherwise applicable consequences of failing to file a Proof of Claim by the applicable Bar Date.

**VII. Miscellaneous**

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

19. The terms and conditions of this General Bar Date Order shall be immediately effective and enforceable upon entry of the General Bar Date Order.

20. Notice of the Motion as provide therein shall be deemed good and sufficient notice of such Motion and the notice requirements of the Bankruptcy Rules and the Bankruptcy Local Rules are satisfied by such notice.

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

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

Signed: April 08, 2024

A handwritten signature in black ink, appearing to read 'M Isgur', is written above a horizontal line.

Marvin Isgur  
United States Bankruptcy Judge

**Exhibit 1**

**Proof of Claim Form**

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

Name of Debtor & Case Number:

- Barretts Minerals Inc.(Case No. 23-90794)
- Barretts Ventures Texas LLC (Case No. 23-90793)

**United States Bankruptcy Court for the Southern District of Texas**

**Proof of Claim Official Form 410**

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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**

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?  
 No  
 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 _____
	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?  
 No  
 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?  
 No  
 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 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:

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

<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	Amount entitled to priority \$ _____
<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).	\$ _____
<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).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> 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/BMI>

### 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.

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

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

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

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

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

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

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

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

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

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

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

**Do not file these instructions with your form.**

**Exhibit 2**

**Proposed Bar Date Notice**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

----- X  
 In re: : Chapter 11  
 :  
 BARRETTS MINERALS INC., *et al.*,<sup>1</sup> : Case No. 23-90794 (MI)  
 :  
 Debtors. : (Jointly Administered)  
 :  
 ----- X

**NOTICE OF DEADLINES FOR THE FILING OF  
PROOFS OF CLAIM, INCLUDING REQUESTS FOR PAYMENT  
PURSUANT TO SECTION 503(B)(9) OF THE BANKRUPTCY CODE**

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**TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST ANY OF THE FOLLOWING DEBTOR ENTITIES (EXCLUDING DIRECT TALC PERSONAL INJURY CLAIMS):**

DEBTOR	CASE NO.
Barretts Minerals Inc.	23-90794
Barretts Ventures Texas LLC	23-90793

**PLEASE TAKE NOTICE THAT:**

On October 2, 2023 (the “**Petition Date**”), Barretts Minerals Inc. and Barretts Ventures Texas LLC, as debtors and debtors in possession (the “**Debtors**”), commenced cases (the “**Chapter 11 Cases**”) under chapter 11 of the United States Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of Texas (the “**Court**”).

**Notwithstanding anything contained herein, claimants are *not* required to submit a Proof of Claim Form on account of Direct Talc Personal Injury Claims<sup>2</sup> at this time. The**

<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Barretts Minerals Inc. (8715) and Barretts Ventures Texas LLC (0787). The Debtors’ address is 5605 North MacArthur Boulevard, Suite 1000, PMB 139, Irving, Texas 75038.

<sup>2</sup> As used herein, “**Direct Talc Personal Injury Claim**” shall mean any claim, commitment, obligation, suit, judgment, damage (whether compensatory, exemplary, punitive or otherwise), demand, debt, cause of action, theory of recovery, or liability of any kind or nature, or any portion thereof, against one or both of the Debtors, including but not limited to causes of action based on theories of conspiracy or concert of action, for, attributable to, arising out of, with respect to, in connection with, based upon, or resulting from, any alleged bodily injury, death, sickness, disease, emotional distress, fear of cancer, medical monitoring, or any other alleged personal injuries or harms to Persons (whether physical, emotional or otherwise and whether or not diagnosable, evident, or manifested), arising out of, based upon, or relating to, directly, or indirectly or where the theory of recovery is against one or both of the Debtors, in whole or in part, (i) the presence of or exposure to talc, asbestos, or talc-containing, asbestos-containing, or asbestos-contaminated products or things and (ii) the alleged acts, omissions,

**foregoing is true regardless of whether any Direct Talc Personal Injury Claims are identified or referenced in the Debtors' Schedules, or any other filings made by the Debtors in the Chapter 11 Cases.**

On [ ● ], 2024, the Court entered an order [Docket No. [ ● ]] (the "**General Bar Date Order**")<sup>3</sup> establishing certain dates by which parties holding prepetition General Claims, Governmental Claims, and Rejection Damages Claims (as all such terms are defined below)

