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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

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**In re:** : **Chapter 11**  
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**HOPEMAN BROTHERS, INC.,** : **Case No. 24-32428 (KLP)**  
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**Debtor.** :   
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**MOTION OF THE DEBTOR FOR ENTRY OF AN ORDER (I) ESTABLISHING BAR DATES FOR SUBMITTING PROOFS OF NON-ASBESTOS CLAIM; (II) APPROVING PROCEDURES FOR SUBMITTING PROOFS OF NON-ASBESTOS CLAIM; (III) APPROVING NOTICE THEREOF; (IV) APPROVING A TAILORED PROOF OF NON-ASBESTOS CLAIM FORM; AND (V) GRANTING RELATED RELIEF**

Hopeman Brothers, Inc., the debtor and debtor in possession in the above-captioned chapter 11 case (the “Debtor”), respectfully represents as follows in support of this motion (the “Motion”):

**RELIEF REQUESTED**

1. The Debtor hereby seeks entry of an order:
  - (i) establishing bar dates for submitting proofs of non-asbestos claim;
  - (ii) approving procedures for submitting proofs of non-asbestos claim;
  - (iii) approving notice thereof;
  - (iv) approving a tailored proof of non-asbestos claim form; and
  - (v) granting related relief.



2. A proposed form of order granting the relief requested herein is annexed hereto as **Exhibit A** (the “Bar Date Order”).

### **JURISDICTION AND VENUE**

3. The United States Bankruptcy Court for the Eastern District of Virginia (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Standing Order of Reference from the United States District Court for the Eastern District of Virginia*, dated August 15, 1984. This is a core proceeding pursuant to 28 U.S.C. § 157, and the Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The bases for the relief requested herein are section 502(b)(9) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), rules 2002 and 3003(c)(3) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and rule 3003-1(A) of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the “Bankruptcy Local Rules”)

### **BACKGROUND**

5. On June 30, 2024 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code in this Court commencing this chapter 11 case.

6. The Debtor continues to manage its business as debtor in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory committee has been appointed in this chapter 11 case.

7. On July 2, 2024, this Court entered the *Order (I) Authorizing the Appointment of Kurtzman Carson Consultants, LLC dba Verita Global as Claims and Noticing Agent Effective as of the Petition Date; and (II) Granting Related Relief* [Docket No. 34], appointing Kurtzman

Carson Consultants, LLC dba Verita Global (“Verita”) as the claims and noticing agent (the “Claims Agent”) in this case.

8. Additional information regarding the Debtor’s business and the circumstances leading to the commencement of this chapter 11 case is set forth in detail in the *Declaration of Christopher Lascell in Support of Chapter 11 Petition and First Day Pleadings of Hopeman Brothers, Inc.* [Docket No. 8] (the “First Day Declaration”), which is fully incorporated herein by reference.

9. As explained in the First Day Declaration, the Debtor commenced this chapter 11 case to establish an efficient and fair process to utilize the Debtor’s remaining cash and its unexhausted insurance policies issued by solvent insurers to address the over 2,700 asbestos-related personal injury claims asserted and unresolved against the Debtor as of June 23, 2024, as well as likely-to-be asserted prepetition asbestos-related personal injury claims against the Debtor (collectively, the “Asbestos PI Claims”). Through confirmation of the proposed *Plan of Liquidation of Hopeman Brothers, Inc. Under Chapter 11 of the Bankruptcy Code* [Docket No. 56] (as amended, supplemented, or modified from time to time, the “Plan”),<sup>1</sup> the Debtor intends to establish the Hopeman Brothers, Inc. Asbestos Personal Injury Liquidation Trust (the “Liquidation Trust”).

10. To facilitate maximizing recoveries to holders of Allowed Asbestos PI Claims, the Debtor has filed the (i) *Motion of the Debtor for Entry of an Order (I) Approving the Settlement Agreement and Release Between the Debtor and the Chubb Insurers; (II) Approving the Assumption of the Settlement Agreement and Release Between the Debtor and the Chubb Insurers; (III) Approving the Sale of Certain Insurance Policies; (IV) Issuing an Injunction Pursuant to the*

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Plan.

*Sale of Certain Insurance Policies; and (V) Granting Related Relief* [Docket No. 9] (the “Chubb Insurer Settlement Approval Motion”); and (ii) *Motion of the Debtor for Entry of an Order (I) Approving the Settlement Agreement and Release Between the Debtor and Certain Settling Insurers; (II) Approving the Sale of Certain Insurance Policies; (III) Issuing an Injunction Pursuant to the Sale of Certain Insurance Policies; and (IV) Granting Related Relief* [Docket No. 53] (the “Certain Insurer Settlement Approval Motion” and, together with the Chubb Insurer Settlement Approval Motion, the “Insurer Settlement Approval Motions”).

11. Through the Insurer Settlement Approval Motions, the Debtor seeks entry of an order approving the applicable settlement agreement entered into between the Debtor, on the one hand, and the applicable insurers of the Debtor’s that issued various liability insurance policies to the Debtor, on the other hand. These settlements, if approved by this Court, will provide substantial monetary contributions towards payments of Allowed Asbestos PI Claims asserted against the Debtor, in exchange for certain insurer releases and injunctions. Pursuant to the Chubb Insurer Settlement Approval Motion, if approved by this Court, the underlying settlement agreement will monetize the applicable insurance policies in the aggregate amount of \$31,500,000 (the “Chubb Settlement Amount”). Similarly, pursuant to the Certain Insurer Settlement Approval Motion, if approved by this Court, the underlying settlement agreement will monetize the applicable insurance policies in the aggregate amount of \$18,395,011 (the “Certain Insurer Settlement Amount”).

12. If the relief requested in the Insurer Settlement Approval Motions is granted by the Court, coupled with the Court’s confirmation of the Plan, the Chubb Settlement Amount and the Certain Insurer Settlement Amount, along with the Debtor’s remaining insurance rights and cash, will be transferred to the Liquidation Trust in accordance with the terms of the Plan (collectively,

the “Trust Assets”). The Liquidation Trust will assume liability for all Asbestos PI Claims and will use the Trust Assets to resolve and make distributions, when appropriate, on account of Allowed Asbestos PI Claims in accordance with the procedures established pursuant to the Plan that will govern distributions from the Liquidation Trust (the “Trust Distribution Procedures”). A copy of the proposed Trust Distribution Procedures is attached to the Plan as Exhibit B.

13. Importantly, and as discussed in further detail below, claimants holding Asbestos PI Claims ***do not*** have to submit proofs of claim evidencing their Asbestos PI Claims during the pendency of this chapter 11 case in accordance with the filing deadlines and related procedures the Debtor is seeking to establish through this Motion. Rather, holders of Asbestos PI Claims will be required to submit proofs of claim pertaining to their Asbestos PI Claims to the Liquidation Trust by the filing deadline and in accordance with the filing procedure requirements as prescribed by the Trust Distribution Procedures. Pursuant to the Plan, the Liquidation Trust and Liquidation Trustee will be charged with reviewing and liquidating the Asbestos PI Claims.

14. Consequently, as this Court will never have occasion to adjudicate the Asbestos PI Claims, there is no practical reason for such claimants to file proof of their Asbestos PI Claims as part of the claims process in this chapter 11 case.<sup>2</sup> Any effort to file Asbestos PI Claims in this chapter 11 case merely would duplicate the Liquidation Trust’s claims resolution process and cause unnecessary delay and expense for the Debtor’s estate.

