**UNITED STATES BANKRUPTCY COURT**
**EASTERN DISTRICT OF MICHIGAN**
**SOUTHERN DIVISION - DETROIT**

**IN THE MATTER OF:**

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| Fieldstone A&E, LLC,<br>*d/b/a* Fieldstone Engineering,<br>*d/b/a* Fieldstone A & E,<br>*d/b/a* Fieldstone Architecture,<br>*d/b/a* Fieldstone Architecture & Engineering,<br><br>Debtor. | Bankruptcy Case No. 26-48494-tjt<br>Hon. Thomas J. Tucker<br>Chapter 11<br>*Subchapter V* |

**FIRST DAY MOTION FOR ENTRY OF ORDER (I) ESTABLISHING DEADLINES FOR FILING PROOF OF CLAIM; (II) APPROVING THE FORM AND MANNER OF NOTICE OF THE BAR DATES; AND (III) APPROVING THE FORM OF PUBLICATION NOTICE**

NOW COMES Fieldstone A&E, LLC, *d/b/a* Fieldstone Architecture & Engineering, *d/b/a* Fieldstone A&E, *d/b/a* Fieldstone Engineering, *d/b/a* Fieldstone Architecture (the "Debtor"), as Debtor and Debtor in Possession, by and through its counsel, Stevenson & Bullock, P.L.C., hereby requests that this Court enter an Order, substantially in the form attached hereto as Exhibit 1 (i) setting deadlines by which all creditors, including a claim regarding a construction defect, must submit proofs of claim in this chapter 11 case; (ii) approving the form and manner of the proposed Notices of the Bar Dates (as defined below), attached hereto as Exhibit 2 (the "General Bar Date Notice"); and (iii) approving the form of the proposed publication notice, attached hereto as Exhibit 3 (the "Publication Notice").

The Debtor, in support of this First Day Motion for Entry of Order (I) Establishing Deadlines for Filing Proof of Claim; (II) Approving the From and Manner of Notice of the Bar Dates; and (III) Approving the Form of Publication Notice (the "Motion") states as follows:

## JURISDICTION

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334.

2. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A),(B), and (O).

3. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

## BACKGROUND

### I. General Background

4. On July 30, 2026 (the "Petition Date"), the Debtor commenced this case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code and elected to proceed as a debtor under subchapter V pursuant to 11 U.S.C. § 1182.

5. The Debtor continues to manage and operate its business as debtor-in-possession pursuant to 11 U.S.C. §§ 1184 of the Bankruptcy Code.

6. A subchapter V Trustee has not yet been appointed or designated in this case.

7. Ryan Rasmussen is the Debtor's Responsible Person and is authorized to act on behalf of the Debtor in this chapter 11 case.

8. A more complete description of the Debtor's business, financial condition, capital structure, and the circumstances leading to the commencement of this chapter 11 case is set forth in the Declaration of Ryan Rasmussen in Support of First Day Pleadings (the "Rasmussen Declaration"), filed contemporaneously herewith and incorporated herein by reference.

9. Contemporaneously with commencement of this case, the Debtor filed its Motion Seeking Authorization to Retain Kurtzman Carson Consultants, LLC *d/b/a* Verita Global as its Claims and Noticing Agent (the "Claims Agent"). Upon approval by the Court, the Claims Agent will, among other duties, maintain the claims register, receive and process proofs of claim, administer the noticing procedures approved by the Court, and perform related claims administration services.

## II. Background Regarding Anticipated Claims.

10. The Debtor is an architectural and engineering firm that has provided professional design, planning, consulting, and construction administration services in connection with numerous residential, commercial, mixed-use, condominium, and planned community developments over many years.

11. The Debtor presently has more than five hundred (500) known notice parties. These parties include vendors, contract counterparties, governmental entities, insurers, developers, contractors, subcontractors, property owners, and persons or entities that have asserted or may asset claims arising out of the Debtor's professional services.

12. A significant portion of the Debtor's potential liabilities consists of actual, contingent, disputed, unliquidated, or unmatured claims relating to alleged construction defects, professional negligence, design deficiencies, contractual indemnity obligations, contribution claims, or other claims arising from the Debtor's architectural and engineering services (collectively, the "Construction Defect Claims").