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business, premises, or operations of either Debtor, or any predecessor, or any other Entity directly or indirectly arising out of or in any way relating to: (a) any materials or products mined, milled, processed, manufactured, sold, designed, marketed, fabricated, beneficiated, constructed, supplied, produced, installed, maintained, serviced, specified, selected, repaired, removed, replaced, released, distributed, tested, and/or in any other way made available by the Debtors or any other Entity; (b) any materials or products present at any premises owned, leased, occupied, or operated by any Entity; or (c) any talc or asbestos in any way connected to either Debtor.

Direct Talc Personal Injury Claims include (but are not limited to), solely as to any recovery sought from one or both of the Debtors, all direct or derivative claims, commitments, obligations, suits, judgments, damages, demands, debts, causes of action and liabilities whatsoever, whether: (i) in tort, contract, warranty, restitution, conspiracy, guarantee, strict liability or any other theory of law, equity or admiralty; (ii) brought, threatened, arising in, or pursued in any United States jurisdiction or other jurisdiction anywhere in the world; (iii) liquidated or unliquidated, fixed or contingent, direct or indirect, disputed or undisputed, matured or unmatured, known or unknown, foreseen or unforeseen, now existing or hereafter arising, or asserted or unasserted; (iv) seeking compensatory, special, proximate, general, economic, non-economic, punitive, exemplary or any other measure of damages or compensation, administrative or other costs or fees, injunctive or similar relief, or any other relief of any kind whatsoever; (v) brought under any legal, equitable or other theory whatsoever (including, without limitation, under any theory of (a) piercing the corporate veil; (b) mere instrumentality, agency, domination or control; (c) alter ego; (d) successor liability; (e) vicarious liability; (f) mere continuation; (g) fraudulent transfer or conveyance; (h) conspiracy; (i) enterprise liability (including single business enterprise and common enterprise theories); (j) strict liability; (k) market share; (l) joint venture; (m) testing; (n) ordinary or gross negligence; (o) reckless, intentional, willful, or wanton misconduct; (p) fraud; (q) misrepresentation; (r) aiding and abetting; (s) loss of consortium; (t) medical monitoring; (u) personal or bodily injury tort; (v) wrongful death; (w) survivorship; or (x) failure to warn); or (vi) held by Persons residing within the United States or in any foreign jurisdiction. Direct Talc Personal Injury Claims include any such claims that have been resolved or are subject to resolution pursuant to any agreement, or any such claims that are based on a judgment or verdict; provided that such claims were not paid in full more than 90 days prior to the Petition Date.

Direct Talc Personal Injury Claims do not include any (i) claim or demand by any present or former employee of a predecessor or Affiliate of either Debtor for benefits under a policy of workers' compensation insurance or for benefits under any state or federal workers' compensation statute or other statute providing compensation to an employee from an employer; or (ii) claim, commitment, obligation, suit, judgment, damage (whether compensatory, exemplary, punitive or otherwise), demand, debt, cause of action or liability of any kind or nature, or any portion thereof, of any corporation (as defined in section 101(9) of the Bankruptcy Code), codefendant of a Debtor, or predecessor of a Debtor for (a) contribution, reimbursement, subrogation, or indemnity, whether contractual or implied by law (as those terms are defined by applicable non-bankruptcy law of the relevant jurisdiction), or (b) any other harm, whether in the nature of or sounding in contract, tort, warranty, or other theory of law.

The definition of Direct Talc Personal Injury Claims and the use of the term herein is for the purposes of the General Bar Date Order only. It is not the intent or the effect of the General Bar Date Order that the definition of Direct Talc Personal Injury Claims or the description of the claims, remedies, and theories of recovery defined therein has any legal effect on whether or not such claims, remedies, and theories of recovery are or are not derivative or are properly claims asserted against any Debtor or against non-debtors or are assertable by the Debtor. The determination of the legal character of the claims, remedies, and theories of recovery included in the definition of Direct Talc Personal Injury Claims is expressly preserved as to all parties and is not being adjudicated by the General Bar Date Order.

<sup>3</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the General Bar Date Order.

against the Debtors must file proofs of claim (“**Proofs of Claim**”), including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code.

