

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

)	
In re:)	Chapter 11
)	
PGX HOLDINGS, INC, <i>et al.</i> , ¹)	Case No. 23-10718 (CTG)
)	
Debtors.)	(Jointly Administered)
)	
)	Related to Docket No. 844
)	
)	

**ORDER SUSTAINING PLAN ADMINISTRATOR’S
SIXTH OMNIBUS OBJECTION (SUBSTANTIVE) TO CERTAIN
INSUFFICIENT DOCUMENTATION CLAIMS, INSUFFICIENT
DOCUMENTATION – EMPLOYEE CLAIMS, AND WARN CLASS CLAIMS**

Upon the objection (the “Objection”)² of the Plan Administrator seeking entry of an order modifying or expunging certain Disputed Claims ; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. §157; and it appearing that venue of this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and the Plan Administrator, on behalf of the Debtors, having consented to the Court’s entry of a final order consistent with Article III of the United States Constitution; and adequate notice of the Objection and opportunity for response having been given; and it appearing that no other notice need be given; and the Court having considered the Objection, the Disputed Claims listed on **Schedule 1** through **Schedule 3** annexed hereto, and any

1 The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: PGX Holdings, Inc. (2510); Credit Repair UK, Inc. (4798); Credit.com, Inc. (1580); Creditrepair.com Holdings, Inc. (7536); Creditrepair.com, Inc. (7680); eFolks Holdings, Inc. (5213); eFolks, LLC (5256); John C. Heath, Attorney At Law PC (8362); Progrexion ASG, Inc. (5153); Progrexion Holdings, Inc. (7123); Progrexion IP, Inc. (5179); Progrexion Marketing, Inc. (5073); and Progrexion Teleservices, Inc. (5110). The location of the Debtors’ service address for purposes of these chapter 11 cases is: 257 East 200 South, Suite 1200, Salt Lake City, Utah 84111.

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



responses thereto; and upon the record herein; and after due deliberation and sufficient cause appearing therefore, it is FOUND AND DETERMINED that:

- A. This Objection is a core proceeding under 28 U.S.C. § 157(b)(2).
- B. Each holder of a Claim listed on Schedule 1 through Schedule 3 attached hereto was properly and timely served with a copy of the Objection, this order (this “Order”), the accompanying exhibits, and the notice.
- C. Any entity known to have an interest in the Disputed Claims subject to the Objection has been afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection.
- D. Each of the Proofs of Claim on Schedule 1 hereto lacks sufficient documentation to substantiate the Claim.
- E. Each of the Proofs of Claim on Schedule 2 hereto lacks sufficient documentation to substantiate the Claim
- F. Each of the WARN Class Claims on Schedule 3 hereto asserts a liability by a member of the WARN Class that will be satisfied in connection with the WARN Settlement.

IT IS HEREBY ORDERED ADJUDGED AND DECREED that:

- 1. The Objection is sustained as set forth herein.
- 2. Any response to the Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
- 3. Each of the Insufficient Documentation Claims listed as an objectionable Claim on Schedule 1 hereto is disallowed.
- 4. Each of the Insufficient Documentation – Employee Claims listed as an objectionable claim on Schedule 2 hereto is disallowed.

5. Each of the WARN Class Claims listed as an objectionable Claim on **Schedule 3** hereto was asserted by a member of the WARN Class for liabilities asserted in the WARN Action, who will be entitled to distributions on account of such claim solely from the WARN Settlement and therefore are disallowed from the claims register.

6. The official claims register in these cases shall be modified in accordance with this Order.

7. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition Claim against a Debtor entity; (b) a waiver of the Debtors' right to dispute any prepetition Claim on any grounds; (c) a promise or requirement to pay any prepetition Claim; (d) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (e) a waiver of the Debtors' rights under the Bankruptcy Code or any other applicable law.

8. The Debtors' and Plan Administrator's rights to amend, modify, or supplement the Objection, and the rights of all parties in interest to file additional objections to the Disputed Claims or any other Claims (filed or not) which may be asserted against the Debtors, and to seek further reduction of any Disputed Claim to the extent such Claim has been paid, are preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Debtors' rights, the Plan Administrator's rights, and the rights of other parties in interest to object on the other stated grounds or on any other grounds that the Debtors or other parties in interest may discover during this case are further preserved.

9. Each Disputed Claim, and the objections by the Debtors to such Disputed Claim, as addressed in the Objection and set forth on **Schedule 1** through **Schedule 3** hereto, constitutes

a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each Disputed Claim. Any stay of this Order pending appeal by any claimants whose Claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

10. Notwithstanding the possible applicability of Bankruptcy Rules 6004, 7062, 9014 or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

11. This Court shall retain jurisdiction over the Debtors and the claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection and the implementation of this Order.