#### **NON-ASBESTOS CLAIMS BAR DATES AND PROCEDURES**

15. As explained in the First Day Declaration, the Debtor believes its only material unpaid liabilities as of the Petition Date are the Asbestos PI Claims. Nevertheless, in order for the Debtor to make distributions under the Plan to claims asserted against it in this chapter 11 case

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<sup>2</sup> Notwithstanding the foregoing, the Debtor reserves the right to in the future seek a bar date during the pendency of this chapter 11 case for the Asbestos PI Claims, if necessary or appropriate.

that do not constitute Asbestos PI Claims and effectuate an orderly wind-down pursuant to the terms of the Plan, the Debtor requires, among other things, complete and accurate information regarding the nature, validity and amount of any and all other claims that are not Asbestos PI Claims (the “Non-Asbestos Claims”).

16. Accordingly, the Debtor seeks by this Motion to establish the following bar dates and procedures for submitting Non-Asbestos Claims.

**THE PROPOSED BAR DATES FOR FILING PROOFS OF NON-ASBESTOS CLAIM**

**A. Summary**

17. Bankruptcy Rule 3003(c)(3) provides that the Court shall fix the time within which proofs of claim may be filed. Furthermore, Bankruptcy Rule 3003(c)(2) provides that any creditor whose claim (a) is not scheduled in the Debtor’s schedules of assets and liabilities (the “Schedules”)<sup>3</sup> or (b) is listed in the Schedules as disputed, contingent, or unliquidated, must file a proof of claim by a bar date fixed by the Court. Bankruptcy Rule 3003(c)(2) also provides that “any creditor who fails to [file a proof of claim by the bar date fixed by the court] shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.” Fed. R. Bankr. P. 3003(c)(2). Section 502(b)(9) of the Bankruptcy Code provides that governmental units shall have a minimum of 180 days after the entry of the order for relief to file proofs of claim.

18. Section VII.A of the Procedures for Complex Chapter 11 Cases in the Eastern District of Virginia (the “Complex Case Procedures”) further provides that “[u]nless a different date is ordered by the Court, the bar date for filing proofs of claim . . . is . . . 90 days after the first date set for the meeting of creditors under section 341(a) of the Bankruptcy Code.” Therefore,

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<sup>3</sup> The Debtor filed its Schedules on July 15 and 17, 2024, at Docket Nos. 59 and 66, respectively..

under the Complex Case Procedures, the Court has discretion to set a different bar date than the default date imposed in the chapter 11 case.

19. Here, the Debtor proposes to allow at least 30 days' notice of each of the General Non-Asbestos Claim Bar Date, the Amended Schedules Bar Date, and the Rejection Damages Bar Date (each as defined below, and collectively, the "Bar Dates"). Additionally, the Debtor proposes to allow approximately 180 days' notice of the Governmental Bar Date in accordance with section 502(b)(9) of the Bankruptcy Code. Because the Debtor already has filed its Schedules, the Debtor will be serving the proposed Bar Date Notice (as defined below) after the Schedules have been filed with the Court. Accordingly, the Debtor believes that the proposed Bar Dates and the related procedures set forth below (the "Procedures") will give any creditors holding Non-Asbestos Claims against the Debtor adequate notice and ample opportunity to prepare and file proofs of claim.

**B. The General Non-Asbestos Claim Bar Date**

20. The Debtor requests that the Court establish **September 13, 2024 at 5:00 p.m. (Eastern Time)** as the general bar date (the "General Non-Asbestos Claim Bar Date") by which all entities, except those holding Asbestos PI Claims or as otherwise provided herein, must file proof of any prepetition Non-Asbestos Claim ("Proof of Non-Asbestos Claim"). The General Non-Asbestos Claim Bar Date would be the date by which any person or entity (including individuals, partnerships, corporations, joint ventures, trusts, but not including governmental units) must file a Proof of Non-Asbestos Claim, including secured Non-Asbestos Claims, unsecured priority Non-Asbestos Claims, unsecured non-priority Non-Asbestos Claims, and Non-Asbestos Claims arising under section 503(b)(9) of the Bankruptcy Code against the Debtor, so that such Proofs of Non-Asbestos Claims are actually received by Verita, on or before the General Non-

Asbestos Claim Bar Date, unless such person's or entity's claim falls within one of the exceptions set forth in this Motion.

**C. The Governmental Bar Date**

21. Section 502(b)(9) of the Bankruptcy Code provides that the "claim of a governmental unit shall be timely filed if it is filed before 180 days after the date of the order for relief or such later time as the Federal Rules of Bankruptcy Procedure may provide." 11 U.S.C. §502(b)(9).

22. The Debtor requests that the Court establish **December 27, 2024 at 5:00 p.m. (Eastern Time)** as the deadline (the "Governmental Bar Date") for all governmental units (as defined in section 101(27) of the Bankruptcy Code) ("Governmental Units") to file a Proof of Non-Asbestos Claim against the Debtor in this chapter 11 case. The Governmental Bar Date would apply to all Governmental Units holding prepetition Non-Asbestos Claims against the Debtor (whether secured, unsecured priority, or unsecured non-priority) that arose before the Petition Date, including Governmental Units with Non-Asbestos Claims against the Debtor for unpaid taxes, whether such claims arose from prepetition tax years or periods or prepetition transactions to which the Debtor was a party. All Governmental Units holding such claims against the Debtor would be required to file Proofs of Non-Asbestos Claims so that such Proofs of Non-Asbestos Claims are actually received by Verita on or before the Governmental Bar Date.

**D. The Amended Schedules Bar Date**

23. If the Debtor amends or supplements its Schedules, the Debtor requests that the Court establish **the later of (a) the General Non-Asbestos Claim Bar Date or the Governmental Bar Date, as applicable; or (b) 5:00 p.m. (Eastern Time), on the date that is 30 days after the date on which the Debtor provides notice of the amendment or supplement**



to the Schedules, as the deadline on or before which claimants holding Non-Asbestos Claims affected by such filing, amendment or supplement must file Proofs of Non-Asbestos Claims with respect to such claim (the “Amended Schedules Bar Date”), so that such Proofs of Non-Asbestos Claims are actually received by Verita on or before the Amended Schedules Bar Date.

**E. The Rejection Damages Bar Date**

24. The Debtor requests that the Court establish **the later of (a) the General Bar Date or the Governmental Bar Date, as applicable; or (b) 5:00 p.m. (Eastern Time) on the date that is 30 days after the date of entry of an order approving rejection of any executory contract or unexpired lease of the Debtor (the “Rejection Order”)**, as the deadline on or before which claimants holding claims for damages arising from such rejection (the “Rejection Damages Bar Date”) must file Proofs of Non-Asbestos Claims with respect to such rejection, so that such Proofs of Non-Asbestos Claims are actually received by Verita on or before the Rejection Damages Bar Date. Notwithstanding the foregoing, a party to an executory contract or unexpired lease who asserts a Non-Asbestos Claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a Proof of Non-Asbestos Claim for such amounts on or before the applicable Bar Date, unless an exception identified in the Motion or Bar Date Order applies.

**THE PROPOSED PROCEDURES FOR FILING PROOFS OF NON-ASBESTOS CLAIM**

**A. Parties Required to File Proofs of Non-Asbestos Claim**

25. Except as otherwise set forth herein, the Debtor proposes that the following persons or entities holding Non-Asbestos Claims against the Debtor arising before the Petition Date ***shall*** be required to file Proof of Non-Asbestos Claims on or before the applicable Bar Date:

- a. any person or entity whose Non-Asbestos Claim against the Debtor is not listed in the Schedules, or is listed in the Schedules as “contingent,”

“unliquidated,” or “disputed,” if such entity desires to participate in this chapter 11 case or share in any distribution in this chapter 11 case;

- b. any person or entity who believes that its Non-Asbestos Claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its Non-Asbestos Claim allowed in a different classification or amount other than that identified in the Schedules; and
- c. any person or entity who believes that its Non-Asbestos Claim against the Debtor is or may be entitled to priority under section 503(b)(9) of the Bankruptcy Code.

