

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

In re:

PLENTY UNLIMITED TEXAS LLC, *et al.*¹

Debtors.

Chapter 11

Case No. 25-90105 (CML)

(Jointly Administered)

**NOTICE OF (I) DATE BY WHICH PARTIES MUST FILE PROOFS OF CLAIM AND
ASSERT VA M&M LIENS AND (II) PROCEDURES FOR FILING PROOFS OF
CLAIM AND ASSERTING VA M&M LIENS AGAINST THE DEBTORS**

Plenty Unlimited Texas LLC, and its debtor affiliates, as debtors and debtors in possession (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Texas (the “Court”) on March 23, 2025 (the “Petition Date”).

On March 23, 2025, the Debtors filed the *Debtors’ Emergency Motion for Entry of an Order (I) Setting Bar Dates for Filing Proofs of Claim and Assertion of VA M&M Liens; (II) Approving Form and Manner for Filing Proofs of Claim and VA M&M Lien Notices; (III) Approving Notice of Bar Dates; and (IV) Granting Related Relief* [Docket No. 20] (the “Bar Date Motion”) with the Court. On April 1, 2025, the Court entered an order approving the Bar Date Motion [Docket No. 122] (the “Bar Date Order”) and establishing certain dates (each, a “Bar Date,” and collectively, the “Bar Dates”) by which parties holding claims against the Debtors arising prior to the Petition Date must file proofs of claim. Each date is expressly set forth below.

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE HOLDING A CLAIM AGAINST THE DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES. 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.

¹ The Debtors in these chapter 11 cases, together with the last four digits of each of the Debtors’ federal tax identification numbers, are: Plenty Unlimited Texas LLC (3500); Plenty Unlimited Inc. (0916); MJNN LLC (N/A); White Farms LLC (N/A); Blue Gardens LLC (8487); Bright Agrotech, Inc. (4106); and P F2 VA LLC (9633). The Debtors’ service address is 1461 Commerce Drive, Laramie, WY 82070.

Background to the Debtors' Chapter 11 Cases

- A. General Information About the Debtors' Cases.** The Debtors' chapter 11 cases are being jointly administered under case number 25-90105 (CML) (Bankr. S.D. Tex.). No request for the appointment of a trustee or examiner has been made in these chapter 11 cases.
- B. Access to Proof of Claim Forms and Additional Information.** If you have any questions regarding the claims processing and/or if you wish to obtain a copy of the Bar Date Motion, Bar Date Order, proof of claim form, or related documents (and/or any other pleadings filed in these chapter 11 cases) you may do so by: (i) visiting the website of the Debtors' claims, noticing, and solicitation agent, Stretto, Inc. ("Stretto") at: <https://cases.stretto.com/PlentyUnlimited>, (ii) calling (855) 994-4202 (Toll-Free) or (847) 610-7823 (International), and/or (iii) emailing TeamPlentyUnlimited@stretto.com. Please note that Stretto **cannot** advise you on how to file, or whether you should file, a proof of claim.
- C. Schedules of Assets and Liabilities.** The Debtors anticipate filing their statement of financial affairs and schedules of assets and liabilities with the Court (collectively, the "Schedules") on April 2, 2025. The Schedules are available online and free of charge at <https://cases.stretto.com/PlentyUnlimited> or for a fee via PACER at <https://ecf.txsb.uscourts.gov/>.

Bar Dates Approved by the Court

The Court has established the following Bar Dates as those dates by which parties holding claims against the Debtors arising prior to the Petition Date must file proofs of claims so that they are **actually received** by Stretto:

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| <u>General Bar Date:</u> | <u>April 28, 2025, at 4:00 p.m. (prevailing Central Time)</u> is the date by which all entities (which includes individual persons, estates, trusts, partnerships, and corporations, among others) must file proofs of claims. |
| <u>VA M&M Lien Enforcement Deadline:</u> | <u>April 28, 2025, at 4:00 p.m. (prevailing Central Time)</u> is the date by which all parties seeking to assert a VA M&M Lien with respect to the Virginia Facility for claims arising on or before March 23, 2025 must (i) record a memorandum of lien, and (ii) file a notice of intent to enforce. |
| <u>Governmental Bar Date:</u> | <u>September 25, 2025, at 4:00 p.m. (prevailing Central Time)</u> is the date by which all governmental units holding claims (whether secured, unsecured priority, or unsecured non-priority) must file proofs of claim, including claims for unpaid taxes, if any, whether such claims arise from prepetition tax years |

or periods, or prepetition transactions to which the Debtors were a party.

Amended Schedules Bar Date:

To the extent applicable, the later of (i) the General Bar Date or the Governmental Bar Date, as applicable, and (ii) twenty-one (21) days from the date on which the Debtors mail notice of an amendment to the Schedules (as defined below) is the date by which holders of claims affected thereby must file proofs of claims.

