



Order Filed on December 5, 2023
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

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

Caption in Compliance with D.N.J. LBR 9004-1(b)
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Counsel to Debtor and Debtor in Possession

In re:

DIRECTBUY HOME IMPROVEMENT, INC.,

Debtor.¹

Chapter 11

Case No. 23-19159 (SLM)

Judge: Stacey L. Meisel

**ORDER GRANTING DEBTOR’S MOTION FOR ENTRY OF AN ORDER
ESTABLISHING BAR DATES FOR FILING PROOFS OF CLAIM,
APPROVING THE FORM AND MANNER FOR FILING PROOFS OF
CLAIM, AND APPROVING NOTICE THEREOF**

The relief set forth on the following pages, numbered two (2) through fourteen (14), is hereby **ORDERED**.

DATED: December 5, 2023

Honorable Stacey L. Meisel
United States Bankruptcy Judge

¹ The debtor’s last four digits of its federal tax identification number is 4292. The location of debtor’s principal place of business is 1855 W. 139th Street, Gardena, California 90249.

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Upon the *Debtor's Motion for Entry of an Order Establishing Bar Dates for Filing Proofs of Claim, Approving the Form and Manner for Filing Proofs of Claim, and Approving Notice Thereof* (the "Motion")²; of the above-captioned debtor and debtor in possession (the "Debtor") for entry of an order (a) establishing deadlines by which certain holders of claims will be required to file written proof of their claim(s); (b) approving the form and manner for filing claims against the Debtor; (c) approving the form and manner of providing notice of the Bar Dates; (d) authorizing the Debtor to establish Supplemental Bar Dates when necessary; and (e) authorizing the Debtor, in its sole discretion, to extend the Bar Date for certain holders of claims; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and this Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that sufficient notice of the Motion has been given; and good and sufficient cause appearing for the relief set forth in this order;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Bar Dates as proposed by the Debtor are approved and established as follows:
 - A. **General Bar Date:** January 9, 2024 (the "General Bar Date") is the deadline for all persons and entities, other than

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

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governmental units (as that term is defined in Bankruptcy Code section 101(27)), holding a claim against the Debtor arising (or deemed to arise) before the Petition Date (each, a "General Claim"), including any claim arising under Bankruptcy Code section 503(b)(9) for the value of goods received by the Debtor within twenty (20) days before the Petition Date.

B. Administrative Bar Date:

January 9, 2024 (the "Administrative Bar Date") is the deadline for all persons and entities holding any right to payment constituting a cost or expense of administration of the Debtor's chapter 11 case arising under Bankruptcy Code sections 503(b) (with the exception of any claims arising under Bankruptcy Code section 503(b)(9), which are considered General Claims subject to the General Bar Date above) and 507(a)(2) against the Debtor (each an "Administrative Claim") arising from the Petition Date through November 30, 2023; *provided, however*, that the Debtor's Utility Providers (as that term is defined in the *Debtor's Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Utility Services, (II) Determining Adequate Assurance of Payment for Future Utility Services, (III) Establishing Procedures for Determining Adequate Assurance of Payment, (IV) Authorizing the Payment of Prepetition Administrative Fees Relating to Utility Services, and (V) Granting Related Relief* [Docket No. 6]) shall not be bound by the Administrative Bar Date and any Administrative Claims of the Debtor's Utility Providers shall be subject to further Order of the Court.

C. Amended Schedules Bar Date:

In the event the Debtor amends its Schedules, the holders of claims subject to such amendment shall

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be required to file a proof of claim or amend any previously filed proof of claim by the Amended Schedules Bar Date (defined below) if such claimant believes its claim is improperly classified in the amended Schedules or is listed in an incorrect amount, and such claimant desires to assert such claim in a different classification and/or different amount. To the extent applicable, the claimant must file its claim on or before the later of (i) the General Bar Date and (ii) thirty (30) days from the date on which the Debtor serves notice of an amendment to its Schedules on such claimant (such date, the "Amended Schedules Bar Date");

D. Governmental Bar Date:

April 15, 2024, at 4:00 p.m. prevailing Eastern Time (the "Governmental Bar Date") is the deadline for governmental units holding a claim against the Debtor arising (or deemed to arise) before the Petition Date;

E. Rejection Bar Date:

For claims relating to the rejection of a contract or lease, the later of (a) the General Claims Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m., prevailing Eastern Time, on the date that is the later of thirty (30) days following (i) entry of the order approving the Debtors' rejection of the applicable executory contract or unexpired lease and (ii) the effective date of rejection (the "Rejection Bar Date"). For the avoidance of doubt, if a creditor is served with a rejection notice, the Rejection Bar Date shall apply to all claims arising under the contract or lease in question, and parties holding such claims shall not be required to file a Proof of Claim with respect to prepetition amounts unless and until such unexpired contract or lease has been rejected. For the avoidance of doubt and notwithstanding

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anything to the contrary herein, counterparties to unexpired leases shall not be required to file prepetition claims against the Debtor unless and until the applicable lease is rejected; and

F. Supplemental Bar Date:

With respect to (a) holders of claims to which a supplemental mailing ("Supplemental Notice") of the Bar Date Notice is appropriate but which cannot be accomplished in time to provide at least thirty (30) days' notice of the applicable Bar Date and (b) other holders of claims that become known to the Debtor after the original date on which the Bar Date Notice is served, the deadline shall be thirty (30) days after the party is served a Supplemental Notice (the "Supplemental Bar Date").

3. The Debtor is authorized, in its sole discretion, to extend the applicable Bar Date for certain holders of Claims by stipulation or otherwise, and to establish Supplemental Bar Dates where the Debtor determines that such extension or Supplemental Bar Date is in the best interest of the estate. The Debtor shall provide the Committee with notice of any such extension.