**B. Parties Not Required to File Proofs of Non-Asbestos Claim**

26. The Debtor proposes that the following persons or entities whose claims would otherwise be subject to a Bar Date ***shall not*** be required to file any Proofs of Non-Asbestos Claim:

- a. any person or entity who holds only an Asbestos PI Claim against the Debtor;<sup>4</sup>
- b. any person or entity whose Non-Asbestos Claim is listed on the Schedules; *provided that* (i) the Non-Asbestos Claim is not listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” and (ii) the person or entity does not dispute the amount, nature, and priority of the Non-Asbestos Claim as set forth in the Schedules;
- c. any person or entity who already has filed a signed Proof of a Non-Asbestos Claim with Verita against the Debtor with respect to the Non-Asbestos Claim being asserted, utilizing a claim form that substantially conforms to the Proof of Non-Asbestos Claim Form;
- d. any person or entity who holds a Non-Asbestos Claim that has been allowed by order of the Court entered on or before the applicable Bar Date;

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<sup>4</sup> Notwithstanding that the Bar Dates do not apply to holders of Asbestos PI Claims (as all Asbestos PI Claims will be reconciled by the Liquidation Trust in accordance with the Trust Distribution Procedures), if a holder of an Asbestos PI Claim *who never asserted such claim against the Debtor prior to the Petition Date* wishes to vote to accept or reject the Plan as a member of Class 4 under the Plan, such claimant, or his or her counsel, may obtain a copy of the Class 4 Claimant Intake Form for Voting Purposes Only (the “Class 4 Intake Form”) by either downloading the form directly by visiting the Debtor’s case website maintained by the Claims Agent: <https://www.veritaglobal.net/hopeman>, or by submitting an inquiry to the Claims Agent through the following webpage link: <https://www.veritaglobal.net/hopeman/inquiry>. Pursuant to the proposed dates set forth in the *Debtor’s Motion for Entry of an Order (I) Approving the Adequacy of the Disclosure Statement; (II) Approving the Solicitation Procedures in Connection with the Debtor’s Plan of Liquidation; (III) Approving the Forms of Ballots and Notices Related Thereto; (IV) Scheduling a Hearing to Consider Confirmation of the Debtor’s Plan of Liquidation; (V) Establishing Certain Deadlines with Respect Thereto; and (VI) Granting Related Relief* [Docket No. 61] (the “Solicitation Procedures Motion”), the Class 4 Intake Form must be submitted to Verita by October 16, 2024 at 11:50 p.m. (prevailing Eastern Time). For additional information concerning the Class 4 Intake Form and the deadline by which the Debtor proposes it must be submitted, please refer to the Solicitation Procedures Motion.

- e. any person or entity whose Non-Asbestos Claim has been paid in full or will be paid in full in accordance with the Bankruptcy Code or an order of the Court entered on or before the applicable Bar Date;
- f. any person or entity who holds a Non-Asbestos Claim for which a separate deadline has been fixed by an order of this Court entered on or before the applicable Bar Date; and
- g. any person or entity asserting a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than a 503(b)(9) claim which must be asserted by the General Non-Asbestos Claim Bar Date.

**C. Requirements for Preparing and Filing Proofs of Non-Asbestos Claim**

27. The Debtor has prepared, and requests that the Court approve, the proposed form of Proof of Non-Asbestos Claim annexed as **Exhibit 1** to the Bar Date Order (the “Proof of Non-Asbestos Claim Form”). The Proof of Non-Asbestos Claim Form substantially conforms to Official Form 410, but is tailored to this chapter 11 case.

28. With respect to preparing and filing of a Proof of Non-Asbestos Claim, the Debtor proposes that each Proof of Non-Asbestos Claim be required to conform to the following; *provided, however*, the Debtor in its discretion may waive any defects in a Proof of Non-Asbestos Claim:

- a. Proofs of Non-Asbestos Claim must substantially conform to the Proof of Non-Asbestos Claim Form attached as **Exhibit 1** to the Bar Date Order or Official Bankruptcy Form No. 410;
- b. Proofs of Non-Asbestos Claim must (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) set forth with specificity the legal and factual basis for the alleged claim; (iv) include supporting documentation for the Proof of Non-Asbestos Claim or an explanation as to why such documentation is not available; and (v) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant under penalty of perjury;
- c. Proofs of Non-Asbestos Claim must be filed (i) electronically through the website of the Debtor’s Claims Agent, Verita, using the interface available on such website located at <https://www.veritaglobal.net/hopeman> under the link entitled “Submit Electronic Proof of Claim (ePOC)” (the “Electronic Filing System”) or (ii) by delivering the original Proofs of Non-Asbestos Claim form by hand, or mailing the original Proofs of Non-Asbestos Claim

Form so that it is actually received on by Verita on or before the applicable Bar Date as follows:

**If by overnight courier, hand delivery, or first class mail:**

Hopeman Brothers Inc.  
c/o Kurtzman Carson Consultants LLC dba Verita Global  
222 N. Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

- d. A Proof of Non-Asbestos Claim shall be deemed timely filed only if it **is actually received** by Verita as set forth in subparagraph (c) above, in each case, on or before the applicable Bar Date; and
- e. Proofs of Non-Asbestos Claim sent by facsimile, telecopy, or electronic mail transmission (other than proofs of claim filed electronically through the Electronic Filing System) **will not** be accepted.

**CONSEQUENCES OF FAILURE TO FILE A PROOF OF NON-ASBESTOS CLAIM**

29. Pursuant to Bankruptcy Rule 3003(c)(2), the Debtor requests that any holder of a Non-Asbestos Claim against the Debtor that is required to file a Proof of Non-Asbestos Claim on account of a Non-Asbestos Claim in accordance with the Bar Date Order, but fails to do so on or before the applicable Bar Date shall not be treated as a creditor with respect to such claim for the purposes of voting on a chapter 11 plan and distribution in this chapter 11 case on account of such Non-Asbestos Claim.

30. Without limiting the foregoing paragraph, the Debtor requests that any creditor asserting a Proof of Non-Asbestos Claim entitled to priority pursuant to section 503(b)(9) of the Bankruptcy Code who fails to file a Proof of Non-Asbestos Claim in accordance with the Procedures set forth herein not be entitled to any priority treatment on account of such Non-Asbestos Claim pursuant to section 503(b)(9) of the Bankruptcy Code, regardless of whether such Non-Asbestos Claim is identified on Schedule F of the Debtor's Schedules as not contingent, not disputed, and not unliquidated.