If you have a claim listed in the Debtors’ schedules of liabilities filed in the Chapter 11 Cases (the “**Schedules**”), for your convenience, enclosed with this notice (this “**Notice**”) is a Proof of Claim form, which identifies on its face the amount, nature, and classification of such claim(s).

### **KEY DEFINITIONS**

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, governmental units, and the Office of the United States Trustee for the Southern District of Texas. In addition, the terms “persons” and “governmental units” are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

As used in this Notice, the term “claim” means, as to or against the Debtors and in accordance with section 101(5) of the Bankruptcy Code: (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.

As used in this Notice, “**General Claim**” shall mean a claim against the Debtors that arose before the Petition Date, including, without limitation, Indirect Talc Claims,<sup>4</sup> property damage claims, and requests for payment under section 503(b)(9) of the Bankruptcy Code, but does not include any Direct Talc Personal Injury Claim.

## **I. THE BAR DATES.**

The General Bar Date Order establishes the following bar dates for filing Proofs of Claim in the Chapter 11 Cases (collectively, the “**Bar Dates**”).

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<sup>4</sup> As used herein, “Indirect Talc Claim” shall mean any claim, of any corporation (as defined in section 101(9) of the Bankruptcy Code), co-defendant of a Debtor, or predecessor of a Debtor for contribution, reimbursement, subrogation, or indemnity, whether contractual or implied by law (as those terms are defined by applicable non-bankruptcy law of the relevant jurisdiction), and any other derivative claim or theory of recovery against a Debtor whether in the nature of or sounding in contract, tort, warranty, or other theory of law. For the avoidance of doubt, Indirect Talc Claims include claims, commitments, obligations, suits, judgments, damages, demands, debts, causes of action and liabilities brought under any legal or equitable theory, other than any such claim that falls within the definition of Direct Talc Personal Injury Claim. The definition of Indirect Talc Personal Injury Claims and the use of the term herein is for the purposes of the General Bar Date Order only. It is not the intent or the effect of the General Bar Date Order that the definition of Indirect Talc Personal Injury Claims or the description of the claims, remedies, and theories of recovery defined therein has any legal effect on whether or not such claims, remedies, and theories of recovery are or are not derivative or are properly claims asserted against any Debtor or against non-debtors or are assertable by the Debtor. The determination of the legal character of the claims, remedies, and theories of recovery included in the definition of Indirect Talc Personal Injury Claims is expressly preserved as to all parties and is not being adjudicated by the General Bar Date Order.

- a. ***The General Claims Bar Date.*** Pursuant to the General Bar Date Order, except as described below, all entities (except governmental units) holding General Claims against the Debtors that arose or are deemed to have arisen prior to the commencement of the Chapter 11 Cases on the Petition Date, including Indirect Talc Claims, property damage claims, and requests for payment pursuant to section 503(b)(9), are required to file Proofs of Claim by ***May 6, 2024 at 5:00 p.m., prevailing Central Time.*** Except as expressly set forth in this Notice and the General Bar Date Order, the General Claims 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.
- b. ***The Governmental Bar Date.*** Pursuant to the General Bar Date Order, all governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of the Chapter 11 Cases on the Petition Date are required to file Proofs of Claim by the Governmental Bar Date (i.e., by ***May 6, 2024, at 5:00 p.m., prevailing Central Time.***). The Governmental 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 either Debtor was a party (the “**Governmental Claims**”).
- c. ***The Rejection Damages Bar Date.*** Pursuant to the General Bar Date Order, all entities holding Rejection Damages Claims<sup>5</sup> are required to file Proofs of Claim by the Rejection Damages Bar Date, (i.e., by the date that is the later of (a) May 6, 2024 at 5:00 p.m., and (b) 5:00 p.m., prevailing Central Time, on the date that is thirty days following entry of the order approving the rejection of the applicable executory contract or unexpired lease of the Debtors).
- d. ***Amended Schedules Bar Date.*** Pursuant to the General Bar Date Order, all entities holding claims affected by any amendment<sup>6</sup> made to the Debtors’ Schedules after the Debtors have given notice of the Bar Dates are required to file Proofs of Claim by the Amended Schedules Bar Date (i.e., by the date that is the later of (a) May 6, 2024 at 5:00 p.m., and (b) 5:00 p.m., prevailing Central Time, on the

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<sup>5</sup> As used herein, “Rejection Damages Claims” shall mean (i) claims arising from the Debtors’ rejection of executory contracts and unexpired leases, pursuant to section 365 of the Bankruptcy Code and (ii) claims otherwise related to such agreements.