4. Each person or entity (including, without limitation, each individual, partnership, joint venture, limited liability company, corporation, estate, trust, or governmental unit) asserting a General Claim or an Administrative Claim against the Debtor is required to file the requisite Claim Form (as defined below) in this chapter 11 case, unless otherwise indicated below.

5. The General Bar Date shall apply to all Persons and Entities (each as defined in sections 101(41) and 101(15), respectively, of the Bankruptcy Code, but excluding governmental units) holding claims against the Debtor, including the following:

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- (a) any Person or Entity whose claim against the Debtor is not listed in the Debtor's Schedules, or is listed as "contingent," "unliquidated," or "disputed," if such Person or Entity desires to share in any distribution in this chapter 11 case;
- (b) any Person or Entity who believes that their claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have their claim allowed in a different classification or amount other than that identified in the Schedules; and
- (c) any Person or Entity that believes that its claim against the Debtor is or may be entitled to administrative expense priority pursuant to Bankruptcy Code section 503(b)(9).

6. The Administrative Bar Date shall apply to all Persons and Entities who hold an Administrative Claim (other than Professional Claims or Adequate Protection Claims) arising during the Initial Administrative Claims Period. Additionally, the Debtor is authorized to establish a Supplemental Administrative Bar Date for any Administrative Claims arising during a Supplemental Administrative Claims Period. To establish a Supplemental Administrative Bar Date, the Debtor shall provide proper notice in accordance with the following procedures:

- (a) The Debtor shall file with the Court a notice (the "Supplemental Administrative Bar Date Notice") identifying (i) the beginning and ending date of the Supplemental Administrative Claims Period, and (ii) the supplemental Bar Date (the "Supplemental Administrative Bar Date") by which such Administrative Claims must be filed, and (iii) the categories of claimants that are subject thereto; and
- (b) Within five (5) business days after filing the Supplemental Administrative Bar Date Notice, the Debtor shall serve the Supplemental Administrative Bar Date Notice on all known creditors that are subject to the Supplemental Administrative Bar Date. The Supplemental Administrative Bar Date Notice shall include the Supplemental Administrative Bar Date and the procedures for filing any supplemental Administrative Claims, which

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procedures shall be consistent with the procedures set forth in this Bar Date Order, provided, however, that any such Supplemental Administrative Bar Date Notice shall be served at least thirty (30) days before any Supplemental Administrative Bar Date.

7. The following Persons or Entities whose claims otherwise would be subject to the General Bar Date, Government Bar Date and/or Administrative Bar Date need not file a claim:

- (a) any Person or Entity that already has filed a signed proof of claim against the Debtor with the Clerk of the Court or with the Debtor's claims and noticing agent, Stretto, Inc. ("Stretto" or the "Claims Agent") in a form substantially similar to Official Form 410;
- (b) any Person or Entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of "disputed," "contingent," or "unliquidated;" and (ii) such Person or Entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules;
- (c) any Person or Entity whose claim has previously been allowed by order of the Court;
- (d) any Person or Entity whose claim has been paid in full by the Debtor pursuant to the Bankruptcy Code or in accordance with an order of the Court or otherwise paid in full by the Debtor or any other party;
- (e) a current employee of the Debtor, if an order of the Court authorized the Debtor to honor such claim in the ordinary course of business as a wage or benefit; provided, however, that a current or former employee must submit a proof of claim by the General Bar Date for all other claims, including without limitation, claims for deferred compensation, wrongful termination, discrimination, harassment, hostile work environment, retaliation, claims covered by the Debtor's workers' compensation insurance, or any other litigation or pre-litigation claim;
- (f) any Person or Entity whose claim is based on an equity interest in the Debtor;

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- (g) any Person or Entity holding a claim for which a separate deadline is fixed by this Court;
- (h) claims of professionals retained by the Debtor or the Committee pursuant to orders of the Court who assert administrative claims for fees and expenses subject to the Court's approval pursuant to Bankruptcy Code sections 327, 328, 330, 331, 363 and 503(b) or 28 U.S.C. § 156(c) (collectively, the "Professional Claims");
- (i) claims held by a current officer or director for indemnification, contribution, or reimbursement;
- (j) any Person or Entity that is exempt from filing a proof of claim pursuant to an order of the Court in this chapter 11 case;
- (k) claims held by any Person or Entity solely against a non-Debtor entity;
- (l) expenses of members of the Committee to the extent such claims are related to their service on the Committee;
- (m) ZG Lending SPV, LLC, in its capacity as pre-petition secured lender and DIP Lender (as defined in the order authorizing the Debtor's postpetition financing and use of cash collateral);
- (n) any Person or Entity holding a Claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930; including, for the avoidance of doubt, any Administrative Claims asserted by the U.S. Trustee for statutory fees required to be paid by the Debtor;
- (o) any landlord counterparty of the Debtor whose unexpired lease has not yet been rejected by the General Bar Date; and
- (p) for the avoidance of doubt, any Person or Entity that believes that its claim against a Debtor is or may be entitled to administrative expense priority pursuant to Bankruptcy Code section 503(b)(9) shall not be required to file an Administrative Claim Form, but shall be required to file a General Claim Form in accordance with this Order prior to the General Bar Date.