**NOTICE OF THE BAR DATES**

31. Pursuant to Bankruptcy Rules 2002(a)(7), (f), and (l), the Debtor proposes to provide notice of the Bar Dates in accordance with the following procedures:

- a. Within five business days of entry of an order granting the relief requested herein, the Debtor proposes to cause to be mailed (both physical mail and, if available, by electronic mail) a copy of the Proof of Non-Asbestos Claim Form and the proposed notice of the Bar Dates substantially in the form annexed as **Exhibit 2** (the "Bar Date Notice") to the Bar Date Order to the following parties:
  - (1) the Office of the U.S. Trustee;
  - (2) counsel for any creditors' committee appointed in this chapter 11 cases;
  - (3) all known holders of Non-Asbestos Claims against the Debtor;
  - (4) all counterparties to the Debtor's executory contracts and unexpired leases at the addresses stated therein or as updated pursuant to a request by the counterparty or by returned mail from the post office with a forwarding address;
  - (5) all parties to any pending litigation against the Debtor (as of the date of entry of the Bar Date Order), with the exception of parties to pending litigation against the Debtor involving Asbestos PI Claims;
  - (6) all persons or entities who have filed Non-Asbestos Claims (as of the date of entry of the Bar Date Order);
  - (7) all parties who have sent correspondence to the Court and are listed on the Court's electronic docket (as of the date of entry of the Bar Date Order);
  - (8) all parties who have requested notice pursuant to Bankruptcy Rule 2002 (as of the date of entry of the Bar Date Order);
  - (9) the Internal Revenue Service, and all applicable Governmental Units; and
  - (10) such additional persons and entities deemed appropriate by the Debtor.
- b. The Debtor shall post the Proof of Non-Asbestos Claim Form and the Bar Date Notice on the website established by Verita for the Debtor's case: <https://www.veritaglobal.net/hopeman>.

32. The Bar Date Notice notifies parties of (a) the Bar Dates; (b) who must file a Proof of Non-Asbestos Claim on account of a Non-Asbestos Claim; (c) the Procedures for filing a Proofs

of Non-Asbestos Claim on account of a Non-Asbestos Claim; (d) the consequences of failing to timely file a Proof of Non-Asbestos Claim on account of a Non-Asbestos Claim; and (e) where parties can find further information with respect to the Debtor's chapter 11 case. The Debtor requests that service of the Bar Date Notice be deemed to constitute good and sufficient notice of the Bar Dates in accordance with Bankruptcy Rule 2002(a)(7).

### **BASIS FOR RELIEF**

#### **A. Ample Authority Exists to Approve the Bar Dates and the Procedures for Filing Proofs of Non-Asbestos Claim in this Chapter 11 Case**

33. Bankruptcy Rule 3003(c)(3) generally governs the filing of proofs of claim in a chapter 11 case and provides, in relevant part, that “[t]he court shall fix and for cause shown may extend the time within which proofs of claim or interest may be filed.” Fed R. Bankr. P. 3003(c)(3). Although Bankruptcy Rule 2002(a)(7) generally provides that all parties in interest must receive, at a minimum, 21 days’ notice of the time fixed for filing proofs of claim pursuant to Bankruptcy Rule 3003(c), neither the Bankruptcy Code nor the Bankruptcy Rules specify a time by which proofs of claim must be filed in chapter 11 cases (other than section 502(b)(9) of the Bankruptcy Code relating to governmental units).

34. Establishing a bar date allows a debtor to expeditiously determine and evaluate the liabilities of the estate. The absence of such a deadline, in contrast, would prolong creditor uncertainty, increase the costs and expenses incurred by a debtor in connection with the claims reconciliation process, and delay or even derail the claims process, thus undercutting one of the principal purposes of bankruptcy law—“provid[ing] debtors and creditors with ‘the prompt and effectual administration and settlement of the [debtor’s] estate.’” *Moses v. CashCall, Inc.*, 781 F.3d 63, 72 (4th Cir. 2015) (quoting *Katchen v. Landy*, 382 U.S. 323, 328 (1966)); see also *In re AMF Bowling Worldwide, Inc.*, 520 B.R. 185, 191 (Bankr. E.D. Va. 2014) (“One of the essential

functions of the bankruptcy process is to ensure the efficient, ‘prompt and effectual administration and settlement of the debtor’s estate.’”).

35. The procedures described herein provide creditors with ample notice and opportunity and a clear process for filing Proofs of Non-Asbestos Claim, and thus are designed to achieve administrative and judicial efficiency. Indeed, the procedures will provide comprehensive notice and clear instructions to creditors, on the one hand, and allow this chapter 11 case to move forward quickly with a minimum of administrative expense and delay, on the other hand.

**B. The Procedures Are Reasonably Calculated to Provide Due and Proper Notice**

36. Bankruptcy Rule 2002(a)(7) requires that the Debtor provide claimants at least 21 days’ notice by mail of the Bar Dates pursuant to Bankruptcy Rule 3003(c). Bankruptcy Rule 2002(p)(2) requires at least 30 days’ notice to creditors with a foreign address.

37. The Debtor proposes to have Verita mail the Bar Date Notice to its known creditors holding Non-Asbestos Claims. In addition, the Debtor will ask Verita to provide notice by electronic mail if practicable. These procedures are consistent with applicable case law and practice. *See, e.g., Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 317 (1950) (notice is required to parties whose names and addresses are “reasonably ascertainable”); *Zurich Am. Ins. Co. v. Tessler (In re J.A. Jones, Inc.)*, 492 F.3d 242, 249 (4th Cir. 2007).

38. Courts in this district have previously granted relief similar to the relief requested by Debtor herein. *See, e.g., In re Chinos Holdings, Inc.*, No. 20-32181 (KLP) (Bankr. E.D. Va. May 28, 2020) (Docket No. 390); *Pier 1 Imports, Inc.*, No. 20-30805 (KRH) (Bankr. E.D. Va. March 13, 2020) (Docket No. 345); *In re Gemstone Solutions Group, Inc.*, No. 19-30258 (KLP) (Bankr. E.D. Va. Feb. 19, 2019) (Docket No. 367); *In re The Gymboree Corp.*, No. 17-32986 (KLP) (Bankr. E.D. Va. July 11, 2017) (Docket No. 386); *In re Penn Virginia Corp.*, No. 16-32395

(KLP) (Bankr. E.D. Va. June 8, 2016) (Docket No. 221); *In re Alpha Nat. Res., Inc.*, No. 15-33896 (KRH) (Bankr. E.D. Va. Dec. 22, 2015) (Docket No. 1156).

39. The Bar Date Order provides that the Debtor will provide at least 30 days' notice to all known creditors. Specifically, Verita will have five business days from the date of entry of the order to complete the mailing of the Bar Date Notice. Verita also will post a proof of claim form along with instructions for filing Proofs of Non-Asbestos Claims, on the website established for this chapter 11 case: <https://www.veritaglobal.net/hopeman>. The Bar Date Notice also will provide that the Schedules may be accessed through the same website or by contacting Verita at (877) 709-4752 (U.S./Canada) or (424) 236-7232 (International) or by submitting an inquiry through Verita's website established for this chapter 11 case at <https://www.veritaglobal.net/hopeman/inquiry>.

40. The relief requested herein provides for clear notice of the Bar Dates in satisfaction of the requirements of the Bankruptcy Rules and consistent with the underlying policies of the Bankruptcy Code and, accordingly, should be approved.

#### **BANKRUPTCY LOCAL RULE 3003-1**

41. For the reasons stated above, the Debtor believes that the Bar Dates requested herein are reasonable and appropriate under the circumstances of this chapter 11 case. The Debtor believes that the procedures set forth herein are reasonable and appropriate. Accordingly, the Debtor believes that the Court should grant the relief requested, notwithstanding Bankruptcy Local Rule 3003-1(A).