<sup>6</sup> Holders of affected claims include those (i) who had a General Claim or Governmental Claim set forth on the Schedules as of the date of the Motion and (ii) whose scheduled claim is updated as to amount, priority, or secured status or is changed from liquidated, noncontingent, and/or undisputed to unliquidated, contingent, and/or disputed.

date that is fifty days from the date on which the Debtors mail notice of such amendment to the Schedules).

## II. WHO MUST FILE A PROOF OF CLAIM.

Except as otherwise set forth herein, the following entities holding General Claims, Governmental Claims, or Rejection Damages Claims against the Debtors that arose (or that are deemed to have arisen) prior to the Petition Date *must* file Proofs of Claim on or before the General Claims Bar Date, Governmental Bar Date, or any other bar date set forth in the General Bar Date Order, as applicable:

- a. any entity whose claim, including an Indirect Talc Claim, against the Debtors is not listed in the Debtors' Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of the Chapter 11 Cases or share in any distribution in any of the Chapter 11 Cases, (including any payment on account of such claim from a trust formed through a plan confirmed in the Chapter 11 Cases);
- b. 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;
- c. any former or present full-time, part-time, salaried, or hourly employees asserting a claim based on a grievance against any Debtors prior to the General Claims Bar Date to the extent grounds for such grievances arose on or prior to the Petition Date;
- d. any current or former officer, manager, director, or employee for claims based on indemnification, contribution, or reimbursement; and
- e. any entity who believes that its claim against the Debtors is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

***For the avoidance of doubt, claimants are not required to submit a Proof of Claim Form on account of Direct Talc Personal Injury Claims at this time. The foregoing is true regardless of whether any Direct Talc Personal Injury Claims are identified or referenced in the Debtors' Schedules, or any other filings made by the Debtors in the Chapter 11 Cases.***

## III. 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 would otherwise be subject to the Bar Dates, in the capacities described below, need *not* file Proofs of Claims:

- a. the U.S. Trustee, on account of claims for fees payable pursuant to 28 U.S.C. § 1930;
- b. any entity that already has filed a signed Proof of Claim against the applicable Debtors with the Claims and Administrative Agent in a form substantially similar to Official Form 410;
- c. 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;
- d. any entity whose claim has previously been allowed by a final order of the Court;
- e. any entity whose claim has been paid in full by the Debtors pursuant to a Court order;
- f. any entity holding a claim for which a separate deadline is fixed by this Court; and
- g. any entity holding 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, *provided* that any entity asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must assert such claim by filing a request for payment or a Proof of Claim on or prior to the General Claims Bar Date.

#### IV. INSTRUCTIONS FOR FILING PROOFS OF CLAIM.

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

- a. **Contents.** Each Proof of Claim must: (i) be written in legible English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the Proof of Claim Form provided by the Debtors or Official Form 410; and (iv) be signed under penalty of perjury 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. **Section 503(b)(9) Claim.** Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the twenty (20) days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9)

claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).

- c. ***Electronic Signatures Permitted.*** Only ***original*** Proofs 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 facsimile or electronic mail, will not be accepted.
- d. ***Supporting Documentation.*** Each Proof of Claim must include supporting documentation to the extent required by Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, upon prior written consent of the Debtors' counsel, the Unsecured Creditors' Committee's counsel, and the FCR's counsel, such Proof of Claim may include a summary of such documentation or an explanation as to why such documentation is not available; *provided* that any creditor that received such written consent shall be required to transmit supporting documentation to Debtors' counsel, the Unsecured Creditors' Committee's counsel, and the FCR's counsel upon request no later than ten (10) days from the date of such request.
- e. ***Timely Service.*** Each Proof of Claim must be filed, including supporting documentation, by either (i) electronic submission through PACER (Public Access to Court Electronic Records at <http://ecf.txsb.uscourts.gov>), (ii) electronic submission using the interface available on the Claims and Administrative Agent's website at <https://cases.stretto.com/BMI>, or (iii) if submitted through non-electronic means, by U.S. Mail or other hand delivery system, so as to be ***actually received*** by the Claims and Administrative Agent on or before the applicable Bar Date at the following address:

**If by First-Class Mail, Hand Delivery, or Overnight Mail**

Barretts Minerals Inc., et al. Claims Processing  
c/o Stretto  
410 Exchange, Suite 100  
Irvine, CA 92602

**PROOFS OF CLAIM SUBMITTED BY FACSIMILE  
OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.**

- f. ***Redacted Copies for Employees.*** Employees and former employees of the Debtors and their non-Debtor affiliates may file a redacted Proof of Claim with the Claims and Administrative Agent which does not disclose personally identifiable information; **Error! Hyperlink reference not valid.** *provided* that employees and former employees also serve an unredacted

Proof of Claim upon: (i) co-counsel to the Debtors; (ii) counsel to the Unsecured Creditors' Committee; and (iii) counsel to the FCR.

- g. ***Receipt of Service.*** Claimants submitting a Proof of Claim through non-electronic means wishing to receive acknowledgment that their Proofs of Claim were received by the Claims and Administrative Agent must submit (i) a copy of the Proof of Claim Form (marked "Copy" and in addition to the original Proof of Claim Form sent to the Claims and Administrative Agent), and (ii) a self-addressed, stamped envelope.

## **V. CONSEQUENCES OF FAILING TO TIMELY FILE YOUR PROOF OF CLAIM.**

Unless the Court orders otherwise, pursuant to Bankruptcy Rule 3003(c)(2), any entity that is required, but fails, to file a Proof of Claim in accordance with the General Bar Date Order on or before the applicable Bar Date shall be subject to such legal consequences as the Bankruptcy Code may prescribe or permit including (a) disallowance of an untimely filed claim; (b) the barring, estopping, and enjoining of the holder thereof from asserting any claim (or filing a Proof of Claim with respect thereto) against the Debtors and the discharge of the Debtors and their property from any and all indebtedness or liability with respect to or arising from such claim; and (c) prohibition from voting to accept or reject any plan or plans of reorganization, from participating in any distribution in the Debtors' Chapter 11 Cases on account of such claim, or from receiving further notices regarding such claim or the Chapter 11 Cases.

Without limiting the foregoing, any creditor asserting a claim entitled to priority pursuant to section 503(b)(9) of the Bankruptcy Code that fails to file a Proof of Claim in accordance with the General Bar Date Order may not be entitled to any priority treatment on account of such claim pursuant to section 503(b)(9) of the Bankruptcy Code, regardless of whether such claim is identified on the Schedules as not contingent, not disputed, and liquidated.

Nothing in the General Bar Date Order expands or limits the otherwise applicable consequences of failing to file a Proof of Claim by the applicable Bar Date.

## **VI. 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 in the form permitted by the General Bar Date Order.

## **VII. THE DEBTORS' SCHEDULES AND ACCESS THERETO.**

You may be listed as the holder of a claim against the Debtors in the 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) or refer to the instructions in Section VIII below.

If you rely on the Debtors' Schedules, it is your responsibility to determine that your 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, 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 Schedules, and if your claim is not described as "disputed," "contingent," or "unliquidated," you do *not* need to 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.

### **VIII. ADDITIONAL INFORMATION.**

Copies of the Schedules, the General Bar Date Order, and other information regarding the Chapter 11 Cases are available for inspection free of charge on the Debtors' restructuring website at <https://cases.stretto.com/bmi>. The Schedules and other filings in the Chapter 11 Cases also are available for a fee at the Court's website at <http://ecf.txsb.uscourts.gov>. A login identification and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules and other documents filed in the Chapter 11 Cases also may be examined between the hours of 8:00 a.m. and 5:00 p.m., prevailing Central Time, Monday through Friday, at the office of the Clerk of the Bankruptcy Court, United States Bankruptcy Court for the Southern District of Texas, United States Courthouse, 515 Rusk Avenue, Houston, Texas 77002.

If you require additional information regarding the filing of a Proof of Claim, you may contact the Debtors' restructuring hotline at: (888) 332-1230 (US/Canada Toll Free) or (949) 744-7978 (International).