13. Unlike traditional trade claims, Construction Defect Claims frequently involve latent conditions that may not become apparent until years after substantial completion of a construction project. Consequently, potential claimants may include original property owners, subsequent purchasers, condominium associations, homeowners' associations, developers, insurers, or other entities whose identities are presently unknown or not reasonably ascertainable despite the Debtor's diligent review of its books and records.

14. The existence of these actual and potential Construction Defect Claims creates substantial uncertainty regarding the total liabilities of the bankruptcy estate

and materially impacts the Debtor's ability to formulate and confirm a feasible plan of reorganization under subchapter V of chapter 11.

15. Establishing a comprehensive claims process at the outset of this case is therefore necessary to identify the universe of creditors, permit the orderly administration and reconciliation of claims, provide constitutionally adequate notice to known and unknown claimants, and facilitate the Debtor's prompt and successful reorganization.

16. Accordingly, the Debtor respectfully submits that establishing appropriate Bar Dates and approving the notice procedures described herein represents the most efficient, equitable, and legally appropriate method for identifying all persons and entities asserting prepetition claims against the Debtor, including unknown holders of latent Construction Defect Claims, while ensuring that all interested parties receive due process and a meaningful opportunity to file timely proofs of claim.

## PROPOSED BAR DATES AND PROOF OF CLAIM PROCEDURES

### I. Establishment of Bar Dates

17. Pursuant to 11 U.S.C. § 1189(b), in a chapter 11 case under subchapter V, the Debtor must file a plan of reorganization no later than ninety (90) days after the entry of the order for relief. The anticipated deadline for filing the Plan is this case is October 28, 2026.

18. Bankruptcy Rule 3003(c)(3) provides that, in a chapter 11 case, "the 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). Accordingly, the Debtor respectfully requests that the Court establish the following deadlines for the filing of proofs of claim in this chapter 11 case:

a. a General Bar Date applicable to all non-governmental creditors;

b. a Governmental Bar Date applicable to governmental units as defined in 11 U.S.C. § 101(27); and

c. a Rejection Bar Date applicable to claims arising from the rejection of executory contracts and unexpired leases.

19. The requested Bar Dates are intended to permit the orderly administration of this estate, facilitate the reconciliation of claims, and provide the Debtor with the information necessary to formulate and confirm a feasible plan of reorganization under subchapter V of chapter 11.

A. General Claims and Construction Defect Claims Bar Date.

20. Except as otherwise provided herein or by further order of the Court, the Debtor requests that the Court establish October 6, 2026, at 4:00 p.m. (Eastern Time) as the deadline (the "General Bar Date") by which every person or entity, other than a Governmental Unit, asserting a prepetition claim against the Debtor shall file a Proof of Claim.

21. The General Bar Date shall apply to all claims arising before the Petition Date, including, without limitation:

a. secured claims;

b. unsecured claims;

c. priority claims;

d. contingent claims;

e. unliquidated claims;

f. disputed claims;

g. indemnity claims;

h. contribution claims;

i. professional negligence claims;

j. professional malpractice claims;

k. construction defect claims;

l. breach of contract claims;

m. warranty claims;

n. building code claims;

o. claims arising under state or local statutes or ordinances; and

p. any other claim constituting a "claim" within the meaning of 11 U.S.C. §101(5).

22. The Debtor proposes that the General Bar Date occur forty-five (45) days after service of the General Bar Date Notice and publication of the Publication Notice. Forty-five (45) days provides creditors with substantially more notice than the minimum required under Bankruptcy Rule 2002(a)(7) and is reasonably calculated to provide all known and unknown creditors with sufficient time to investigate, prepare, and file timely Proofs of Claim.

B. Governmental Bar Date.

23. Pursuant to 11 U.S.C. § 502(b)(9) and Bankruptcy Rule 3003(c)(3), the Debtor requests that the Court establish January 26, 2027, at 4:00 p.m. (Eastern Time) as the deadline (the "Governmental Bar Date") for governmental units to file Proofs of Claim.

24. The Governmental Bar Date is 180 days after the Petition Date, as mandated by section 502 of the Bankruptcy Code. See 11 U.S.C. § 502(b)(9).