#### **OBJECTIONS TO CLAIMS AND RESERVATION OF RIGHTS**

42. The Debtor reserves all rights and defenses with respect to any Proof of Non-Asbestos Claim, including the right to object to any claim on any grounds. The Debtor also reserves all rights and defenses to any claim listed on the Schedules, including the right to dispute



any such claim and assert any offsets or defenses thereto. If the Debtor disputes any claim listed on the Schedules and such claim is not already listed as “disputed,” “contingent,” or “unliquidated,” the Debtor reserves its right to amend and supplement its Schedules as appropriate.

**NOTICE**

43. Notice of this Motion will be given to: (a) the Office of the United States Trustee for the Eastern District of Virginia; (b) the 20 law firms with the largest number of asbestos personal injury claims currently pending against the Debtor; (c) the 20 law firms that represent clients with, collectively, the largest unpaid settlement amounts; (d) counsel to the Chubb Settling Insurers; (e) counsel to the Certain Settling Insurers that are parties to the settlement agreement that is the subject of the Certain Settling Insurers Settlement Motion; and (f) all parties who have requested or who are required to receive notice pursuant to Bankruptcy Rule 2002. The Debtor submits that, under the circumstances, no other or further notice is required.

*[Remainder of page intentionally left blank.]*

**WHEREFORE**, the Debtor respectfully requests that the Court enter the Bar Date Order, granting the relief requested in this Motion and such other and further relief as may be just and proper.

Dated: July 22, 2024  
Richmond, Virginia

/s/ Henry P. (Toby) Long, III

---

Tyler P. Brown (VSB No. 28072)  
Henry P. (Toby) Long, III (VSB No. 75134)  
**HUNTON ANDREWS KURTH LLP**  
Riverfront Plaza, East Tower  
951 East Byrd Street  
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- and -

Joseph P. Rovira (admitted *pro hac vice*)  
Catherine A. Rankin (admitted *pro hac vice*)  
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crankin@HuntonAK.com

*Proposed Counsel for the Debtor and Debtor in Possession*

**Exhibit A**

**Bar Date Order**

**HUNTON ANDREWS KURTH LLP**  
Joseph P. Rovira (admitted *pro hac vice*)  
Catherine A. Rankin (admitted *pro hac vice*)  
600 Travis Street, Suite 4200  
Houston, Texas 77002  
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**HUNTON ANDREWS KURTH LLP**  
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*Proposed Counsel for Debtor and Debtor in Possession*

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

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**In re:** : **Chapter 11**  
:   
**HOPEMAN BROTHERS, INC.,** : **Case No. 24-32428 (KLP)**  
:   
**Debtor.** :   
:   
:   
:

---

**ORDER (I) ESTABLISHING BAR DATES FOR SUBMITTING PROOFS OF NON-ASBESTOS CLAIM; (II) APPROVING PROCEDURES FOR SUBMITTING PROOFS OF NON-ASBESTOS CLAIM; (III) APPROVING NOTICE THEREOF; (IV) APPROVING A TAILORED PROOF OF NON-ASBESTOS CLAIM FORM; AND (V) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)<sup>1</sup> of the above-captioned debtor in the above-captioned chapter 11 case (the “Debtor”), for entry of an order (this “Order”) (i) establishing bar dates for submitting proofs of Non-Asbestos Claim; (ii) approving procedures for submitting proofs of Non-Asbestos Claim; (iii) approving notice thereof; (iv) approving a tailored Proof of Non-Asbestos Claim Form; and (v) granting related relief, all as more fully set forth in the Motion; and the Court having reviewed the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334 and the *Standing Order of Reference*

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Motion.

*from the United States District Court for the Eastern District of Virginia, dated August 15, 1984;* and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that 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 the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and the Court having determined that there is good and sufficient cause for the relief granted in this order, it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is granted.
2. As used herein, the term “Asbestos PI Claim” means a prepetition asbestos-related personal injury claim against the Debtor.
3. As used herein, the term “Non-Asbestos Claim” means any and all other prepetition claims against the Debtor that are not Asbestos PI Claims.
4. Unless otherwise provided herein, the following Bar Dates are hereby established in this chapter 11 case:
  - a. establish **September 13, 2024 at 5:00 p.m. (Eastern Time)** as the deadline for each person or entity (as defined in the Bankruptcy Code), other than governmental units (“Governmental Units”) and persons or entities holding Asbestos PI Claims, to file a proof of a Non-Asbestos Claim (each, a “Proof of Non-Asbestos Claim”) in respect of a prepetition Non-Asbestos Claim, including secured Non-Asbestos Claims, unsecured priority Non-Asbestos Claims, unsecured non-priority Non-Asbestos Claims, and Non-Asbestos Claims arising under section 503(b)(9) of the Bankruptcy Code against the Debtor (the “General Non-Asbestos Claims Bar Date”), unless otherwise provided herein;
  - b. establish **December 27, 2024 at 5:00 p.m. (Eastern Time)** as the deadline for Governmental Units to file a Proof of Non-Asbestos Claim in respect of

a prepetition Non-Asbestos Claim against the Debtor (the “Governmental Bar Date”);

- c. establish **the later of (i) the General Non-Asbestos Bar Date or the Governmental Bar Date, as applicable, or (ii) 5:00 p.m. (Eastern Time) on the date that is 30 days after the date on which the Debtor provides notice of an amendment or supplement to the Schedules (as defined herein)** as the deadline by which claimants holding claims affected by such filing, amendment, or supplement must file Proofs of Non-Asbestos Claim with respect to such Non-Asbestos Claim (the “Amended Schedules Bar Date”); and
- d. establish **the later of (i) the General Non-Asbestos Bar Date or the Governmental Bar Date, as applicable, or (ii) 5:00 p.m. (Eastern Time) on the date that is 30 days after the date of entry of an order approving rejection of any executory contract or unexpired lease of the Debtor (the “Rejection Order”)** as the deadline by which claimants asserting Non-Asbestos Claims resulting from the Debtor’s rejection of an executory contract or unexpired lease must file Proofs of Non-Asbestos Claim for damages arising from such rejection<sup>2</sup> (the “Rejection Damages Bar Date,” and, together with the General Bar Date, the Governmental Bar Date, and the Amended Schedules Bar Date, the “Bar Dates”).

5. The Proof of Non-Asbestos Claim Form, substantially in the form annexed hereto as **Exhibit 1**, and the Bar Date Notice, substantially in the form annexed hereto as **Exhibit 2**, are approved.

6. Except as otherwise set forth herein, the following persons or entities holding Non-Asbestos Claims against the Debtor arising prior to the Petition Date shall be required to file Proof of Non-Asbestos Claim on or before the applicable Bar Date:

- a. any person or entity whose Non-Asbestos Claim against the Debtor is not listed in the applicable Debtor’s Schedules, or is listed as “contingent,” “unliquidated,” or “disputed,” and if such entity desires to participate in this chapter 11 case or share in any distribution in this chapter 11 case;
- b. any person or entity who believes that its Non-Asbestos Claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its Non-Asbestos Claim allowed in a different classification or amount other than that identified in the Schedules; and

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<sup>2</sup> Provided that notwithstanding the foregoing, a party to an executory contract or unexpired lease who asserts a Non-Asbestos Claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a Proof of Non-Asbestos Claim for such amounts on or before the applicable Bar Date, unless an exception identified in the Motion or this Order applies.

- c. any entity who believes that its Non-Asbestos Claim against the Debtor is or may be entitled to priority under section 503(b)(9) of the Bankruptcy Code.

