

So Ordered.

Signed this 14 day of August, 2023.



A handwritten signature in black ink that reads "Patrick G. Radel". The signature is written in a cursive style and is positioned above a horizontal line.

Patrick G. Radel  
United States Bankruptcy Judge

THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re:

M. BURTON MARSHALL  
a/k/a BURT MARSHALL,  
a/k/a MILES BURTON MARSHALL,

Case No. 23-60263-PGR  
Chapter 11

Debtor.

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**STIPULATION AND AGREED ORDER EXTENDING  
THE DEADLINE FOR CREDITORS TO FILE PROOFS OF CLAIMS**

This Stipulation and Agreed Order (this "Stipulation") shall be effective as of the date it is approved by this Court and is entered into by and between Burton Marshall a/k/a Burt Marshall a/k/a Miles Burton Marshall (the "Debtor") and the Official Committee of Unsecured Creditors of M. Burton Marshall a/k/a Burt Marshall a/k/a Miles Burton Marshall (the "Committee"). The Debtor and the Committee are collectively referred to hereinafter as the "Parties".

**RECITALS**

**WHEREAS**, on April 20, 2023, the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Northern District of New York, Utica Division (this “Court”), thereby commencing the above captioned case (this “Chapter 11 Case”);

**WHEREAS**, on May 9, 2023, The Office of the United States Trustee for Region 2 (the “United States Trustee”) pursuant to section 1102 of the Bankruptcy Code, appointed the Committee to represent the interests of all unsecured creditors in this Chapter 11 Case. [Docket No. 52];

**WHEREAS**, on April 27, 2023, this Court entered the *Order Fixing Deadline to File Proofs of Claim* (the “Bar Date Order”) [Docket No. 34], which ordered that the deadline for filing proofs of claims or interest against Debtor (the “Proofs of Claim”), other than for governmental units, is August 21, 2023, pursuant to Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure (the “General Bar Date”); and

**WHEREAS**, the Debtor and the Committee have agreed to extend the General Bar Date, as provided for herein, and the United States Trustee has indicated that it has no objection to the stipulated relief requested.

**IT IS THEREFORE MUTUALLY AGREED AND STIPULATED** by and between the Debtor and the Committee as follows:

1. The General Bar Date is hereby extended from August 21, 2023, up to and including October 20, 2023 (the “General Bar Date Extension”), subject to further extensions that may be agreed upon by the Parties, or by further Order of this Court.

2. The Parties shall retain any and all rights and defenses with respect to the Proofs of Claim, including with respect to the validity, priority, and amount of any claim asserted pursuant to the Proofs of Claim. Nothing herein shall constitute or be deemed to constitute an admission of liability by the Debtor with respect to any claim asserted by the Proofs of Claim.

3. The General Bar Date Extension shall apply to all creditors, other than governmental units, in this Chapter 11 Case.

4. The Committee shall post this Stipulation and a statement regarding the General Bar Date Extension, once approved by the Court, on its creditor information website, which may be found at <https://cases.stretto.com/BurtMarshall>.

5. This Stipulation may be executed in identical counterparts, including by facsimile and/or electronic mail, each of which shall be deemed an original, but all of which together constitute one and the same instrument.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Stipulation.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Stipulation by their signatures below.

Dated: August 10, 2023

**BARCLAY DAMON LLP**

By: 

Jeffrey A. Dove, Esq.

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*Counsel for the Debtor*

[Signature Page Continues on Next Page]

**BOND SCHEONECK & KING, PLLC**

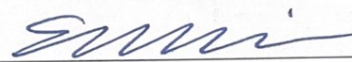
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*Counsel for the Official Committee of  
Unsecured Creditors*

No Objection:

**WILLIAM K. HARRINGTON**

By:  \_\_\_\_\_

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