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8. Any Person or Entity holding an interest in any of the Debtor (an "Interest Holder"), which interest is based exclusively upon the ownership of: (a) a membership interest in a limited liability company; (b) common or preferred stock in a corporation; or (c) warrants or rights to purchase, sell or subscribe to such a security or interest (any such security or interest being referred to herein as an "Interest"), need not file a proof of Interest on or before the General Bar Date; provided, however, Interest Holders who want to assert claims against the Debtor that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance or distribution of the Interest, shall file a claim by the applicable Bar Date, unless another exception identified in this Order applies.

9. The Debtor's proposed form and manner for filing claims are approved and established as follows. The applicant for a General Claim, including any 503(b)(9) claims, must file a proof of claim, substantially in the form of the proof of claim form (the "General Claim Form") attached hereto as **Exhibit A**. The applicant for an Administrative Claim must file a proof of administrative claim, substantially in the form of the administrative claim form (the "Administrative Claim Form") attached hereto as **Exhibit B**.

10. With respect to all General Claim Forms and Administrative Claim Forms, the Person or Entity submitting the claim must comply with the following requirements:

- (a) each claim must (i) be in English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the General Claim Form or Administrative Claim Form, as applicable; and (iv) be signed by

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the holder of the claim or by an authorized agent or legal representative of the holder of the claim;

- (b) each General Claim Form and Administrative Claims Form must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, such General Claim Form or Administrative Claim Form, as applicable, may include a summary of such documentation or an explanation as to why such documentation is not available; provided, that, upon the request for additional documentation, such creditor that received such request shall be required to transmit such written documentation no later than five (5) business days following the date of such request;
- (c) each General Claim Form or Administrative Claim Form, including supporting documentation, must be submitted in person, by courier service, overnight delivery, hand delivery, or United States mail so as to be **actually received** by the Claims Agent on or before the applicable Bar Date at the following address:

DirectBuy Home Improvement, Inc. Claims Processing
c/o Stretto
410 Exchange, Suite 100
Irvine, CA 92602

Additionally, a General Claim Form may be submitted electronically using the interface available on the website maintained by Stretto in this case (<https://cases.stretto.com/DBHI/>), so as to be **actually received** by the Claims Agent on or before the applicable Bar Date; and

- (d) except as expressly permitted above in the context of electronic submissions at the Claims Agent's website, **any Claim Forms otherwise sent by facsimile, telecopy, electronic mail, or other form of electronic submissions will not be accepted.**

11. Additionally, any claimant 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 Debtor in the twenty (20) days prior to the Petition Date; (ii) attach any

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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 Debtor under section 546(c) of the Bankruptcy Code (if applicable).

12. Absent further order of the Court to the contrary, any Person or Entity that is required but fails to properly file a General Claim Form or Administrative Claim Form by the applicable Bar Date shall not be treated as a creditor with respect to such claim and shall be prohibited from (a) voting to accept or reject any chapter 11 plan filed in this chapter 11 case on account of such claim, (b) participating in any distribution in this chapter 11 case on account of such claim, and (c) receiving further notices regarding such claim.

13. Notwithstanding anything to the contrary in this Order, a holder of a claim shall be able to assert any undisputed, noncontingent, and liquidated claims identified in the Schedules on behalf of such holder, in the amount set forth in the Schedules, and vote upon and receive distributions under any plan of reorganization or liquidation in this chapter 11 case on account of such scheduled claim.

14. No later than five (5) days after entry of this Bar Date Order, the Debtor shall serve notice of the Bar Dates, substantially in the form attached hereto as **Exhibit C** (the "Bar Date Notice"), by first class United States mail with postage prepaid in accordance with the Case Management Procedures on:

- (a) the United States Trustee for the District of New Jersey;

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- (b) counsel to the Committee;
- (c) ZG Lending SPV, LLC;
- (d) the Internal Revenue Service;
- (e) all persons or entities that have requested notice of the proceedings in this chapter 11 case pursuant to Bankruptcy Rule 2002 as of the date of the Bar Date Order;
- (f) all known creditors and other known holders of claims against the Debtor as of the date of the Bar Date Order, including all persons or entities listed in the Schedules as holding claims against the Debtor;
- (g) all non-debtor parties to executory contracts and unexpired leases listed on the Schedules or their designated representatives;
- (h) all known parties to litigation with the Debtor, if any, including any workers compensation, general liability or other insurance claimants, whether or not any litigation has been commenced;
- (i) the United States Attorney for the District of New Jersey;
- (j) the Office of the Attorney General in all of the states and all taxing authorities in all of the jurisdictions in which the Debtor operates and/or files tax returns, and all known local governmental authorities;
- (k) all regulatory authorities that regulate the Debtor's businesses;
- (l) all current employees, directors and officers;
- (m) all known former employees employed by the Debtor three (3) years before the Petition Date (to the extent that contact information for former employees is available in the Debtor's records);
- (n) all parties who have filed proofs of claim in this chapter 11 case as of the date of entry of the Bar Date Order; and
- (o) all other entities listed on the Debtor's matrix of creditors.

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15. In addition to the Bar Date Notice, the Debtor shall also serve a General Claim Form on any person or entity holding a potential General Claim and/or an Administrative Claim Form on any person or entity holding a potential Administrative Claim.

16. Further, the Debtor shall post the General Claim Form, the Administrative Claim Form, and the Bar Date Notice on the Debtor's case website maintained by Stretto in this chapter 11 case at <https://cases.stretto.com/DBHI/>.

17. After the initial mailing of the Bar Date Notice, the Debtor may, in its discretion, make supplemental mailings of notices, 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 Debtor for direct mailing; and (c) additional potential holders of claims that become known. In this regard, the Debtor shall make supplemental mailings of the Bar Date Notice in these and similar circumstances and that such parties will be subject to the Supplemental Bar Date set forth in the Bar Date Notice, which will be at least thirty (30) days from the service of such supplemental notice.