7. The following persons or entities whose claims would otherwise be subject to a Bar Date need not file any proofs of claim:

- a. any person or entity who holds only an Asbestos PI Claim against the Debtor;
- b. any person or entity whose Non-Asbestos Claim is listed on the Schedules; *provided that* (i) the Non-Asbestos Claim is not listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” and(ii) the person or entity does not dispute the amount, nature, and priority of the Non-Asbestos Claim as set forth in the Schedules;
- c. any person or entity who already has filed a signed Proof of a Non-Asbestos Claim with Verita against the Debtor with respect to the Non-Asbestos Claim being asserted, utilizing a claim form that substantially conforms to the Proof of Non-Asbestos Claim Form;
- d. any person or entity who holds a Non-Asbestos Claim that has been allowed by order of the Court entered on or before the applicable Bar Date;
- e. any person or entity whose Non-Asbestos Claim has been paid in full or will be paid in full in accordance with the Bankruptcy Code or an order of the Court entered on or before the applicable Bar Date;
- f. any person or entity who holds a Non-Asbestos Claim for which a separate deadline has been fixed by an order of this Court entered on or before the applicable Bar Date; and
- g. any person or entity asserting a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than a 503(b)(9) claim which must be asserted by the General Non-Asbestos Claim Bar Date.

8. Except as otherwise set forth herein, each entity that asserts a Non-Asbestos Claim against the Debtor that arose before the Petition Date shall be required to file a Proof of Non-Asbestos Claim. The following Procedures with respect to preparing and filing of Proofs of Non-Asbestos Claim are hereby established; *provided, however*, the Debtor in its discretion may waive any defects in a proof of claim:

- a. Proofs of Non-Asbestos Claim must substantially conform to the Proof of Non-Asbestos Claim Form attached as **Exhibit 1** to this Order or Official Bankruptcy Form No. 410;
- b. Proofs of Non-Asbestos Claim must (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) set forth with specificity the legal and factual basis for the alleged Non-Asbestos Claim; (iv) include supporting documentation for the Non-Asbestos Claim or an explanation as to why such documentation is not available; and (v) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant under penalty of perjury.
- c. Proofs of Non-Asbestos Claim must be filed (i) electronically through the website of the Debtor's Claims Agent, Verita, using the interface available on such website located at <https://www.veritaglobal.net/hopeman> under the link entitled "Submit Electronic Proof of Claim (ePOC)" (the "**Electronic Filing System**") or (ii) by delivering the original Proof of Non-Asbestos Claim form by hand, or mailing the original Proof of Non-Asbestos Claim form so that it is actually received by Verita on or before the applicable Bar Date as follows:

**If by overnight courier, hand delivery, or first class mail:**

Hopeman Brothers Inc.  
c/o Kurtzman Carson Consultants LLC dba Verita Global  
222 N. Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

- d. A proof of claim shall be deemed timely filed only if it **is actually received** by Verita as set forth in subparagraph (c) above, in each case, on or before the applicable Bar Date; and
- e. Proofs of Non-Asbestos Claim sent by facsimile, telecopy, or electronic mail transmission (other than Proofs of Non-Asbestos Claim filed electronically through the Electronic Filing System) **will not** be accepted.

9. Pursuant to Bankruptcy Rule 3003(c)(2), any holder of a Non-Asbestos Claim who is required to timely file a Proof of Non-Asbestos Claim on or before the applicable Bar Date as provided herein, but fails to do so, (i) shall not be treated as a creditor with respect to such Non-Asbestos Claim for the purposes of voting on a chapter 11 plan and distribution in this chapter 11 case on account of such Non-Asbestos Claim; and (ii) forever shall be barred, estopped, and enjoined from asserting such Non-Asbestos Claim against the Debtor and its property (or filing a Proof of Non-Asbestos Claim with respect thereto), and the Debtor and its chapter 11 estate,



successor, and property shall be forever discharged from any and all indebtedness or liability with respect to or arising from such Non-Asbestos Claim.

10. Pursuant to Bankruptcy Rules 2002(a)(7), (f), and (l), the Debtor shall provide notice of the Bar Dates in accordance with the following Procedures:

- a. Within five business days of entry of this Order, the Debtor shall cause (i) a copy of the Proof of Non-Asbestos Claim Form and a copy of the Bar Date Notice to be mailed (both physical mail and, if available, by electronic mail) to the following parties:
  - (1) the Office of the U.S. Trustee;
  - (2) counsel for any creditors' committee appointed in these chapter 11 cases;
  - (3) all known holders of potential Non-Asbestos Claims against the Debtor;
  - (4) all counterparties to the Debtor's executory contracts and unexpired leases at the addresses stated therein or as updated pursuant to a request by the counterparty or by returned mail from the post office with a forwarding address;
  - (5) all parties to pending litigation against the Debtor (as of the date of entry of the Order), with the exception of parties to pending litigation against the Debtor involving Asbestos PI Claims;
  - (6) all persons or entities who have filed Proof of Non-Asbestos Claims as of the date of entry of this Order;
  - (7) all parties who have sent correspondence to the Court and are listed on the Court's electronic docket (as of the date of entry of the Order);
  - (8) all parties who have requested notice pursuant to Bankruptcy Rule 2002 (as of the date of entry of the Order);
  - (9) the Internal Revenue Service, and all applicable Governmental Units; and
  - (10) such additional persons and entities deemed appropriate by the Debtor.
- b. The Debtor shall post the Proof of Asbestos Claim Form and the Bar Date Notice on the website established by Verita for the Debtor's case: <https://www.veritaglobal.net/hopeman>.

11. The Debtor and Verita are authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

12. Notification of the relief granted by this Order as provided herein is fair and reasonable and will provide good, sufficient, and proper notice to all creditors of their rights and obligations in connection with claims they may have against the Debtor in this chapter 11 case.

13. Nothing in this Order shall prejudice the right of the Debtor or any other party in interest to dispute or assert offsets or defenses to any claim reflected in the Schedules or otherwise.

14. Entry of this Order is without prejudice to the right of the Debtor to seek a further order of this Court fixing the date by which holders of claims not subject to the Bar Dates established herein must file such claims against the Debtor or be forever barred from so doing.

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

Dated: \_\_\_\_\_, 2024  
Richmond, Virginia

\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/s/ Henry P. (Toby) Long, III

Tyler P. Brown (VSB No. 28072)  
Henry P. (Toby) Long, III (VSB No. 75134)  
**HUNTON ANDREWS KURTH LLP**  
Riverfront Plaza, East Tower  
951 East Byrd Street  
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Telephone: (804) 788-8200  
Facsimile: (804) 788-8218  
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hlong@HuntonAK.com

- and -

Joseph P. Rovira (admitted *pro hac vice*)  
Catherine A. Rankin (admitted *pro hac vice*)  
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Facsimile: (713) 220-4285  
Email: josephrovira@HuntonAK.com  
crankin@HuntonAK.com

*Proposed Counsel for the Debtor and Debtor in Possession*

**CERTIFICATION OF ENDORSEMENT**  
**UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Henry P. (Toby) Long, III  
Henry P. (Toby) Long, III

**Exhibit 1**

**Proof of Non-Asbestos Claim Form**

**Fill in this information to identify the case:**

Debtor Hopeman Brothers, Inc.

United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division

Case number 24-32428 (KLP)

**Modified Official Form 410**  
**Proof of Non-Asbestos Claim**

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case for a Non-Asbestos Claim. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or 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.

**Part 1: Identify the Non-Asbestos 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?**  
 No  
 Yes. From whom? \_\_\_\_\_

3. **Where should notices and payments to the creditor be sent?**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
	Name _____	Name _____
	Number _____ Street _____	Number _____ Street _____
	City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____
	Country _____	Country _____
	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?**  
 No  
 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?**  
 No  
 Yes. Who made the earlier filing? \_\_\_\_\_

**Part 2: Give Information About the Non-Asbestos 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: \_\_\_\_ \_

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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).