C. Rejection Bar Date.

25. The Debtor further requests that the Court establish a deadline for filing claims arising from the rejection of executory contracts or unexpired leases pursuant to section 365 of the Bankruptcy Code.

26. Unless otherwise ordered by the Court, any person or entity asserting a claim arising from the rejection of an executory contract or unexpired lease (a "Rejection Claim") shall file a Proof of Claim no later than the later of:

a. the General Bar Date; or

b. thirty (30) days after entry of the order approving the rejection of the applicable executory contract or unexpired lease.

27. The Debtor shall serve notice of the applicable Rejection Bar Date upon the affected contract or lease counterparty contemporaneously with service of the order approving rejection or such other notice as the Court directs.

**II. Parties Required to File Proofs of Claim**

28. In Pursuant to Bankruptcy Rule 3003(c)(2), and except as otherwise provided herein, every person or entity holding a prepetition claim against the Debtor shall file a Proof of Claim using a personalized proof of claim form ("Personalized Proof of Claim Form") attached as Exhibit 4 or Official Bankruptcy Form 410 on or before the applicable Bar Date if that person or entity seeks to participate in any distribution under a confirmed plan.

29. Without limitation, the following persons and entities shall file Proofs of Claim:

a. any creditor whose claim is not scheduled by the Debtor;

b. any creditor whose scheduled claim is listed as contingent, disputed, or unliquidated;

c. any creditor who disagrees with the amount, classification, or priority assigned to its claim in the Debtor's schedules;

d. any person or entity asserting indemnity, contribution, or reimbursement claims;

e. any insurer, surety, or guarantor asserting derivative claims;

f. any person or entity asserting a Construction Defect Claim arising from the Debtor's architectural, engineering, planning, design, consulting, inspection, or construction administration services;

g. any homeowner, condominium association, homeowners' association, property owner, developer, builder, contractor, subcontractor, supplier, consultant, or other entity asserting actual, contingent, or latent claims relating to the Debtor's prepetition professional services; and

h. any person or entity asserting a claim that is otherwise not deemed filed under section 1111(a) of the Bankruptcy Code.

**III. Parties Not Required to File Proof of Claim**

29. The following persons and entities shall not be required to file Proofs of Claim unless otherwise ordered by the Court:

a. any creditor whose claim has already been properly filed;

b. any creditor whose claim is listed in the Debtor's schedules as undisputed, noncontingent, and liquidated and who agrees with the scheduled amount and classification;

c. any person whose claim has been allowed by prior order of this Court;

d. any person whose claim has been paid in full;

e. any administrative expense claimant whose request for payment is governed by sections 503 or 507 of the Bankruptcy Code; and

f. any person specifically exempted by the Bankruptcy Code or further order of this Court.

## IV. Consequences Of Failing to File a Timely Proof of Claim

30. Pursuant to Bankruptcy Rule 3003(c)(2), any person or entity required to file a Proof of Claim that fails to do so on or before the applicable Bar Date shall be forever barred, estopped, and enjoined from asserting such prepetition claim against the Debtor or the bankruptcy estate, except as otherwise provided by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Court's Bar Date Order, or a confirmed chapter 11 plan.

31. A creditor that fails to timely file a Proof of Claim may not:

a. Vote on a chapter 11 plan on account of such claim;

b. Receive any distribution from the bankruptcy estate on account of such claim;

c. Participate in distributions under a confirmed chapter 11 plan on account of such claim; or

d. Assert such claim against the reorganized Debtor to the extent provided by the Bankruptcy Code, the confirmation order, and the confirmed chapter 11 plan.

32. Because the Debtor's business involved architectural and engineering services for numerous residential and commercial developments over an extended period, these Bar Dates are particularly important to identify and resolve latent Construction Defect Claims before confirmation of a subchapter V plan. Establishing comprehensive claims procedures at this stage will promote the efficient administration of the estate, provide constitutionally adequate notice to known and unknown claimants, and facilitate the Debtor's successful reorganization.

## NOTICE PROCEDURES

A. Notice of the General Bar Date and Governmental Bar Dates

33. Not less than forty-five (45) days before the General Bar Date, the Debtor shall serve first-class United States Mail, postage prepaid, the Notice of Bar Date, substantially in the form attached as Exhibit 2, and Proof of Claim Form.

