

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

Debtor Progrexion ASG, Inc.

United States Bankruptcy Court for the: \_\_\_\_\_ District of Delaware  
(State)

Case number 23-10726

**Official Form 410  
Proof of Claim**

**04/22**

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**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. That date is on the notice of bankruptcy (Form 309) that you received.**

**Part 1: Identify the Claim**

<p><b>1. Who is the current creditor?</b></p>	<p><u>Argano, LLC</u></p> <p>Name of the current creditor (the person or entity to be paid for this claim)</p> <p>Other names the creditor used with the debtor _____</p>	
<p><b>2. Has this claim been acquired from someone else?</b></p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. From whom? _____</p>	
<p><b>3. Where should notices and payments to the creditor be sent?</b></p> <p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p><b>Where should notices to the creditor be sent?</b></p> <p><u>Argano, LLC</u> <u>Elizabeth Frederic</u> <u>6100 W Plano Parkway, Suite 1800</u> <u>Plano, TX 75093, USA</u></p> <p>Contact phone <u>859-250-0086</u></p> <p>Contact email <u>elizabeth.frederic@argano.com</u></p>	<p><b>Where should payments to the creditor be sent? (if different)</b></p> <p>Contact phone _____</p> <p>Contact email _____</p> <p>Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____</p>
<p><b>4. Does this claim amend one already filed?</b></p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY</p>	
<p><b>5. Do you know if anyone else has filed a proof of claim for this claim?</b></p>	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Who made the earlier filing? _____</p>	



**Part 2: Give Information About the 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: \_\_\_\_ \_

7. How much is the claim? \$ 912,639.00. 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).

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.  
Services rendered and expenses incurred

9. Is all or part of the claim secured?  No  
 Yes. The claim is secured by a lien on property.  
**Nature or property:**  
 Real estate: If the claim is secured by the debtor's principle 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
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> 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).	\$ _____
<input type="checkbox"/> 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).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> 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 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 08/29/2023  
MM / DD / YYYY

/s/Michael Rosella  
Signature

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

Name Michael Rosella  
First name Middle name Last name

Title Associate

Company Katten Muchin Rosenman LLP  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_

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



# KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (888) 249-2721 | International (310) 751-2604

<b>Debtor:</b> 23-10726 - Progexion ASG, Inc.		
<b>District:</b> District of Delaware		
<b>Creditor:</b> Argano, LLC Elizabeth Frederic 6100 W Plano Parkway, Suite 1800  Plano, TX, 75093 USA <b>Phone:</b> 859-250-0086 <b>Phone 2:</b>  <b>Fax:</b>  <b>Email:</b> elizabeth.frederic@argano.com	<b>Has Supporting Documentation:</b> Yes, supporting documentation successfully uploaded <b>Related Document Statement:</b>	
	<b>Has Related Claim:</b> No <b>Related Claim Filed By:</b>	
	<b>Filing Party:</b> Authorized agent	
<b>Other Names Used with Debtor:</b>	<b>Amends Claim:</b> No <b>Acquired Claim:</b> No	
<b>Basis of Claim:</b> Services rendered and expenses incurred	<b>Last 4 Digits:</b> No	<b>Uniform Claim Identifier:</b>
<b>Total Amount of Claim:</b> 912,639.00	<b>Includes Interest or Charges:</b> No	
<b>Has Priority Claim:</b> No	<b>Priority Under:</b>	
<b>Has Secured Claim:</b> No <b>Amount of 503(b)(9):</b> No <b>Based on Lease:</b> No <b>Subject to Right of Setoff:</b> No	<b>Nature of Secured Amount:</b> <b>Value of Property:</b> <b>Annual Interest Rate:</b> <b>Arrearage Amount:</b> <b>Basis for Perfection:</b> <b>Amount Unsecured:</b>	
<b>Submitted By:</b> Michael Rosella on 29-Aug-2023 1:53:40 p.m. Eastern Time  <b>Title:</b> Associate  <b>Company:</b> Katten Muchin Rosenman LLP		

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

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

**ADDENDUM TO PROOF OF CLAIM OF ARGANO, LLC**

**I. Background**

1. The Claimant. Argano, LLC (“Argano” or the “Claimant”) hereby submits this Addendum together with the proof of claim form to which it is affixed (together, the “Proof of Claim”). As set forth herein, the Proof of Claim asserts a claim (collectively, the “Claim”) by the Claimant against Progrexion ASG, Inc. (“PGX”), as more fully set forth below.

