

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

OYA RENEWABLES DEVELOPMENT
LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 24-12574 (KBO)

(Jointly Administered)

Docket Ref. No. 139

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

**TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST ANY
OF THE DEBTOR ENTITIES IN THE ABOVE-CAPTIONED CHAPTER 11
CASES.**

PLEASE TAKE NOTICE THAT:

On November 6, 2024 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed voluntary petitions 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 Delaware.

On December 3, 2024, the Court entered an order [Docket No. 139] (the “Bar Date Order”)² establishing certain dates by which parties holding prepetition claims, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code, and certain postpetition claims against the Debtors must file proofs of claim or requests for payment.

¹ The Debtors in these chapter 11 cases, together with the last four digits of the Debtors’ federal tax identification number, are OYA Renewables Development LLC (7738), OYA Renewables Construction and Yield Holdings LLC (9227), OYA Renewables EquipmentCo LLC (6444), OYA Renewables Construction Holdings 3 LLC (2317), OYA-Rosewood Holdings LLC (1673), OYA Renewables Construction Holdings 2 LLC (9296), OYA Renewables Yield-1 LLC (4326), and OYA-OMNI Development Company, LLC (9784). The Debtors’ service address is c/o Ankura Consulting Group, LLC, 2 Houston Center, 909 Fannin Street, Suite 2450, Houston, TX 77010, Attn: John Shepherd, Chief Restructuring Officer.

² Capitalized terms used but not defined in this notice shall have the meanings given to them in the Bar Date Order. The Bar Date Order is available, for free, at <https://cases.ra.kroll.com/oya/>.

For your convenience, enclosed with this notice (the “Bar Date Notice”)³ is a Claim Form, which identifies on its face the amount, nature, and classification of your claim(s), if any, listed in the Debtors’ schedules of assets and liabilities filed in these cases (the “Schedules”). If the Debtors believe that you hold claims against more than one Debtor, you will receive multiple Claim Forms, each of which will reflect the nature and amount of your claim as listed in the Schedules.

I. THE BAR DATES

The Bar Date Order establishes the following bar dates for filing proofs of claim in these chapter 11 cases:

- a. **General Bar Date.** Pursuant to the Bar Date Order, except in the cases of governmental units and certain other exceptions explicitly set forth herein, all proofs of claim, including requests for payment under section 503(b)(9) of the Bankruptcy Code, must be filed so that they are actually received before **11:59 p.m. (prevailing Eastern Time) on January 23, 2025.** Subject to these exceptions, the General Bar Date would apply to all claims against the Debtors that arose or are deemed to have arisen before the Petition Date, including secured claims, unsecured priority claims, unsecured non-priority claims, contingent claims, unliquidated claims, disputed claims, and rejection damage claims for executory contracts and unexpired leases that have already been rejected by order of the Court in these chapter 11 cases.

- b. **Governmental Bar Date.** Pursuant to the Bar Date Order, all governmental units holding claims (whether secured, unsecured priority, or unsecured non-priority) that arose (or are deemed to have arisen) before the Petition Date, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code, are required to file proofs of claim by **11:59 p.m. (prevailing Eastern time) on May 5, 2025.** The Governmental Bar Date would apply to all governmental units holding claims against the Debtors (whether secured, unsecured priority, or unsecured non-priority) that arose before the Petition Date, including governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax years or periods, or prepetition transactions to which the Debtors were a party. All governmental units holding such claims against the Debtors would be required to file proofs of claim so that such proofs of claim are actually received by Kroll by the Governmental Bar Date.

³ As used in this Notice, the term “entity” has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons, estates, trusts, governmental units, and the Office of the United States Trustee for the District of Delaware. In addition, the terms “persons” and “governmental units” are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively. The term “claims” means, as to or against the Debtors and in accordance with section 101(5) of the Bankruptcy Code: (a) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