Parties Required to File Claim Forms

- A. ***Definition of Claim.*** Under section 101(5) of the Bankruptcy Code 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.
- B. ***Parties Who Must File Claim Forms.*** The following entities holding claims against the Debtors arising prior to the Petition Date are required to file a proof of claim on or before the applicable Bar Date:
- a. any entity whose claim against a Debtor is not listed in the applicable Debtor’s Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
 - b. any 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 (including any entity with purported VA M&M Liens against the Debtors who are otherwise classified in the Schedules as a general unsecured creditor);
 - c. any person or entity who holds an actual or purported VA M&M Lien, regardless of whether the lien is subject to dispute;
 - d. any former or present full-time, part-time, salaried, or hourly employees must submit Proofs of Claim relating to any grievance, including claims for wrongful termination, discrimination, harassment, hostile work environment, retaliation, and/or unpaid severance prior to the General Bar Date to the extent grounds for such grievances arose on or prior to the Petition Date; *provided* that current employees of the Debtors are not required to file a proof of claim for wages, commissions, or benefits if an

order of this Court authorized the Debtors to honor such claim in the ordinary course of business;

- e. any entity that believes that its prepetition claim as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the Schedules; and
- f. any entity who believes that its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

C. *Parties Who Do Not Need to File Claim Forms.* Certain parties are not required to file a proof of claim. The Court may, however, enter one or more separate orders at a later time requiring holders of claims to file proofs of claim and setting related deadlines. If the Court does enter such an order, you will receive notice of it.

The following persons or entities holding claims that would otherwise be subject to the applicable Bar Date need **not** file proofs of claim:

- 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 Debtor with Stretto in a form substantially similar to Official Form 410 with respect to the claim asserted therein;
- c. 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;
- d. any person or entity whose claim has previously been allowed by order of the Court;
- e. any person or entity whose claim has been paid in full by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- f. a current employee of the Debtors, if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business as a wage, commission, or benefit; *provided* that such current employee must submit a proof of claim by the General Bar Date for all other claims arising before the Petition Date;
- g. any person or entity holding an equity interest in any Debtor;
- h. any Debtor having a claim against another Debtor;

- i. 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 claims by filing a request for payment or a proof of claim on or prior to the General Bar Date;
- j. the DIP Secured Parties and the Prepetition Secured Parties (with respect to any Adequate Protection Claims) (each as defined in the DIP Order²);
- k. The Prepetition Senior Secured Bridge Note Holders and the Prepetition Agent; provided that the Prepetition Agent shall be authorized, but not required, to file a single master proof of claim with respect to all claims relating to or arising out of the Prepetition Senior Secured Note Documents in which case such master proof of claim shall (i) constitute the filing of a proof of claim form in the chapter 11 cases of all other Debtors against whom a claim may be asserted under the Prepetition Senior Secured Note Documents and (ii) have the same effect as if each applicable holder of a claim thereunder had individually filed a proof of claim form against each applicable Debtor on account of such holder's claims³;
- l. any person or entity holding a claim for which a separate deadline is fixed by the Court; and
- m. holders of claims for fees and expenses of professionals retained in these chapter 11 cases.

Instructions for Filing Claim Forms

- A. ***Contents of Claim Form.*** Each proof of claim form must (i) be written in English; (ii) include a claim amount denominated in United States dollars (and to the extent such claim is converted to United States dollars, the conversion rate used in such conversion); (iii) conform substantially to Official Form 410; and (iv) be signed by the holder of the claim or by an authorized agent of the holder of the claim (along with documentation of such authorization).
- B. ***VA M&M Lien Claim.*** Any proof of claim asserting a claim purportedly secured by a VA M&M Lien must also: (i) include (a) the value of the labor or goods provided, (b) the date on which such labor or goods were last provided, and (c) a description of such labor or

² “DIP Order” means any interim and final orders, as applicable, authorizing the Debtors’ use of postpetition debtor-in-possession financing.

³ To the extent that either subparagraph (j) or (k) conflicts with paragraph 24 of the DIP Order, paragraph 24 of the DIP Order shall control.

goods; and (ii) attach any documentation supporting the purported VA M&M Lien, including attaching a copy of the memorandum of lien as submitted for recording.

- C. ***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 (a) the value of the goods provided, (b) the date on which such goods were provided, and (c) a description of such goods; and (ii) attach any documentation supporting the purported claim, including documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- D. ***Original Signatures Required.*** Only (i) original proof of claim forms signed electronically or in ink or (ii) proof of claim forms submitted and signed electronically using the electronic filing interface available at <https://cases.stretto.com/PlentyUnlimited/File-A-Claim> will be deemed acceptable for purposes of claims administration. Proof of claim forms sent by facsimile or electronic mail will **not** be accepted.
- E. ***Identification of the Debtor Entity.*** Each proof of claim form must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A proof of claim form filed without identifying a specific Debtor will be deemed as filed only against Plenty Unlimited Inc.
- F. ***Claim Against Multiple Debtor Entities.*** Except as otherwise provided in the Bar Date Order or any other order of the Court, each proof of claim must state a claim against only one Debtor and clearly indicate the Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the proof of claim form, such claim may be treated as if filed only against Plenty Unlimited Inc.
- G. ***Supporting Documentation.*** Each proof of claim form must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d) (including, if applicable, documentation showing satisfactory compliance with applicable VA M&M Lien statutes). Any supporting documentation that includes personally identifiable information should be redacted or hidden prior to submission.
- H. ***Timely Service.*** Each proof of claim form, including supporting documentation, must be filed or submitted, including supporting documentation, through any of the following methods: (i) electronic submission through PACER (Public Access to Court Electronic Records at <https://ecf.txsb.uscourts.gov/>); (ii) via the electronic filing interface available at <https://cases.stretto.com/PlentyUnlimited/File-A-Claim> or (iii) by U.S. mail, overnight U.S. mail, or other hand delivery system, so as to be **actually received** by Stretto on or before the applicable Bar Date at the following address: Plenty Unlimited Claims Processing, c/o Stretto, 410 Exchange, Suite 100, Irvine, CA 92602.
- I. ***Receipt of Service.*** Claimants wishing to receive acknowledgment that their proof of claim forms were received by Stretto must submit (i) a copy of the proof of claim form; and (ii) a self-addressed, stamped envelope.