If you believe that you hold a claim (including a General Claim, Rejection Damages Claim, or Direct Talc Personal Injury Claim) and have questions regarding this notice as it pertains to your claim, or if you have any questions regarding this notice whatsoever, you may contact counsel to the Unsecured Creditors' Committee: Brown Rudnick LLP, Seven Times Square, New York, New York, 10036, Attn: David J. Molton and Gerard T. Cicero or by email at [dmolton@brownrudnick.com](mailto:dmolton@brownrudnick.com) and [gicero@brownrudnick.com](mailto:gicero@brownrudnick.com).

**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**

**Proposed Publication Notice**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

----- X  
 In re: : Chapter 11  
 :  
 BARRETTS MINERALS INC., *et al.*,<sup>1</sup> : Case No. 23-90794 (MI)  
 :  
 Debtors. : (Jointly Administered)  
 :  
 ----- X

NOTICE OF DEADLINES FOR THE FILING OF  
PROOFS OF CLAIM, INCLUDING REQUESTS FOR  
PAYMENTS UNDER SECTION 503(B)(9) OF THE BANKRUPTCY CODE

<p>THE GENERAL CLAIMS BAR DATE IS MAY 6, 2024 AT 5:00 P.M., PREVAILING CENTRAL TIME.</p> <p>THE GOVERNMENTAL GENERAL CLAIMS BAR DATE IS MAY 6, 2024 AT 5:00 P.M. PREVAILING CENTRAL TIME</p>
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PLEASE TAKE NOTICE OF THE FOLLOWING:

**Notwithstanding anything contained herein, claimants are *not* required to submit a Proof of Claim Form on account of Direct Talc Personal Claims at this time.** The foregoing is true regardless of whether any Direct Talc Personal Injury Claims are identified or referenced in the Debtors’ Schedules, or any other filings made by the Debtors in the Chapter 11 Cases. The definitions of Direct Talc Personal Injury Claim and Indirect Talc Claim (for which a Bar Date has been set), as well as certain other important information, can be found <https://cases.stretto.com/bmi>.

***Deadlines for Filing Proofs of Claim.*** On [ ● ], 2024, the United States Bankruptcy Court for the Southern District of Texas (the “**Court**”) entered an order [Docket No. [ ● ]] (the “**General Bar Date Order**”) establishing certain deadlines for the filing of proofs of claim (“**Proofs of Claim**”) on account of, among other things, (i) prepetition claims held by non-governmental units, including, without limitation, Indirect Talc Claims, property damage claims, and requests for payment under section 503(b)(9) of the Bankruptcy Code, other than Direct Talc Personal Injury Claims, (collectively, “**General Claims**”) and (ii) prepetition claims held by governmental units (“**Governmental Claims**”), in the Chapter 11 Cases of the following debtors and debtors in possession (the “**Debtors**”):

<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Barretts Minerals Inc. (8715) and Barretts Ventures Texas LLC (0787). The Debtors’ address is 5605 North MacArthur Boulevard, Suite 1000, PMB 139, Irving, Texas 75038.

DEBTOR	CASE NO.
Barretts Minerals Inc.	23-90794
Barretts Ventures Texas LLC	23-90793

***The Bar Dates.*** Pursuant to the General Bar Date Order, *all* entities (except governmental units), including individuals, partnerships, estates, and trusts that have a claim or potential claim against the Debtors that arose prior to October 2, 2023, no matter how remote or contingent such right to payment or equitable remedy may be, ***including*** Indirect Talc Claims, property damage claims, and requests for payments under section 503(b)(9) of the Bankruptcy Code, **MUST FILE A PROOF OF CLAIM for General Claims on or before *May 6, 2024 at 5:00 p.m., prevailing Central Time (the “General Claims Bar Date”).*** Governmental entities that have a Governmental Claim or potential Governmental Claim against the Debtors that arose prior to October 2, 2023, no matter how remote or contingent such right to payment or equitable remedy may be, **MUST FILE A PROOF OF CLAIM on or before *May 6, 2024, at 5:00 p.m., prevailing Central Time (the “Governmental Bar Date”).*** All entities holding (i) claims arising from the Debtors’ rejection of executory contracts and unexpired leases pursuant to section 365 of the Bankruptcy Code and (ii) claims otherwise related to such agreements are required to file Proofs of Claim by ***the date that is the later of (a) May 6, 2024 at 5:00 p.m.; and (b) the date that is thirty days following entry of the order approving the Debtors’ rejection of the applicable executory contract or unexpired lease (the “Rejection Damages Bar Date”).*** All entities holding claims affected by an amendment made to the Debtors’ schedules of liabilities filed in the Chapter 11 Cases (the “Schedules”) after the Debtors have given notice of the Bar Dates are required to file Proofs of Claim by ***the later of (a) May 6, 2024 at 5:00 p.m., and (b) 5:00 p.m., prevailing Central Time, on the date that is fifty (50) days from the date on which the Debtors mail notice of such relevant amendment to the Schedules (the “Amended Schedules Bar Date”).***