- c. **Initial Administrative Claims Bar Date.** Pursuant to the Bar Date Order, each person or entity holding an administrative claim pursuant to section 503(b) of the Bankruptcy Code arising between the Petition Date through and including the later of (i) January 31, 2025, which is the date the Debtors' initial Sale is expected to close and (ii) the date that the initial Sale actually closes (either such later date, the "Initial Administrative Claims Deadline"), excluding (x) claims for professional fees and expenses in these proceedings, (y) claims arising under section 503(b)(9) of the Bankruptcy Code against any of the Debtors, and (z) claims for which governmental units are exempt from filing Requests for Payment pursuant to section 503(b)(1)(D) of the Bankruptcy Code (the "Administrative Claims"), must file such Requests for Payment so they are actually received on or before **11:59 p.m. (prevailing Eastern Time) on February 24, 2025** (the "Initial Administrative Claims Bar Date") at the addresses in the in the form set forth herein; *provided, however*, that to the extent that the initial Sale closes later than January 31, 2025, or notice of such closing is delayed, the Initial Administrative Claims Bar Date will be 21 days following notice of such Sale closing.
- d. **Amended Schedules Bar Date.** If the Debtors amend or supplement their Schedules to reduce the undisputed, noncontingent, and liquidated amount of a claim listed in the Schedules, to change the nature or classification of a claim against the Debtors reflected in the Schedules, or to add a new claim to the Schedules, the affected creditor, if it so chooses, is required to file a proof of claim or amend any previously filed proof of claim in respect of the amended scheduled claim on or before the later of (i) the General Bar Date, the Governmental Bar Date, or the Initial Administrative Claims Bar Date, as applicable, to such claim, and (ii) 11:59 p.m. prevailing Eastern Time, on the date that is 21 days from the date on which the Debtors provide notice of the amendment to the Schedules.
- e. **Rejection Damages Bar Date.** In the event that an order authorizing the rejection of an executory contract or unexpired lease is entered, except as otherwise set forth in such order, the Debtors propose that the Court establish the later of (i) the General Bar Date, and (ii) 11:59 p.m., prevailing Eastern Time, on the date that is 30 days after the later of (1) entry of an order approving the rejection of any executory contract or unexpired lease of the Debtors and (2) the effective date of a rejection of any executory contract or unexpired lease of the Debtors pursuant to operation of any Court order. All entities holding such claims against the Debtors must file proofs of claim so that such proofs of claim are actually received by Kroll by the applicable Rejection Damages Bar Date.

II. WHO MUST FILE A PROOF OF CLAIM OR REQUEST FOR PAYMENT

Except as otherwise set forth in the Bar Date Order, any person or entity asserting a claim against one or more of the Debtors is required to file a separate proof of claim or Request for Payment in the bankruptcy case of each Debtor against whom such a claim is asserted on or before the applicable Bar Date.

III. PARTIES WHO DO NOT NEED TO FILE PROOFS OF CLAIM OR REQUESTS FOR PAYMENT

Certain parties are not required to file proofs of claim or Requests for Payment. The Court may, however, enter one or more separate orders at a later time requiring creditors to file proofs of claim for some kinds of the following claims and setting related deadlines. If the Court does enter such an order, you will receive notice of it. The following entities holding claims that would otherwise be subject to the Bar Dates need *not* file proofs of claim:

- a. any entity that already has filed a signed proof of claim or Request for Payment against the respective Debtor(s) with the Clerk of the Court or with Kroll in a form substantially similar to Official Form 410;
- b. any entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of “disputed,” “contingent,” or “unliquidated;” (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- c. any entity whose claim has previously been allowed by order of the Court;
- d. any entity whose claim has been paid in full or is otherwise fully satisfied by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- e. any Debtor having a claim against another Debtor;
- f. any non-Debtor subsidiary having a claim against a Debtor;
- g. any entity whose claim is solely against any of the Debtors’ non-Debtor affiliates;
- h. any entity that holds an interest in any of the Debtors, which interest is based exclusively on the ownership of common stock, preferred stock, membership interests, partnership interests, or rights to purchase, sell, or subscribe to such an interest; provided that interest holders who wish to assert claims (as opposed to ownership interest) against any of the Debtors, including claims that arise out of or relate to the ownership or purchase of an interest, must file proofs of claim on or before the applicable Bar Date unless another exception identified herein applies;
- i. 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 a current employee must submit a proof of claim by the General Bar Date for all other claims arising before the Petition Date, including (but not limited to) claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;

- j. any current officer, director, or employee for claims based on indemnification, contribution, or reimbursement;
- k. any entity holding a claim for which a separate deadline is fixed by this Court;
- l. any person or entity that is exempt from filing a proof of claim or Request for Payment pursuant to an order of this Court in these chapter 11 cases;
- m. the U.S. Trustee for any claims for quarterly fees;
- n. any holder of an Administrative Claim for professional fees and expenses in these proceedings;
- o. any holder of an Administrative Claim for which governmental units are exempt from filing Requests for Payment pursuant to section 503(b)(1)(D) of the Bankruptcy Code;
- p. any holder of an Administrative Claim that arises after the Initial Administrative Claims Deadline; and
- q. any party that is not required to file a proof of claim or Request for Payment pursuant to the DIP Order.

IV. INSTRUCTIONS FOR FILING PROOFS OF CLAIM AND REQUESTS FOR PAYMENT

The following requirements shall apply with respect to filing and preparing each proof of claim and Request for Payment, as applicable:

- a. Contents. Each proof of claim or Request for Payment must: (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the Claim Form provided by the Debtors or Official Form 410; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant.
- b. Section 503(b)(9) Claim. Any proof of claim asserting a claim entitled to priority under section 503(b)(9) must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days before the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- c. Original Signatures Required. Only original proofs of claim or Requests for Payment (whether submitted by hard copy or through the Online Portal) will be deemed acceptable for purposes of claims administration. Copies of proofs of claim or Requests for Payment sent by facsimile or electronic mail will not be accepted.