2. Commencement of Bankruptcy Cases and Entry of Bar Date Order. On June 4, 2023 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) commenced these bankruptcy cases (the “Bankruptcy Cases”) by filing voluntary petitions for relief under chapter 11 of title 11 of the United States Code (as amended, the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

3. On July 19, 2023, the Bankruptcy Court entered its *Order (A) Establishing Bar Dates for Filing Proofs of Claim, Including Claims Under 11 U.S.C. § 503(b)(9) and*

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<sup>1</sup> 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. Health, 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.

*Administrative Expense Requests; (B) Approving the Form and Manner for Filing Proofs of Claim and Administrative Expense Requests; (C) Approving Notice Thereof; and (D) Granting Related Relief* [Docket No. 194] (the “Bar Date Order”). The Bar Date Order establishes September 7, 2023, as the last date for non-governmental holders of pre-petition claims against the Debtors to file proofs of claim in the Bankruptcy Cases.

4. Supporting Documents. The Debtors have, or should have, a copy of the relevant documentation supporting the Proof of Claim. The documentation supporting the Proof of Claim is voluminous. If the Debtors or their counsel in these Bankruptcy Cases so request, and upon agreement to reimburse Claimant for any associated expense, the documentation supporting the Proof of Claim will be made available for review and copying, subject to any applicable privileges and/or measures to ensure confidentiality that may be appropriate.

## **II. The Claim**

5. PGX engaged Argano to provide information technology systems integration and implementation services (the “Argano Services”) as set forth in that certain Master Services Agreement between Argano and PGX entered in to as of November 22, 2022 (together with all statements of work entered into thereunder, the “MSA”).

6. In accordance with the MSA, Argano invoiced PGX monthly for the Argano Services rendered and expenses incurred. PGX agreed to pay invoices within thirty (30) days of receipt of such invoices. Invoices submitted by Argano to PGX are presumed to be accurate and fully payable unless disputed by PGX in good faith within fifteen (15) business days of PGX’s receipt of the invoice. The amount of the prepetition invoices comprising the Claim (the “Unpaid Invoices”) is reflected in the Debtors’ *Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases* [Docket No. 336] and *Global Notes, Methodology, and*

*Disclosures Regarding the Debtors' Schedules of Assets and Liabilities and Statements of Financial Affairs* [Docket No. 302], which list Argano's cure amount as \$912,639.00.

7. The Unpaid Invoices are as follows:

Invoice Date	Invoice Number	Period Covered	Amount
3/31/2023	ARGU00000676	February 1, 2023 - March 31, 2023	\$278,324.00
4/30/2023	ARGU00000765	March 27, 2023 - April 30, 2023	\$328,655.00
5/31/2023	ARGU00000899	May 1, 2023 - May 31, 2023	\$305,660.00
			<b>TOTAL: \$912,639.00</b>

8. Claimant also asserts contingent and unliquidated claims for any and all additional amounts that are currently due or that might become due in the future under the MSA or applicable law. All of the claims set forth in this subsection are hereby asserted against the Debtor PGX pursuant to applicable law.

### **III. Reservation of Rights and Miscellaneous**

9. Priority Status of Claims. To the extent the Claim set forth herein, in whole or in part, or any component thereof, is entitled to priority pursuant to sections 503 and 507 of the Bankruptcy Code, Claimant reserves the right to file one or more requests for payment of administrative expenses pursuant to section 503(a) and 507 of the Bankruptcy Code with respect to any administrative expense claim that Claimant may now have or hereafter hold or acquire against the Debtors or their estates.