18. No later than ten (10) days after entry of this Bar Date Order, the Debtor shall give notice of the Bar Dates, substantially in the form attached hereto as **Exhibit D** (the "Publication Notice") by publication on one (1) occasion in in a national publication in the United States to holders of claims and interests to whom notice by mail is impracticable, including holders of claims

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or interests who are unknown or not reasonably ascertainable by the Debtor and holders of claims or interest whose identities are known but whose addresses are unknown by the Debtor.

19. The Debtor shall consult with the Committee on any extensions of the Bar Dates.

20. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Bar Date Order in accordance with the Motion.

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

22. Nothing contained in the Motion or this Bar Date Order is intended or should be construed as a waiver of the Debtor's or any parties in interests' right to dispute, object to, challenge, or assert offsets or defenses against any claim on any grounds.

23. The terms and conditions of this Bar Date Order shall be immediately effective and enforceable upon entry of this order.

24. The Court retains jurisdiction with respect to all matters arising from or related to the interpretation, implementation, and enforcement of this order.

EXHIBIT A

The General Claim Form

Fill in this information to identify the case:

Debtor: DirectBuy Home Improvement, Inc.	Case Number: 23-19159
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United States Bankruptcy Court for the District of New Jersey

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

1. Who is the current creditor?	Name of the current creditor (the person or entity to be paid for this claim) _____	
	Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	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?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$_____ Does this amount include interest or other charges? No Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.

9. Is all or part of the claim secured? No Yes. The claim is secured by a lien on property.

Nature of property:

Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

Motor vehicle

Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$_____

Amount of the claim that is secured: \$_____

Amount of the claim that is unsecured: \$_____ (The sum of the secured and unsecured 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: _____

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/dbhi/>

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.

EXHIBIT B

The Administrative Claim Form

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY		REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE
In re: DirectBuy Home Improvement, Inc. (Case No. 23-19159)	Chapter 11 Case Number: 23-19159	THIS SPACE IS FOR COURT USE ONLY
NOTE: This form should not be used for an unsecured claim arising prior to the commencement of the case. In such instances, a proof of claim should be filed.		
Name of Creditor: (The person or other entity to whom the debtor owed money or property.)	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Name and Addresses Where Notices Should Be Sent:		
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:	Check here if this request: <input type="checkbox"/> replaces a previously filed request, dated: <input type="checkbox"/> amends a previously filed request, dated:	
1. BASIS FOR CLAIM <input type="checkbox"/> Goods Sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other (Describe briefly)	<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. §1114(a) <input type="checkbox"/> Wages, salaries and compensations (Fill out below) Provide last four digits of your social security number _____	
2. DATE DEBT WAS INCURRED:		
3. TOTAL AMOUNT OF REQUEST AS OF ABOVE DATE: _____ <input type="checkbox"/> Check this box if the request includes interest or other charges in addition to the principal amount of the request. Attach itemized statement of all interest or additional charges.		
4. Secured Claim <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other (Describe briefly) _____ Value of Collateral: \$ _____ <input type="checkbox"/> Check this box if there is no collateral or lien securing your claim.		
5. Credits: The amount of all payments have been credited and deducted for the purposes of making this request for payment of administrative expenses.		THIS SPACE IS FOR COURT USE ONLY
6. Supporting Documents: <i>Attach copies of supporting documents</i> , such as purchase orders, invoices, itemized statements of running accounts, contracts as well as any evidence of perfection of a lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.		
7. Date-Stamped Copy: To receive an acknowledgment of the filing of your request, enclose a self-addressed envelope and copy of this request.		
Date:	Sign and print below the name and title, if any, of the creditor or other person authorized to file this request (attach copy of power of attorney, if any). _____	
Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.		

NOTE: The filing of this request will not result in the scheduling of a hearing to consider payment of your administrative claim but will result in the registry of your administrative claim with the Bankruptcy Court. If you wish to have a hearing scheduled on your claim, you must file a motion in accordance with D.N.J. LBR 3001-1(b). rev.8/1/15

EXHIBIT C

The Bar Date Notice

COLE SCHOTZ P.C.

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Counsel to Debtor and Debtor in Possession

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

In re:

DIRECTBUY HOME IMPROVEMENT, INC.,

Debtor.¹

Chapter 11

Case No. 23-19159 (SLM)

NOTICE OF DATES BY WHICH PARTIES MUST FILE PROOFS OF CLAIM AND ADMINISTRATIVE CLAIMS AND PROCEDURES FOR FILING PROOFS OF CLAIM AND ADMINISTRATIVE CLAIMS AGAINST THE DEBTOR

PLEASE TAKE NOTICE THAT the above-captioned debtor and debtor-in-possession (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 District of New Jersey (the “Court”) on October 16, 2023 (the “Petition Date”).

PLEASE TAKE FURTHER NOTICE THAT on November 14, 2023 the Debtor filed the *Debtor’s Motion for Entry of an Order Establishing Bar Dates for Filing Proofs of Claim, Approving the Form and Manner for Filing Proofs of Claim, and Approving Notice Thereof* [Docket No. ___] (the “Bar Date Motion”).² On December ___, 2023, the Court entered an order approving the Bar Date Motion [Docket No. ___] (the “Bar Date Order”) and establishing certain

¹ The debtor’s last four digits of its federal tax identification number is 4292. The location of debtor’s principal place of business is 1855 W. 139th Street, Gardena, California 90249.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Bar Date Motion.

dates (collectively, the “Bar Dates” and individually, a “Bar Date”) by which parties holding claims against the Debtor must file claims. Each date is expressly set forth below.