- d. Identification of the Debtor Entity. Each proof of claim or Request for Payment must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A proof of claim or Request for Payment filed under the joint administration case number or otherwise without identifying a specific Debtor, will be deemed as filed only against OYA Renewables Development LLC.
- e. Claim Against Multiple Debtor Entities. Each proof of claim or Request for Payment 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 or Request for Payment, such claim may be treated as if filed only against the first-listed Debtor.
- f. Supporting Documentation. Each proof of claim or Request for Payment must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, such proof of claim or Request for Payment may include a summary of such documentation or an explanation as to why such documentation is not available; provided that any creditor that includes only a summary of such documentation shall be required to transmit all such supporting documentation to Debtors' counsel upon request no later than 10 days from the date of such request.
- g. Timely Service. Each proof of claim or Request for Payment must be filed, including supporting documentation, so as to be actually received by Kroll on or before the General Bar Date or the Governmental Bar Date (or, where applicable, on or before any other Bar Date as set forth herein or by order of the Court) either: (i) electronically through the Online Portal or (ii) by overnight mail, or other hand delivery system, at the following address:

OYA Renewables Claims Processing Center
c/o Kroll Restructuring Administration LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

or by first class mail to:

OYA Renewables Claims Processing Center
c/o Kroll Restructuring Administration LLC
Grand Central Station, PO Box 4850
New York, NY 10163-4850

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

- h. Receipt of Service. Claimants wishing to receive acknowledgement that their paper proofs of claim or Request for Payment were received by Kroll must submit (i) a

copy of the Claim Form (in addition to the original Claim Form sent to Kroll) and (ii) a self-addressed, stamped envelope.

V. CONSEQUENCES FOR FAILING TO TIMELY FILE YOUR PROOF OF CLAIM OR REQUEST FOR PAYMENT

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 or Request for Payment in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that, unless otherwise ordered by the Court:

- a. YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND
- b. YOU WILL NOT BE PERMITTED TO VOTE ON ANY CHAPTER 11 PLAN OR PLANS FOR THE DEBTORS ON ACCOUNT OF THESE BARRED CLAIMS OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.

VI. RESERVATION OF RIGHTS

Nothing contained in this Notice is intended to or should be construed as a waiver of the Debtors' right to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to the nature, amount, liability, or classification thereof; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

VII. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against one or more of the Debtor entities in the Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed Claim Forms regarding the nature, amount, and status of your claim(s). If the Debtors believe that you may hold claims against more than one Debtor entity, you will receive multiple Claim Forms, each of which will reflect the nature and amount of your claim against one Debtor entity, as listed in the Schedules.

If you rely on the Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. However, you may rely on the enclosed form, which sets forth the amount of your claim (if any) as scheduled; identifies the Debtor entity against which it is scheduled; specifies whether your claim is listed in the Schedules as disputed, contingent, or unliquidated; and identifies whether your claim is scheduled as a secured, unsecured priority, or unsecured non-priority claim.

As described above, if you agree with the nature, amount, and status of your claim as listed in the Schedules, and if you do not dispute that your claim is only against the Debtor entity specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim or Request for Payment, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

VIII. ADDITIONAL INFORMATION

Copies of the Schedules, the Bar Date Order, and other information regarding these chapter 11 cases are available for inspection free of charge on the Debtors' case website at <https://cases.ra.kroll.com/oya/>. The Schedules and other filings in these chapter 11 cases also are available for a fee at the Court's website at <http://www.deb.uscourts.gov>. A login identification and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules and other documents filed in these cases also may be examined between the hours of 9:00 a.m. and 4:30 p.m., prevailing Eastern Time, Monday through Friday, at the office of the Clerk of the Bankruptcy Court, United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801.

If you require additional information regarding the filing of a proof of claim or Request for Payment, you may contact the Debtors' claims agent, Kroll, by: (i) calling the Debtors' restructuring hotline at (884) 974-2131 (toll-free) or (646) 937-7796 (international); (ii) writing OYA Renewables Claims Processing Center, c/o Kroll Restructuring Administration LLC, 850 3rd Avenue, Suite 412, Brooklyn, NY 11232; (iii) via email to oyainfo@ra.kroll.com; (iv) online at <https://cases.ra.kroll.com/oya/>. Please note that Kroll cannot offer legal advice or advise whether you should file a proof of claim or Request for Payment.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM OR REQUEST FOR PAYMENT.

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Dated: December 6, 2024
Wilmington, Delaware

/s/ Rebecca L. Lamb

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