

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE: : CASE NO. [XX-XXXXX-PMB]
: :
[NAME OF DEBTOR(S),] : CHAPTER 11
: :
Debtor(s). :
_____ :

**ORDER AND NOTICE
ESTABLISHING BAR DATE FIXING TIME FOR FILING PREPETITION CLAIMS**

The Debtor named above commenced this case on [Date of Filing of Case](the “Filing Date”), and filed an *Application [or Motion]* for Order Fixing Bar Date for Filing Proofs of Claim on [Date of Filing of Application] (Docket No. XX) (the “Motion”). Upon review of same, it is

ORDERED that the Motion be, and the same hereby is, **GRANTED** as follows, and it is

ORDERED AND NOTICE IS HEREBY GIVEN that each creditor and party-in-interest who seeks to prove a claim¹ arising on or prior to the Petition Date (a “Prepetition Claim”) against Debtor, Debtor’s property, or the Debtor’s estate including, but not limited to, any Prepetition Claim secured by a lien, security interest, or encumbrance against Debtor’s property, and any Prepetition

¹ “Claim” is defined in 11 U.S.C. § 101(5).

Claim arising from the rejection of an executory contract or unexpired lease as provided herein, which is required under the Bankruptcy Code to be filed in this case, **SHALL FILE A PROOF OF CLAIM**²

WITH:

Clerk, United States Bankruptcy Court
Room 1340, Russell Federal Building
and United States Courthouse
75 Ted Turner Drive, SW
Atlanta, Georgia 30303

on or before **[DAY, DATE]**, (hereinafter the “**Bar Date**”).

The Bankruptcy Code, 11 U.S.C. § 1111, provides that a proof of claim is deemed filed for any Prepetition Claim that appears in the Debtor’s Schedules **EXCEPT** any such claim that is scheduled as disputed, contingent, or unliquidated as to amount. The Debtor’s Schedules may be examined at the Office of the Clerk, U.S. Bankruptcy Court, and may also be examined online at <http://ecf.ganb.uscourts.gov> (for registered users) or at <http://pacer.psc.uscourts.gov> (for unregistered users). Any creditor and any party-in-interest whose Prepetition Claim is set forth in the Schedules in the correct amount and is not shown as disputed, contingent, or unliquidated as to amount, **MAY, BUT NEED NOT**, file a proof of claim in this case.

Unless barred by previous order of the Bankruptcy Court, **creditors and parties-in-interest whose Prepetition Claims are not scheduled, are scheduled in an incorrect amount, or are scheduled as disputed, contingent, or unliquidated** and who desire to participate in the case and share in any distribution **must file proofs of claim ON OR BEFORE THE BAR DATE**. If it is

²The official form, Form 410, is preferred but not required, and can be found online at: <http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>. Instructions and the link to electronically file a proof of claim, preferred over physical filings, can be found at: <http://www.ganb.uscourts.gov/electronic-proof-claim-epoc>. The Local Rules regarding filing proofs of claim are: BLR 3001-1 and 5005-9. The Local Rules can be found at: <http://www.ganb.uscourts.gov/local-rules-and-orders>. For secured claims, other than a mortgage claim, there is also a worksheet that needs to be completed and attached to the proof of claim, and can be found at: http://www.ganb.uscourts.gov/sites/default/files/secured_claim_wksht_local_04-16.pdf

unclear from the Schedules whether your Prepetition Claim is disputed, contingent, unliquidated or incorrect as to amount, or is otherwise improperly scheduled, you must file a proof of claim **ON OR BEFORE THE BAR DATE**. Any creditor and any party-in-interest who desires to rely on the Schedules has the duty to determine whether their Prepetition Claim is accurately listed.

YOU ARE HEREBY FURTHER NOTIFIED THAT, PURSUANT TO THE TERMS OF THIS ORDER, ANY CREDITOR AND ANY PARTY-IN-INTEREST REQUIRED TO FILE A PROOF OF CLAIM WHO FAILS TO DO SO BY THE BAR DATE SHALL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING THE PREPETITION CLAIM AGAINST THE DEBTOR AND THE DEBTOR'S ESTATE AND SHALL BE BARRED FROM PARTICIPATING IN ANY PLAN OF REORGANIZATION AS MAY BE CONFIRMED IN THIS CHAPTER 11 CASE WITH REGARD TO SUCH PREPETITION CLAIM.

Any creditor whose Prepetition Claim arises from the rejection of an executory contract or unexpired lease after the date of this Order, but prior to the entry of an Order by the Bankruptcy Court confirming the plan of reorganization for the Debtor, **MUST FILE** a Proof of Claim within thirty (30) days from the date of entry of the Order rejecting the contract or lease; however, in no event shall the deadline set forth in this paragraph be **EARLIER THAN THE BAR DATE**.

For clarity, this Order does not apply to claims arising after the Petition Date, including claims under 11 U.S.C. § 503.

Counsel for the Debtor is hereby directed to serve a copy of this Order and Notice upon all creditors and parties-in-interest within seventy-two (72) hours of entry, and to file the appropriate certificate of service with this Court within three (3) business days thereafter.

[END OF DOCUMENT]