Except for those holders of the claims listed below that are specifically excluded from the Bar Date submission requirements, the Bar Dates and the procedures set forth below for submitting proofs of claim apply to all claims against the Debtor that arose prior to the Petition Date.

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE HOLDING A CLAIM AGAINST THE DEBTOR IN THE ABOVE-CAPTIONED CHAPTER 11 CASE. THEREFORE, YOU SHOULD READ THIS NOTICE CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

Background to the Debtor’s Chapter 11 Case

- 1. General Information about the Debtor’s Case.** No request for the appointment of a trustee or examiner has been made in this chapter 11 case.
- 2. Access to Claim Forms and Additional Information.** Proofs of claim are to be filed using Official Form 410 or the General Claim Form (the “Claim Form”) or in a form that is substantially similar. Administrative Claims are to be filed using the Administrative Claim Form (the “Administrative Claim Form”). If you have any questions regarding the claims process and/or if you wish to obtain a copy of the Bar Date Motion, the Bar Date Order (which contains a more detailed description of the requirements for filing proofs of claim), a General Claim Form, Administrative Claim Form, or related documents (and/or any other pleadings filed in the Debtor’s chapter 11 case) you may do so by contacting the Debtor’s court-appointed claims and noticing agent Stretto, Inc. (the “Claims Agent” or “Stretto”) in writing, at DirectBuy Home Improvement, Inc. Claims Processing, c/o Stretto, 410 Exchange, Suite 100, Irvine, CA 92602 or by visiting the Debtor’s case website at <https://cases.stretto.com/DBHI/>. If you have any questions concerning the filing or processing of claims, you may contact the Claims Agent at 1-949-570-9040 (toll free) or via electronic mail at TeamDirectBuy@stretto.com.

Schedules of Assets and Liabilities

The Debtor filed its statement of financial affairs and schedules of assets and liabilities with the Court on November 20, 2023 (as amended or modified, collectively, the “Schedules”). The Debtor’s Schedules and the Bar Date Order are also available, free of charge, at <https://cases.stretto.com/DBHI/>.

Bar Dates Approved by the Court

The Court has established the following Bar Dates as those dates by which parties holding Claims against the Debtor must file proofs of claim so that they are actually received by the Claims Agent:

- A. General Bar Date:** January 9, 2024 (the “General Bar Date”) is the deadline for all persons and entities, other than

governmental units (as that term is defined in Bankruptcy Code section 101(27)), holding a claim against the Debtor arising (or deemed to arise) before the Petition Date (each, a “General Claim”), including any claim arising under Bankruptcy Code section 503(b)(9) for the value of goods received by the Debtor within twenty (20) days before the Petition Date.

B. Administrative Bar Date:

January 9, 2024 (the “Administrative Bar Date”) is the deadline for all persons and entities holding any right to payment constituting a cost or expense of administration of the Debtor’s chapter 11 case arising under Bankruptcy Code sections 503(b) (with the exception of any claims arising under Bankruptcy Code section 503(b)(9), which are considered General Claims subject to the General Bar Date above) and 507(a)(2) against the Debtor (each an “Administrative Claim”) arising from the Petition Date through November 30, 2023; *provided, however*, that the Debtor’s Utility Providers (as that term is defined in the *Debtor’s Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Utility Services, (II) Determining Adequate Assurance of Payment for Future Utility Services, (III) Establishing Procedures for Determining Adequate Assurance of Payment, (IV) Authorizing the Payment of Prepetition Administrative Fees Relating to Utility Services, and (V) Granting Related Relief* [Docket No. 6]) shall not be bound by the Administrative Bar Date and any Administrative Claims of the Debtor’s Utility Providers shall be subject to further Order of the Court.

C. Amended Schedules Bar Date:

In the event the Debtor amends its Schedules, the holders of claims subject to such amendment shall be required to file a proof of claim or amend any previously filed proof of claim by the Amended Schedules Bar Date (defined below) if such claimant believes its claim is improperly classified in the amended Schedules or is listed in an incorrect amount, and such claimant desires to assert such claim in a different classification and/or different amount. To the extent applicable,

the claimant must file its claim on or before the later of (i) the General Bar Date and (ii) thirty (30) days from the date on which the Debtor serves notice of an amendment to its Schedules on such claimant (such date, the “Amended Schedules Bar Date”);

D. Governmental Bar Date:

April 15, 2024, at 4:00 p.m. prevailing Eastern Time (the “Governmental Bar Date”) is the deadline for governmental units holding a claim against the Debtor arising (or deemed to arise) before the Petition Date;

E. Rejection Bar Date:

For claims relating to the rejection of a contract or lease, the later of (a) the General Claims Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m., prevailing Eastern Time, on the date that is the later of thirty (30) days following (i) entry of the order approving the Debtors’ rejection of the applicable executory contract or unexpired lease and (ii) the effective date of rejection. For the avoidance of doubt, if a creditor is served with a rejection notice, the Rejection Bar Date shall apply to all claims arising under the contract or lease in question, and parties holding such claims shall not be required to file a Proof of Claim with respect to prepetition amounts unless and until such unexpired contract or lease has been rejected. For the avoidance of doubt and notwithstanding anything to the contrary herein, counterparties to unexpired leases shall not be required to file prepetition claims against the Debtor unless and until the applicable lease is rejected; and

F. Supplemental Bar Date:

With respect to (a) holders of claims to which a supplemental mailing (“Supplemental Notice”) of the Bar Date Notice is appropriate but which cannot be accomplished in time to provide at least thirty (30) days’ notice of the applicable Bar Date and (b) other holders of claims that become known to the Debtor after the original date on which the Bar Date Notice is served, the deadline shall be thirty (30) days after the party is served a Supplemental Notice (the “Supplemental Bar Date”).