10. No Judgment. Upon information and belief, no judgment has been rendered on any of the Claim.

11. Proofs of Claim Timely. The Proof of Claim is timely submitted by Claimant in accordance with the Bar Date Order.

12. Right to Amend. Claimant expressly reserves the right to amend or supplement these Proof of Claim to correct, clarify, explain, expand, supplement, or add to any portion of the Claim asserted herein, or otherwise, to both increase the dollar amounts of such Claim and provide additional information and documentation as is necessary or appropriate to pursue this and such additional claims as are, or may be, held by Claimant, including, without limitation, the right to amend this Proof of Claim in the event an objection is made against the Proof of Claim, a contract is rejected pursuant to section 365 of the Bankruptcy Code, or a claim is asserted against Claimant or any of its affiliates. Moreover, Claimant specifically reserves the right to conduct discovery with respect to this matter in accordance with the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure.

13. No Admission. Nothing contained in this Proof of Claim shall be deemed an admission by the Claimant. The Claimant expressly reserves the right to withdraw its Proof of Claim as if it had never been filed.

14. Additional Proofs of Claim. Claimant expressly reserves the right to file any separate or additional proofs of claim with respect to the Claim, or any portion thereof, set forth herein or otherwise (which proofs of claim, if so filed, shall not be deemed to supersede this Proof of Claim unless expressly stated), or to file additional proofs of claim in respect of any other claim against, or liability of, the Debtors, or for any other reason, including, without limitation, claims for rejection damages under section 365 of the Bankruptcy Code and applicable law, as well as claims for indemnification or contribution under applicable law.

15. Additional Reservations. In addition, the filing of the Proof of Claim is not intended, and shall not be deemed or construed as: (a) consent by Claimant to the jurisdiction of the Bankruptcy Court or any other court in the United States for any purpose other than with respect to resolving the Claim asserted in this Proof of Claim; (b) a waiver or release of any right



of Claimant to have all disputes with the Debtors resolved through arbitration as may be provided in the Agreements, notwithstanding whether such matters are designated as “core proceedings” pursuant to 28 U.S.C. § 157(b)(2); (c) consent by Claimant to a trial in the Bankruptcy Court or in any other court of any proceeding as to any and all matters so triable herein or in any case, controversy, or proceeding related hereto, pursuant to 28 U.S.C. § 157(3) or otherwise; (d) a waiver or release of the right of Claimant to have any and all final orders in any and all non-core matters or proceedings entered only after *de novo* review by the United States District Court; (e) a waiver or release of any right which Claimant may have to a jury trial; (f) a waiver of the right to move to withdraw the reference in respect of the subject matter of the Proof of Claim, any objection thereto or other proceeding that may be commenced in the Bankruptcy Cases against or otherwise involving Claimant; (g) a waiver of any right to setoff or recoupment available under the Bankruptcy Code, applicable law or otherwise; or (h) an election of remedies.

16. No Waiver. Claimant does not waive, and hereby expressly reserves, Claimant’s rights to pursue claims, including, but not limited to, the Claim described herein, against the Debtors based upon any and all alternative legal theories.

17. Notices Regarding Proof of Claim. All notices and correspondence with respect to the Proof of Claim (and, if filed, any objections thereto) must be sent to Claimant, and its counsel, at the following addresses:

Elizabeth Frederic  
Argano, LLC  
6100 W. Plano Parkway, Suite 1800  
Plano, TX 75093  
Tel: (859) 250-0086  
Email: elizabeth.frederic@argano.com

With a copy to:

Cindi M. Giglio, Esq.  
Michael Rosella, Esq.  
KATTEN MUCHIN ROSENMAN LLP  
50 Rockefeller Plaza  
New York, NY 10020-1605  
Tel: (212) 940-8800  
Email: cgiglio@katten.com  
michael.rosella@katten.com

Furthermore, the above shall not be construed as an appointment of any person or entity as an authorized agent of Claimant, either expressly or impliedly, for purposes of receiving service of process pursuant to Rule 4 of the Federal Rules of Civil Procedure or other applicable law.

**DISCLOSURE**

18. To the best of Claimant's knowledge, information, and belief, no judgment has been rendered on the Claim, no payments have been made on the Claims, no security interest is held for the Claim, and Claimant has not assigned any portion of the Claim.

19. To the best of Claimant's knowledge, information, and belief, the above statements are true and correct.