**ANY PERSON OR ENTITY WHO FAILS TO FILE A PROOF OF CLAIM, INCLUDING ANY REQUEST FOR PAYMENT UNDER SECTION 503(B)(9) OF THE BANKRUPTCY CODE, ON OR BEFORE THE APPLICABLE BAR DATE MAY NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION ON ANY CHAPTER 11 PLAN, INCLUDING ANY PAYMENT ON ACCOUNT OF SUCH CLAIM FROM A TRUST FORMED THROUGH A PLAN CONFIRMED IN THE CHAPTER 11 CASES.**

***Filing a Proof of Claim.*** Each Proof of Claim must be filed, including supporting documentation, by either (i) electronic submission through PACER (Public Access to Court Electronic Records at <http://ecf.txsb.uscourts.gov>), (ii) electronic submission using the interface available on the Claims and Administrative Agent’s website at <https://cases.stretto.com/BMI>, or (iii) if submitted through non-electronic means, by U.S. Mail or other hand delivery system, so as to be ***actually received*** by the Claims and Administrative Agent on or before the applicable Bar Date at the following address:

**If by First-Class Mail, Hand Delivery, or Overnight Mail**

Barretts Minerals Inc., et al. Claims Processing

c/o Stretto

410 Exchange, Suite 100

Irvine, CA 92602

**PROOFS OF CLAIM SUBMITTED BY FACSIMILE  
OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.**

**Contents.** Each Proof of Claim must: (i) be written in legible English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the Proof of Claim Form provided by the Debtors or Official Form 410; and (iv) be signed under penalty of perjury 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, and (v) include any and all documentation on which the claim is based. Claims filed by employees of the Debtors or their non-Debtor affiliates are subject to specific rules regarding personally identifiable information. Please refer to the resources set forth in ***Additional Information*** below to learn more.

***Electronic Signatures Permitted.*** Only ***original*** Proofs 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 facsimile or electronic mail, will not be accepted.

***Section 503(b)(9) Claim.*** Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the twenty (20) days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).

***Supporting Documentation.*** Each Proof of Claim must include supporting documentation to the extent required by Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, upon prior written consent of the Debtors' counsel, the Unsecured Creditors' Committee's counsel, and the FCR's Counsel such Proof of Claim may include a summary of such documentation or an explanation as to why such documentation is not available; *provided* that any creditor that received such written consent shall be required to transmit supporting documentation to Debtors' counsel, the Unsecured Creditors' Committee's counsel, and the FCR's counsel upon request no later than ten (10) days from the date of such request.

***Additional Information.*** If you have any questions regarding the claims process and/or you wish to obtain a copy of the Bar Date Notice, a proof of claim form or related documents you may do so by: (1) calling the Debtors' restructuring hotline at (888) 332-1230 (US/Canada Toll Free) or (949) 744-7978 (International); and/or (2) visiting the Debtors' restructuring website at: <https://cases.stretto.com/bmi>.

If you believe that you hold a claim against the Debtors and have questions regarding this Notice as it pertains to your claim, or if you have any questions regarding this Notice whatsoever, you

may contact counsel to the Unsecured Creditors' Committee: Brown Rudnick LLP, Seven Times Square, New York, New York, 10036, Attn: David J. Molton and Gerard T. Cicero or by email at [dmolton@brownrudnick.com](mailto:dmolton@brownrudnick.com) and [gcicero@brownrudnick.com](mailto:gcicero@brownrudnick.com).