Parties Required to File Proofs of Claim

1. Definition of Claim. Under Bankruptcy Code section 101(5) and as used herein, 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. An Administrative Claim is a Claim of the kind described in Bankruptcy Code section 503(b)(1), (2), (3), (4), (5), (6), (7), and (8). Administrative Claims are given priority status pursuant to Bankruptcy Code section 507(a)(2), which means that they are paid before general unsecured claims.

2. Parties Who Must File Claims. Except as otherwise set forth herein, the General Bar Date applies to all Persons and Entities holding General Claims against the Debtor, including the following:

- (a) any Person or Entity whose claim against the Debtor is not listed in the Debtor’s Schedules, or is listed as “contingent,” “unliquidated,” or “disputed,” if such Person or Entity desires to share in any distribution in this chapter 11 case;
- (b) any Person or Entity who believes that their claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have their claim allowed in a different classification or amount other than that identified in the Schedules; and
- (c) any Person or Entity that believes that its claim against the Debtor is or may be entitled to administrative expense priority pursuant to Bankruptcy Code section 503(b)(9).

3. Parties Who Must File Administrative Claims. Except as set forth above, all Persons or Entities holding an Administrative Claim against the Debtor that arose (or are deemed to have arisen) between the Petition Date and November 30, 2023, must file an Administrative Claim on or before the Administrative Bar Date.

4. 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 holders of General Claims and Administrative Claims 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 Persons or Entities whose claims otherwise would be subject to the General Bar Date, Government Bar Date and/or Administrative Bar Date need not file a claim:

- (a) any Person or Entity that already has filed a signed proof of claim against the Debtor with the Clerk of the Court or with the Debtor’s claims and noticing agent, Stretto, Inc. (“Stretto” or the “Claims Agent”) in a form substantially similar to Official Form 410;

- (b) any Person or Entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of “disputed,” “contingent,” or “unliquidated;” and (ii) such Person or Entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules;
- (c) any Person or Entity whose claim has previously been allowed by order of the Court;
- (d) any Person or Entity whose claim has been paid in full by the Debtor pursuant to the Bankruptcy Code or in accordance with an order of the Court or otherwise paid in full by the Debtor or any other party;
- (e) a current employee of the Debtor, if an order of the Court authorized the Debtor to honor such claim in the ordinary course of business as a wage or benefit; provided, however, that a current or former employee must submit a proof of claim by the General Bar Date for all other claims, including without limitation, claims for deferred compensation, wrongful termination, discrimination, harassment, hostile work environment, retaliation, claims covered by the Debtor’s workers’ compensation insurance, or any other litigation or pre-litigation claim;
- (f) any Person or Entity whose claim is based on an equity interest in the Debtor;
- (g) any Person or Entity holding a claim for which a separate deadline is fixed by this Court;
- (h) claims of professionals retained by the Debtor or the Committee pursuant to orders of the Court who assert administrative claims for fees and expenses subject to the Court’s approval pursuant to Bankruptcy Code sections 327, 328, 330, 331, 363 and 503(b) or 28 U.S.C. § 156(c) (collectively, the “Professional Claims”);
- (i) claims held by a current officer or director for indemnification, contribution, or reimbursement;
- (j) any Person or Entity that is exempt from filing a proof of claim pursuant to an order of the Court in this chapter 11 case;
- (k) claims held by any Person or Entity solely against a non-Debtor entity;
- (l) expenses of members of the Committee to the extent such claims are related to their service on the Committee;
- (m) ZG Lending SPV, LLC, in its capacity as pre-petition secured lender and DIP Lender (as defined in the order authorizing the Debtor’s postpetition financing and use of cash collateral);
- (n) any Person or Entity holding a Claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930; including, for the avoidance of

doubt, any Administrative Claims asserted by the U.S. Trustee for statutory fees required to be paid by the Debtor;

- (o) any landlord counterparty of the Debtor whose unexpired lease has not yet been rejected by the General Bar Date; and
- (p) for the avoidance of doubt, any Person or Entity that believes that its claim against the Debtor is or may be entitled to administrative expense priority pursuant to Bankruptcy Code section 503(b)(9) shall not be required to file an Administrative Claim Form, but shall be required to file a General Claim Form as set forth herein prior to the General Bar Date.

Instructions for Filing Proofs of Claim

1. Contents of Proofs of Claim. Each General Claim Form or Administrative Claim Form, as applicable, must (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the General Claim Form or Administrative Claim Form, as applicable; and (iv) be signed by the holder of the claim or by an authorized agent or legal representative of the holder of the claim. Each original claim form must be submitted prior to the applicable Bar Date (photocopies, telecopies, or facsimiles will not be accepted).

Claim Forms that the Debtor is serving on known creditors will each contain the name of the Debtor and case number at the top of the first page. If the claimant is not using the General Claim Form or Administrative Claim Form supplied by the Debtor, the creditor must provide the name of the Debtor and the corresponding case number.

2. Supporting Documentation. Each claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d) (or, upon prior written consent of the Debtor's counsel, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available; provided, however, that, upon the request for additional documentation, any such creditor that received such request shall be required to transmit such written documentation no later than five (5) business days following the date of such request.