Instructions for VA M&M Lien Claimants

- A. *VA M&M Lien Claimants.*** Any claimant seeking to assert a VA M&M Lien with respect to the Debtors' Virginia facility located at 13500 N. Enon Church Rd. Chester, VA, 23836 must (a) record a memorandum of lien in the applicable county register (unless the deadline to do so under applicable Virginia law has already passed) and (b) file on the docket a "notice of intent to enforce" such recorded lien (a "VA M&M Lien Enforcement Notice"), in lieu of a complaint, by **April 28, 2025, at 4:00 p.m. (prevailing Central Time)**, unless the holder of a claim purportedly subject to a VA M&M Lien has already completed these steps prior to the Petition Date.
- B. *VA M&M Lien Enforcement Notice.*** The VA M&M Lien Enforcement Notice must (a) be in writing; (b) state the name and address of the claiming party and the amount and nature of claim and purported VA M&M Lien; (c) state that the party would seek to enforce its purported M&M Lien but for the applicability of the automatic stay; and (d) be filed with the Court with proof of service thereof and served on (i) the Debtors; (ii) the Plan Sponsors; (iii) the U.S. Trustee; and (iv) Official Committee of Unsecured Creditors, if any, so as to be actually received on or before the VA M&M Lien Enforcement Deadline.

Consequences of Failing to Timely File Your Claim Form

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 (absent the consent of the Debtors, in their sole discretion):

- **YOU WILL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTORS (OR FILING A PROOF OF CLAIM WITH RESPECT THERETO);**
- **YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND**
- **YOU WILL NOT BE PERMITTED TO VOTE ON ANY CHAPTER 11 PLAN OR PLANS FOR THE DEBTORS ON ACCOUNT OF THAT CLAIM OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.**

Consequences of Failing to Timely File Your VA M&M Lien Enforcement Notice

Pursuant to the Bar Date Order, if you or any party or entity who is required, but fails, to (a) record a memorandum of lien (if timely able to do so under applicable Virginia law) or (b) file on the docket a VA M&M Lien Enforcement Notice in accordance with the Bar Date Order on or before the VA M&M Lien Enforcement Deadline (unless these steps have already been completed prior to the Petition Date), please be advised that (absent the consent of the Debtors, in their sole discretion):

- **YOU WILL BE BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING A VA M&M LIEN AGAINST THE DEBTORS SO LONG AS**

THE AUTOMATIC STAY PURSUANT TO BANKRUPTCY CODE SECTION 362 REMAINS IN EFFECT WITH RESPECT TO SUCH CLAIM, OR A FURTHER STAY OR INJUNCTION IS ORDERED WITH RESPECT TO SUCH CLAIM, INCLUDING AS MAY BE PROVIDED IN AN ORDER CONFIRMING A PLAN OF REORGANIZATION FOR THE DEBTORS OR A SALE OF THE DEBTOR'S ASSETS

Provided that in the event the automatic stay provided by section 362 of the Bankruptcy Code is lifted with respect to such claim or otherwise not in force or replaced pursuant to further order, the period of time within which you must commence an enforcement action shall be governed by Bankruptcy Code section 108(c).

Amendments to the Debtors' Schedules

- A. **Amendments to Schedules.** In the event that the Debtors amend their Schedules in accordance with Bankruptcy Rule 1009 and Bankruptcy Local Rule 1009-1, the Debtors shall give notice of any amendment to the holders of affected claims and such holders will have no less than twenty-one (21) days from the date of mailing such notice of amendment to file proofs of claim with respect to their claims.
- B. **Amended Schedules Bar Date.** The Court has approved the later of (i) the General Bar Date or the Governmental Bar Date, as applicable, and (ii) twenty-one (21) days from the date on which the Debtors mail notice of the amendment to the Schedules as the date by which holders of claims affected by the amendment must file proofs of claim with respect to such claims.

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; or (c) otherwise amend or supplement the Schedules.

Dated: April 1, 2025
Houston, Texas

/s/ Duston K. McFaul

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