Dated: May 20th, 2024
Wilmington, Delaware

CRAIG T. GOLDBLATT
UNITED STATES BANKRUPTCY JUDGE

Schedule 1

Insufficient Documentation Claims

PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 1 - No Liability - Insufficient Documentation

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
1 AMANDA LEE HARRIS ADDRESS REDACTED	01/07/2024	23-10718	PGX Holdings, Inc.	627	\$0.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
2 AMANDA STEINEMAN ADDRESS REDACTED	01/16/2024	23-10718	PGX Holdings, Inc.	650	\$2,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
3 AMANDA STEINEMAN ADDRESS REDACTED	01/27/2024	23-10725	John C. Heath Attorney at Law PC	657	\$4,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
4 AMY LUCAS ADDRESS REDACTED	01/30/2024	23-10718	PGX Holdings, Inc.	658	\$4,418.30
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
5 ARMWOOD, ANTHELINA ADDRESS REDACTED	01/07/2024	23-10718	PGX Holdings, Inc.	624	\$3.10
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
6 DEANNA RIOS ADDRESS REDACTED	09/21/2023	23-10718	PGX Holdings, Inc.	534	\$205,455.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					

PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 1 - No Liability - Insufficient Documentation

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
7 DEBORAH HILL RICE ADDRESS REDACTED	01/07/2024	23-10718	PGX Holdings, Inc.	638	\$3,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
8 GREGORY E RICE ADDRESS REDACTED	01/06/2024	23-10718	PGX Holdings, Inc.	640	\$9,600.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
9 JUSTINA L ROBERTS ADDRESS REDACTED	01/09/2024	23-10722	Creditrepair.com, Inc.	645	\$2,500.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
10 KELLI WILLIAMS ADDRESS REDACTED	08/09/2023	23-10718	PGX Holdings, Inc.	70	\$15,250.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
11 LANESSA GOFORTH ADDRESS REDACTED	01/05/2024	23-10718	PGX Holdings, Inc.	632	\$7,700.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
12 LANESSA GOFORTH ADDRESS REDACTED	08/10/2023	23-10718	PGX Holdings, Inc.	97	\$27,300.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					

PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 1 - No Liability - Insufficient Documentation

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
13 LIONEL DUFFEY ADDRESS REDACTED	01/18/2024	23-10718	PGX Holdings, Inc.	653	\$18,323.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
14 RICHARD KEMPF ADDRESS REDACTED	01/08/2024	23-10718	PGX Holdings, Inc.	628	\$26,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
15 RICHARD MACHUCA ADDRESS REDACTED	01/17/2024	23-10718	PGX Holdings, Inc.	652	\$15,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
16 SEAN KING ADDRESS REDACTED	10/31/2023	23-10718	PGX Holdings, Inc.	604	\$65,785.55
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
17 TEAHIRRA REDITT ADDRESS REDACTED	01/08/2024	23-10718	PGX Holdings, Inc.	641	\$20,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
18 TRACY F HARRIS ADDRESS REDACTED	01/06/2024	23-10718	PGX Holdings, Inc.	625	\$1,200.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					

PGX Holdings, Inc. Case No. 23-10718
 Sixth Omnibus Objection (Substantive)
 Schedule 1 - No Liability - Insufficient Documentation

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
19 VELORIS COOK ADDRESS REDACTED	01/07/2024	23-10718	PGX Holdings, Inc.	639	\$771.40
Reason: Claim does not have a basis in the Debtors' books and records. Claimant asserts compensation for 10 shares of the company, however she provided a stock certificate for Great-West Lifeco Inc., which is not a debtor.					
20 VERN MCPHERSON ADDRESS REDACTED	01/31/2024	23-10718	PGX Holdings, Inc.	661	\$17,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
TOTAL					\$445,306.35

Schedule 2

Insufficient Documentation - Employee Claims

PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 2 - No Liability - Insufficient Documentation - Former Employees

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
1 ABNEY, KATIE C. ADDRESS REDACTED	08/24/2023	23-10718	PGX Holdings, Inc.	220	\$3,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
2 ADLER, JASON ADDRESS REDACTED	10/14/2023	23-10718	PGX Holdings, Inc.	580	\$0.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
3 ALVAREZ, ISA ADDRESS REDACTED	08/30/2023	23-10718	PGX Holdings, Inc.	249	Undetermined*
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
4 ANTHONY MCCULLOUGH ADDRESS REDACTED	09/07/2023	23-10725	John C. Heath Attorney at Law PC	472	\$6,100.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
5 ARGYLE, MICAH ADDRESS REDACTED	11/04/2023	23-10718	PGX Holdings, Inc.	605	\$500.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
6 BUCHER, JEFFREY ADDRESS REDACTED	08/20/2023	23-10730	Progrexion Teleservices, Inc.	195	\$3,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					

*Indicates claim contains unliquidated and/or undetermined amounts

**PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 2 - No Liability - Insufficient Documentation - Former Employees**