3. Timely Service. Each Claim Form and Administrative Claim Form, as applicable, including supporting documentation, must be submitted: (i) on or before the applicable Bar Date, by completing the applicable form, copies of which can be accessed at the Claims Agent's website <https://cases.stretto.com/DBHI/> and following the directions given therein; or (ii) in person, by courier service, overnight delivery, hand delivery, or United States mail, so as to be actually received by the Claims Agent on or before the applicable Bar Date at the following address:

DirectBuy Home Improvement, Inc. Claims Processing
c/o Stretto
410 Exchange, Suite 100
Irvine, CA 92602

EXCEPT AS EXPRESSLY PERMITTED ABOVE, A CLAIM FORM OTHERWISE SUBMITTED BY FACSIMILE, TELECOPY, ELECTRONIC MAIL, OR OTHER FORM OF ELECTRONIC SUBMISSION WILL NOT BE ACCEPTED.

4. Receipt of Service. Holders of claims wishing to receive acknowledgment that their proofs of claim were received by the Claims Agent must submit (i) a copy of the proof of claim and (ii) a self-addressed, stamped envelope.

Consequences of Failing to Timely File Your Claim

Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you or any party or entity who is required, but fails, to file a proof of claim in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that **YOU (A) SHALL, EXCEPT AS OTHERWISE AUTHORIZED BY ORDER OF THE COURT, BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTOR (OR FILING A PROOF OF CLAIM WITH RESPECT THERETO) AND, MOREOVER, THE DEBTOR SHALL BE FOREVER DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO OR ARISING FROM SUCH CLAIM; (B) SHALL BE PROHIBITED FROM VOTING TO ACCEPT OR REJECT ANY CHAPTER 11 PLAN FILED IN THIS CHAPTER 11 CASE; AND (C) SHALL BE PROHIBITED FROM PARTICIPATING IN ANY DISTRIBUTION IN THIS CHAPTER 11 CASE ON ACCOUNT OF SUCH CLAIM.**

Amendments to the Debtor's Schedules

1. Amendments to Schedules. In the event the Debtor amends its Schedules after the date of this notice, the Debtor will provide holders of claims that are affected by the amendment notice of the amendment, and such parties will be given an opportunity to file proofs of claim or amend any previously filed claim before a new deadline that will be specified in that future notice.

2. Amended Schedules Bar Date. The Court has approved the later of (i) the General Bar Date or (ii) thirty (30) days from the date on which the Debtor provided notice of the amendment to the Schedules (or another time period as may be fixed by the Court) as the date by which holders of claims affected by the amendment must file proofs of claim with respect to such claim.

Parties to the Debtor's Leases and Executory Contracts

1. Rejection of Leases and Contracts. The Bankruptcy Code provides that the Debtor may, at any time before a plan is confirmed by the Court, choose to reject certain executory contracts or unexpired leases. If your contract or lease is rejected, you may have a claim resulting from that rejection.

2. Proofs of Claim Relating to Rejection Damages. The deadline to file a proof of claim for damages relating to the rejection of a contract or lease that has already been rejected as of the date hereof is the General Bar Date. If the Debtor rejects a contract or lease subsequent to the date hereof, the deadline to file a proof of claim shall be the later of (i) the General Bar Date, and (ii) the date set forth in an order authorizing the Debtor to reject such contract or lease pursuant to

Bankruptcy Code section 365 (including any order confirming a plan in the Debtor's chapter 11 case); or, if no specific date is set forth, thirty (30) days from the date of the rejection order is entered or notice is served on the affected claimant pursuant to the Rejection Procedures Order, if applicable.

Reservation of Rights

Nothing contained in this notice is intended to or should be construed as a waiver of the Debtor's or any successors' rights 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, classification, characterization or validity thereof; (b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules.

If you have any questions relating to this Notice, contact the Claims Agent at 1-949-570-9040 (toll free) or via electronic mail at TeamDirectBuy@stretto.com.

NEITHER THE ATTORNEYS FOR THE DEBTOR NOR THE CLAIMS AGENT IS AUTHORIZED TO PROVIDE YOU WITH LEGAL ADVICE.

DATED: December __, 2023

Respectfully submitted,

COLE SCHOTZ P.C.

By: /s/ Michael D. Sirota

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Counsel to the Debtor and Debtor in Possession

EXHIBIT D

Publication Notice

COLE SCHOTZ P.C.

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Counsel to Debtor and Debtor in Possession

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

In re:

DIRECTBUY HOME IMPROVEMENT, INC.,

Debtor.¹

Chapter 11

Case No. 23-19159 (SLM)

**NOTICE OF ENTRY OF BAR DATE ORDER FOR
FILING CLAIMS AGAINST THE DEBTOR**

PLEASE TAKE NOTICE OF THE FOLLOWING:

Entry of the Bar Date Order. On December __, 2023 the United States Bankruptcy Court for the District of New Jersey entered an order [Docket No. __] (the “Bar Date Order”) establishing the deadlines for the filing of claims (collectively, the “Bar Dates” and individually, a “Bar Date”) in the chapter 11 case of DirectBuy Home Improvement, Inc. (the “Debtor”) with the Debtor’s court-appointed claims and noticing, Stretto, Inc. (the “Claims Agent”). A detailed explanation of the parties that are/are not required to file claims is available in the Bar Date Order, which is available as specified below. The deadlines established by the Court are as follows:

General Bar Date. **January 9, 2024** is the deadline for all persons and entities holding a claim against the Debtor **arising (or deemed to arise) before the October 16, 2023 Petition Date** (each, a “General Claim”), including any claim arising under Bankruptcy Code section 503(b)(9) for the

¹ The debtor’s last four digits of its federal tax identification number is 4292. The location of debtor’s principal place of business is 1855 W. 139th Street, Gardena, California 90249.

value of goods received by the Debtor within twenty (20) days before October 16, 2023 (the “Petition Date”).