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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.  
 \_\_\_\_\_

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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 amount 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: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

- No  
 Yes. Check all that apply:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ \_\_\_\_\_
- Up to \$3,350\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ \_\_\_\_\_
- Wages, salaries, or commissions (up to \$15,150\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ \_\_\_\_\_
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ \_\_\_\_\_
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ \_\_\_\_\_
- Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies. \$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

- No  
 Yes. Indicate the amount of your 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 such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

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.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_  
 MM / DD / YYYY

\_\_\_\_\_  
 Signature

**Print the name of the person who is completing and signing this claim:**

Name \_\_\_\_\_  
 First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
 Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
 Number Street

City State ZIP Code Country

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

## Modified Official Form 410

# Instructions for Proof of Non-Asbestos 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

### PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

Hopeman Brothers Inc. Claims Processing Center  
c/o Kurtzman Carson Consultants LLC dba Verita Global  
222 N. Pacific Coast Hwy., Suite 300  
El Segundo, CA 90245

Alternatively, your claim can be filed electronically on Verita's website at <https://www.veritaglobal.net/hopeman>

### 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 delivery 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 you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at <http://www.veritaglobal.net/hopeman>.

### 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 that 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.



**Non-Asbestos Claim:** any claim that is not a personal injury asbestos claim.

**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 to 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 a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In 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 2**

**Bar Date Notice**

**HUNTON ANDREWS KURTH LLP**  
 Joseph P. Rovira (admitted *pro hac vice*)  
 Catherine A. Rankin (admitted *pro hac vice*)  
 600 Travis Street, Suite 4200  
 Houston, Texas 77002  
 Telephone: (713) 220-4200

**HUNTON ANDREWS KURTH LLP**  
 Tyler P. Brown (VSB No. 28072)  
 Henry P. (Toby) Long, III (VSB No. 75134)  
 Riverfront Plaza, East Tower  
 951 East Byrd Street  
 Richmond, Virginia 23219  
 Telephone: (804) 788-8200

*Proposed Counsel for Debtor and Debtor in Possession*

**UNITED STATES BANKRUPTCY COURT  
 EASTERN DISTRICT OF VIRGINIA, RICHMOND DIVISION**

**In re:**

**HOPEMAN BROTHERS, INC.,  
  
 Debtor.**

**Chapter 11**

**Case No. 24-32428 (KLP)**

**NOTICE OF DEADLINES TO FILE PROOFS OF NON-ASBESTOS CLAIMS**

**TO: ALL PERSONS AND ENTITIES WHO MAY HAVE NON-ASBESTOS CLAIMS AGAINST THE FOLLOWING ENTITY**

<u>Name of Debtor</u>	<u>Case Number</u>	<u>Tax Identification Number</u>
Hopeman Brothers, Inc.	Case No. 24-32428 (KLP)	13-0852520

**Attorneys for Debtor**  
 Joseph P. Rovira (admitted *pro hac vice*)  
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 Tyler P. Brown (VSB No. 28072)  
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**HUNTON ANDREWS KURTH LLP**  
 Riverfront Plaza, East Tower  
 951 East Byrd Street  
 Richmond, Virginia 23219  
 Telephone: (804) 788-8200

Address of the Clerk of the Bankruptcy Court  
 Clerk of the Bankruptcy Court for the Eastern District of Virginia (Richmond Division)  
 701 East Broad Street, Suite 4000, Richmond, Virginia 23219-1888  
 Telephone: 804-916-2400  
 Hours Open: 8:00 a.m. – 4:00 p.m. Monday-Friday

**PLEASE TAKE NOTICE THAT:**

**YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY HAVE A NON-ASBESTOS CLAIM AGAINST THE DEBTOR IN THE ABOVE-CAPTIONED CHAPTER 11 CASE. THEREFORE, YOU**

**SHOULD READ THIS NOTICE CAREFULLY AND CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.**

On June 30, 2024 (the "Petition Date"), Hopeman Brothers, Inc., as debtor and debtor in possession (the "Debtor"), filed a voluntary case under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Eastern District of Virginia (the "Bankruptcy Court").

#### **KEY DEFINITIONS**

As used herein, the term "Asbestos PI Claim" means: a prepetition asbestos-related personal injury claim against the Debtor.

As used herein, the term "Non-Asbestos Claim" means: any and all other prepetition claims against the Debtor that are not Asbestos PI Claims.

As used herein, pursuant to section 101(5) of the Bankruptcy Code, 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. Further, claims include unsecured claims, secured claims, and priority claims.

As used herein, pursuant to section 101(15) of the Bankruptcy Code, the term "entity" has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons, estates, trusts, and governmental units. In addition, the terms "persons" and "governmental units" are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

#### **BAR DATES**

On \_\_\_\_\_, 2024, the Bankruptcy Court, having jurisdiction over the chapter 11 case of the Debtor, entered an order (the "Bar Date Order") establishing the following Bar Dates (defined below):

- a. **September 13, 2024 at 5:00 p.m. (Eastern Time)** as the deadline for each person or entity (as defined in the Bankruptcy Code), other than governmental units ("Governmental Units") and persons or entities holding Asbestos PI Claims, to file a proof of a Non-Asbestos Claim (each, a "Proof of Non-Asbestos Claim") in respect of a prepetition Non-Asbestos Claim, including secured Non-Asbestos Claims, unsecured priority Non-Asbestos Claims, unsecured non-priority Non-Asbestos Claims, and Non-Asbestos Claims arising under section 503(b)(9) of the Bankruptcy Code against the Debtor (the "General Non-Asbestos Claims Bar Date"), unless otherwise provided herein;
- b. **December 27, 2024 at 5:00 p.m. (Eastern Time)** as the deadline for Governmental Units to file a Proof of Non-Asbestos Claim in respect of a prepetition Non-Asbestos Claim against the Debtor (the "Governmental Bar Date");
- c. **the later of (i) the General Non-Asbestos Bar Date or the Governmental Bar Date, as applicable, or (ii) 5:00 p.m. (Eastern Time) on the date that is 30 days from the date on which the Debtor provides notice of an amendment or supplement to the Debtor's schedules of assets and liabilities (the "Schedules")<sup>1</sup>** as the deadline by which claimants holding claims affected by

<sup>1</sup> The Debtor filed its Schedules with the Court on July 15, 2024 [Docket No. 59] and on July 17, 2024 [Docket No. 66]. Copies of the Schedules and Bar Date Order are available and may be examined by interested parties (i) at the website maintained for these cases by Verita at <https://www.veritaglobal.net/hopeman>, (ii) at the office of the Clerk of the Court, 701 East Broad Street, Suite 4000, Richmond, Virginia, between the hours of 8:00 a.m. and

such filing, amendment, or supplement must file Proofs of Non-Asbestos Claim with respect to such Non-Asbestos Claim (the "Amended Schedules Bar Date"); and

- d. **the later of (i) the General Non-Asbestos Bar Date or the Governmental Bar Date, as applicable, or (ii) 5:00 p.m. (Eastern Time) on the date that is 30 days from the date of entry of an order approving rejection of any executory contract or unexpired lease of the Debtor (the "Rejection Order")** as the deadline by which claimants asserting Non-Asbestos Claims resulting from the Debtor's rejection of an executory contract or unexpired lease must file Proofs of Non-Asbestos Claim for damages arising from such rejection<sup>2</sup> (the "Rejection Damages Bar Date," and, together with the General Bar Date, the Governmental Bar Date, and the Amended Schedules Bar Date, the "Bar Dates").