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
7 CHACON, KAREN ADDRESS REDACTED	08/14/2023	23-10718	PGX Holdings, Inc.	122	Undetermined*
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
8 CRYSTINE S. DAVIS ADDRESS REDACTED	08/30/2023	23-10718	PGX Holdings, Inc.	247	\$9,231.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
9 DELGADO, ANAHI ADDRESS REDACTED	08/24/2023	23-10718	PGX Holdings, Inc.	215	\$6,300.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
10 FELIX, ISMAEL ADDRESS REDACTED	09/21/2023	23-10727	Progrexion Holdings, Inc.	532	\$5,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
11 HALPIN, ANDREA C. ADDRESS REDACTED	10/09/2023	23-10718	PGX Holdings, Inc.	569	\$0.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
12 KANDICE BROWN ADDRESS REDACTED	08/16/2023	23-10718	PGX Holdings, Inc.	156	\$13,200.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					

*Indicates claim contains unliquidated and/or undetermined amounts

**PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 2 - No Liability - Insufficient Documentation - Former Employees**

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
13 KATHRYN HILL ADDRESS REDACTED	07/24/2023	23-10730	Progrexion Teleservices, Inc.	49	\$302.26
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
14 KOWSARI, DAVID ADDRESS REDACTED	09/06/2023	23-10718	PGX Holdings, Inc.	274	Undetermined*
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
15 MARK POLLACK ADDRESS REDACTED	08/04/2023	23-10718	PGX Holdings, Inc.	55	\$29,500.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
16 MARY KATHERINE KAMINSKI ADDRESS REDACTED	08/17/2023	23-10730	Progrexion Teleservices, Inc.	164	\$8,740.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability. Any resulting claim would not be entitled to priority treatment as it did not arise within 180 days prior to the petition date.					
17 MCELVEEN, TIANIE J. ADDRESS REDACTED	08/15/2023	23-10718	PGX Holdings, Inc.	139	\$3,350.00*
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
18 NASH, MATTHEW J. ADDRESS REDACTED	08/16/2023	23-10718	PGX Holdings, Inc.	163	\$14,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					

*Indicates claim contains unliquidated and/or undetermined amounts

**PGX Holdings, Inc. Case No. 23-10718
Sixth Omnibus Objection (Substantive)
Schedule 2 - No Liability - Insufficient Documentation - Former Employees**

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
19 RAMIREZ, RAUL ADDRESS REDACTED	08/15/2023	23-10718	PGX Holdings, Inc.	107	\$8,000.00
Reason: Claim does not have a basis in the Debtors' books and records. Claimant is not entitled to WARN benefits as asserted in the claim because he left his role voluntarily to pursue a different job and was not part of the workforce reduction.					
20 RASMUSSEN, DESIRAE ADDRESS REDACTED	08/15/2023	23-10725	John C. Heath Attorney at Law PC	150	\$7,587.94
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
21 SCHOPFER, ANITA ADDRESS REDACTED	08/28/2023	23-10718	PGX Holdings, Inc.	232	\$10,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
22 SMITH, ALEXANDER ADDRESS REDACTED	12/05/2023	23-10718	PGX Holdings, Inc.	615	\$20,000.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
23 VALKO, LISA D. ADDRESS REDACTED	09/06/2023	23-10718	PGX Holdings, Inc.	278	Undetermined*
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
24 WIKES, SANDRA M. ADDRESS REDACTED	08/19/2023	23-10718	PGX Holdings, Inc.	177	\$3,500.00
Reason: Claim does not have a basis in the Debtors' books and records and does not include or attach sufficient information or documentation to determine the validity of the asserted liability.					
TOTAL					\$151,311.20*

*Indicates claim contains unliquidated and/or undetermined amounts

Schedule 3

WARN Class Claims

PGX Holdings, Inc. Case No. 23-10718
 Sixth Omnibus Objection (Substantive)
 Schedule 3 - No Liability - WARN Class Action Members

NAME	DATE FILED	CASE #	DEBTOR	CLAIM #	CLAIM AMOUNT
1 DESTRIE BARNES ADDRESS REDACTED	02/07/2024	23-10722	Creditrepair.com, Inc.	668	\$15,150.00
Reason: Through the Confirmation Order, the Debtors and the WARN Plaintiff settled the WARN Action (the "WARN Settlement"). The WARN Settlement binds the WARN Plaintiff and all members of the class covered by the WARN Action (the "WARN Class"). Members of the WARN Class will receive distributions from funds that have already been paid by the Debtors to the administrator of the WARN Class and therefore this claim should be expunged to avoid duplicate recoveries . Additionally, the claim was not filed timely.					
2 SHARIFIAN, ASHKAN T. ADDRESS REDACTED	08/31/2023	23-10718	PGX Holdings, Inc.	270	\$100,000.00
Reason: Through the Confirmation Order, the Debtors and the WARN Plaintiff settled the WARN Action (the "WARN Settlement"). The WARN Settlement binds the WARN Plaintiff and all members of the class covered by the WARN Action (the "WARN Class"). Members of the WARN Class will receive distributions from funds that have already been paid by the Debtors to the administrator of the WARN Class and therefore this claim should be expunged to avoid duplicate recoveries .					
				TOTAL	\$115,150.00