Administrative Bar Date. **January 9, 2024** is the deadline for all persons and entities holding any right to payment constituting a cost or expense of administration of the Debtor’s chapter 11 case arising under Bankruptcy Code sections 503(b) (with the exception of any claims arising under Bankruptcy Code section 503(b)(9), which are considered General Claims subject to the General Bar Date above) and 507(a)(2) against the Debtor (each an “Administrative Claim”) **arising from the Petition Date through November 30, 2023.**

Governmental Bar Date. **4:00 p.m. prevailing Eastern Time on April 15, 2024** is the date by which all governmental units holding claims against the Debtor arising (or deemed to arise) before the Petition Date (whether secured, unsecured priority, or unsecured non-priority) must file proofs of claim.

Amended Schedules Bar Date. In the event the Debtor amends its Schedules, holders of claims subject to such amendment are required to file a proof of claim by later of (i) the General Bar Date or (ii) thirty (30) days from the date on which the Debtor provided notice of the amendment to the Schedules (or another time period as may be fixed by the Court) as the date by which holders of claims affected by the amendment must file proofs of claim with respect to such claim.

Rejection Bar Date. The deadline to file a proof of claim for damages relating to the rejection of a contract or lease that has already been rejected as of the date hereof is the General Bar Date. If the Debtor rejects a contract or lease subsequent to the date hereof, the deadline to file a proof of claim shall be the later of the later of (a) the General Claims Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m., prevailing Eastern Time, on the date that is the later of thirty (30) days following (i) entry of the order approving the Debtors’ rejection of the applicable executory contract or unexpired lease and (ii) the effective date of rejection. For the avoidance of doubt, the deadlines applicable to claims arising from the rejection of unexpired leases as of the Petition Date shall also apply to any claims under such unexpired leases of the Petition Date, such that parties holding such claims shall not be required to file Proofs of Claim with respect to prepetition amounts unless and until such unexpired lease has been rejected. For the avoidance of doubt and notwithstanding anything to the contrary herein, counterparties to unexpired leases shall not be required to file prepetition claims against the Debtor unless and until the applicable lease is rejected

Supplemental Bar Date. Parties served with Supplemental Notice must file claims by thirty (30) days after the Supplemental Notice is served.

EXCEPT AS TO CERTAIN EXCEPTIONS EXPLICITLY SET FORTH IN THE BAR DATE ORDER, ANY PERSON OR ENTITY WHO FAILS TO FILE A PROOF OF CLAIM OR ADMINISTRATIVE CLAIM, AS APPLICABLE, ON OR BEFORE THE BAR DATES SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION.

Contents of Proofs of Claim. Subject to the Bar Date Order, each General Claim Form or Administrative Claim Form, as applicable, must (i) be written in English; (ii) include a claim

amount denominated in United States dollars; (iii) conform substantially with the General Claim Form or Administrative Claim Form, as applicable; and (iv) be signed by the holder of the claim or by an authorized agent or legal representative of the holder of the claim. Each original claim form must be submitted prior to the applicable Bar Date (photocopies, telecopies, or facsimiles will not be accepted). A detailed explanation of the parties, the claims requirements and process is available in the Bar Date Order, which is available as specified below.

Submitting Claims and Timely Service. Each General Claim Form and Administrative Claim Form, as applicable, including supporting documentation, must be submitted: (i) on or before the applicable Bar Date, by completing the applicable form, copies of which can be accessed at the Claims Agent's website <https://cases.stretto.com/DBHI/> and following the directions given therein; or (ii) in person, by courier service, overnight delivery, hand delivery, or United States mail so as to be **actually received** by the Claims Agent on or before the applicable Bar Date at the following address:

DirectBuy Home Improvement, Inc. Claims Processing
c/o Stretto
410 Exchange, Suite 100
Irvine, CA 92602

Additionally, a General Claim Form may be submitted electronically using the interface available on the website maintained by the Claims Agent in this case (<https://cases.stretto.com/DBHI/>) so as to be **actually received** by the Claims Agent on or before the applicable Bar Date.

EXCEPT AS EXPRESSLY PERMITTED ABOVE, A CLAIM FORM OTHERWISE SUBMITTED BY FACSIMILE, TELECOPY, ELECTRONIC MAIL OR OTHER FORM OF ELECTRONIC SUBMISSION WILL NOT BE ACCEPTED.

Consequences of Failing to Timely Submit Your Proof of Claim. Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you or any party or entity who is required, but fails, to file a proof of claim in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that you (a) shall, except as otherwise authorized by order of the Court, be forever barred, estopped and enjoined from asserting such claim against the Debtor (or filing a proof of claim with respect thereto) and, moreover, the Debtor shall be forever discharged from any and all indebtedness or liability with respect to or arising from such claim; (b) shall be prohibited from voting to accept or reject any chapter 11 plan filed in this chapter 11 case; and (c) shall be prohibited from participating in any distribution in this chapter 11 case on account of such claim.

Reservation of Rights. Nothing contained in this notice is intended to or should be construed as a waiver of the Debtor's or any successors' rights 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, classification, characterization or validity thereof; (b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules.

Access to Claim Forms and Additional Information. If you have any questions regarding the claims process and/or if you wish to obtain a copy of the Bar Date Motion, the Bar Date Order (which contains a more detailed description of the requirements for filing proofs of claim), a General Claim Form, Administrative Claim Form, or related documents you may request them in writing from the Claims Agent. If you have any questions concerning the filing or processing of claims, you may contact the Claims Agent at 1-949-570-9040 (toll free) or via electronic mail at TeamDirectBuy@stretto.com.