**If you have any questions relating to this notice, please feel free to contact Verita at (877) 709-4752 (U.S./Canada) or (424) 236-7232 (International) or by e-mail at <https://www.veritaglobal.net/hopeman/inquiry>.**

**NOTE:** The staff of the Bankruptcy Clerk's Office, the Office of the United States Trustee, and Verita cannot give legal advice.

### **INSTRUCTIONS**

#### **1. WHO MUST FILE A PROOF OF NON-ASBESTOS CLAIM**

The following persons or entities **are required** to file Proofs of Non-Asbestos Claim on or before the applicable Bar Date:

- a. any person or entity whose Non-Asbestos Claim against the Debtor is not listed in the applicable Debtor's Schedules, or is listed as "contingent," "unliquidated," or "disputed," and if such entity desires to participate in this chapter 11 case or share in any distribution in this chapter 11 case;
- b. any person or entity who believes that its Non-Asbestos Claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its Non-Asbestos Claim allowed in a different classification or amount other than that identified in the Schedules; and
- c. any entity who believes that its Non-Asbestos Claim against the Debtor is or may be entitled to priority under section 503(b)(9) of the Bankruptcy Code.

#### **2. WHO NEED NOT FILE A PROOF OF CLAIM**

The following persons or entities **are not required** to file a Proof of Non-Asbestos Claim on or before the applicable Bar Date:

- a. any person or entity who holds only an Asbestos PI Claim against the Debtor;
- b. any person or entity whose Non-Asbestos Claim is listed on the Schedules; *provided that* (i) the Non-Asbestos Claim is not listed on the Schedules as "disputed," "contingent," or "unliquidated,"

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3:00 p.m. (prevailing Eastern Time), or on the Court's electronic docket of these cases at the address [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov).

<sup>2</sup> Provided that notwithstanding the foregoing, a party to an executory contract or unexpired lease who asserts a Non-Asbestos Claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a Proof of Non-Asbestos Claim for such amounts on or before the applicable Bar Date, unless an exception identified in the Motion or this Order applies.

- and(ii) the person or entity does not dispute the amount, nature, and priority of the Non-Asbestos Claim as set forth in the Schedules;
- c. any person or entity who already has filed a signed Proof of a Non-Asbestos Claim with Verita against the Debtor with respect to the Non-Asbestos Claim being asserted, utilizing a claim form that substantially conforms to the Proof of Non-Asbestos Claim Form;
  - d. any person or entity who holds a Non-Asbestos Claim that has been allowed by order of the Court entered on or before the applicable Bar Date;
  - e. any person or entity whose Non-Asbestos Claim has been paid in full or will be paid in full in accordance with the Bankruptcy Code or an order of the Court entered on or before the applicable Bar Date;
  - f. any person or entity who holds a Non-Asbestos Claim for which a separate deadline has been fixed by an order of this Court entered on or before the applicable Bar Date; and
  - g. any person or entity asserting a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than a 503(b)(9) claim which must be asserted by the General Non-Asbestos Claim Bar Date.

**The fact that you have received this notice does not mean that you have a Non-Asbestos Claim or that the Debtor or the Court believe that you have a Non-Asbestos Claim against the Debtor. You should not file a Proof of Non-Asbestos Claim if you do not have a Non-Asbestos Claim against the Debtor.**

### **3. INSTRUCTIONS FOR FILING PROOFS OF NON-ASBESTOS CLAIM**

**The following procedures with respect to preparing and filing a Proof of Non-Asbestos Claim will apply; *provided, however*, the Debtor in its discretion may waive any defects in a proof of claim:**

- a. Proofs of Non-Asbestos Claims must substantially conform to the attached Proof of Non-Asbestos Claim Form or Official Bankruptcy Form No. 410;
- b. Proofs of Non-Asbestos Claim must (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) set forth with specificity the legal and factual basis for the alleged claim; (iv) include supporting documentation for the Proof of Non-Asbestos Claim or an explanation as to why such documentation is not available; and (v) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant under penalty of perjury;
- c. Proofs of Non-Asbestos Claim must be filed (i) electronically through the website of the Debtor's claims and noticing agent, Verita, using the interface available on such website located at <https://www.veritaglobal.net/hopeman> under the link entitled "Submit Electronic Proof of Claim (ePOC)" (the "Electronic Filing System") or (ii) by delivering the original Proofs of Non-Asbestos Claim form by hand, or mailing the original Proofs of Non-Asbestos Claim Form so that it is actually received by Verita on or before the applicable Bar Date as follows:

**If by overnight courier, hand delivery, or first class mail:**

Hopeman Brothers Inc.  
c/o Kurtzman Carson Consultants LLC dba Verita Global  
222 N. Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

- d. A Proof of Non-Asbestos Claim shall be deemed timely filed only if it **is actually received** by Verita as set forth in subparagraph (c) above, in each case, on or before the applicable Bar Date; and
- e. Proofs of Non-Asbestos Claim sent by facsimile, telecopy, or electronic mail transmission (other than proofs of claim filed electronically through the Electronic Filing System) **will not** be accepted.

**4. CONSEQUENCES OF FAILURE TO TIMELY FILE A PROOF OF NON-ASBESTOS CLAIM BY THE APPLICABLE BAR DATE**

**Pursuant to the Bar Date Order and Bankruptcy Rule 3003(c)(2), any holder of a Non-Asbestos Claim who is required to timely file a Proof of Non-Asbestos Claim on or before the applicable Bar Date as provided herein, but fails to do so:**

- a. Shall not be treated as a creditor with respect to such Non-Asbestos Claim for the purposes of voting and distribution in this chapter 11 case on account of such claim; and
- b. Forever shall be barred, estopped, and enjoined from asserting such Non-Asbestos Claim against the Debtor and its property (or filing a Proof of Claim with respect thereto), and the Debtor’s estate and property shall be forever discharged from any and all indebtedness or liability with respect to or arising from such claim.

**5. RESERVATION OF RIGHTS**

Nothing contained in this notice is intended to or should be construed as a waiver of the Debtor’s 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.

**If you require additional information regarding the filing of a Proof of Non-Asbestos Claim, you may contact Verita directly at: Verita Global, 222 N. Pacific Coast Highway, 3rd Floor, El Segundo, CA 90245; telephone: (877) 709-4752 (U.S./Canada) or (424) 236-7232 (International); or by e-mail at <https://www.veritaglobal.net/hopeman/inquiry>.**

**A holder of a possible claim against the Debtor should consult an attorney if such holder has any questions regarding this notice, including whether the holder should file a proof of claim.**

Dated: Richmond, Virginia  
\_\_\_\_\_, 2024

**BY ORDER OF THE COURT**

<p><b>HUNTON ANDREWS KURTH LLP</b> Joseph P. Rovira (admitted <i>pro hac vice</i>) Catherine A. Rankin (admitted <i>pro hac vice</i>) 600 Travis Street, Suite 4200 Houston, Texas 77002 Telephone: (713) 220-4200</p> <p><i>Proposed Counsel for Debtor and Debtor in Possession</i></p>	<p><b>HUNTON ANDREWS KURTH LLP</b> Tyler P. Brown (VSB No. 28072) Henry P. (Toby) Long, III (VSB No. 75134) Riverfront Plaza, East Tower 951 East Byrd Street Richmond, Virginia 23219 Telephone: (804) 788-8200</p>
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