The Notice of Bar Date shall:

a. identify the General Bar Date, the governmental Bar Date, and any Rejection Damages Bar Date established by the Court;

b. include detailed instructions regarding the filing of timely Proofs of Claims;

c. identify those creditors and parties who are not required to file Proofs of claim pursuant to 11 U.S.C. § 1111(a), Federal Rule of Bankruptcy Procedure 3003(c), or further order of the Court;

d. describe the consequences of failing to timely file a Proof of Claim;

e. provide the contact information for the Claims and Noticing Agent, if one is appointed, or the Clerk of Bankruptcy Court if no claims agent has been retained; and

f. advise creditors that Proof of Claims must be filed in accordance with the procedures established by the Court and that submissions by facsimile or electronic mail shall not constitute valid Proofs of Claim unless otherwise authorized by the Court.

34. The Debtor shall serve the General Bar Dates upon the following parties, to the extent known:

a. The Office of the United States Trustee;

b. All parties who have filed notices of appearance or requests for notice pursuant to Federal Rule of Bankruptcy Procedure 2002;

c. All persons and entities that have filed Proofs of Claim in this case;

d. All creditors and notice parties listed on the Debtor's schedules or creditor matrix;

e. All known persons or entities asserting, investigating, or reasonably believed to possess actual or potential construction defect claims against the Debtor, including but not limited to:

- Homeowners;
- Condominium associations;
- Commercial property owners;
- Developers;
- General contractors;
- Subcontractors;
- Suppliers;
- Architects;
- Engineers;
- Consultants;
- Insurers;
- Sureties;
- Warranty claimants;

f. All parties to pending litigation, arbitration, mediation, or other dispute resolution proceedings involving alleged construction defects, breach

of contract, negligence, warranty claims, indemnification, or contribution claims, together with their counsel, if known;

g. All parties to executory contracts and unexpired leases;

h. All taxing authorities;

i. The Michigan Attorney General, to the extent required by applicable law;

j. Any governmental authority known to possess or potentially possess a claim against the Debtor; and

k. Such additional persons or entities as the Debtor reasonably determines should receive notice.

B. Notice to Known and Potential Construction Defect Claimants

35. In addition to the foregoing, the Debtor shall use commercially reasonable efforts to identify and provide notice to all persons and entities who may possess actual or potential construction defect claims arising from the Debtor's prepetition construction activities.

C. Supplemental Mailings

36. After the initial mailing of the Bar Date package, the Debtor may make supplemental Bar Date mailings, including when (i) the Debtor files any schedules of liabilities and statement of financial affairs and identify a claimant not included on the creditor matrix as of the time of mailing the Bar Date, (ii) notices are returned

by the post office; and (iii) additional potential claimants or parties in interest become known after the initial mailing of the Bar Date package. The Debtor requests that the Court authorize the Debtor to make supplemental mailings of the Bar Date package in these and similar circumstances as soon as reasonably practicable, with any such mailings deemed timely and the Bar Date being applicable to the recipient creditors.

D. Publication Notice

37. To provide notice to unknown creditors, including unknown holders of latent construction defect claims, the Debtor shall publish the Publication Notice, substantially in the form attached as Exhibit 3, on at least one occasion not less than forty-five (45) days before the General Bar Date, or as soon as reasonably practicable.

38. Publication shall occur in publications reasonably calculated to provide notice to unknown creditors, including:

a. One nationally circulated newspaper, such as USA Today; and

b. Newspapers of general circulation serving the geographic regions where the Debtor conducted substantial construction operation,

including without limitation: Jacksonville, Tampa Bay, Orlando, and South Florida.[1]

E. Electronic Notice

39. Upon entry of the Bar Date Order, the Debtor shall post the General Bar Date Notice on:

a. The website maintained by the Claims and Noticing Agent; and

b. Any additional electronic platform approved by the Court or reasonably determined by the Debtor to provide effective notice.

F. Adequacy of Notice

40. The Debtor submits that the foregoing notice procedure satisfy the requirements of due process under the United States Constitution, 11 U.S.C. §§ 101 et seq., Federal Rules of Bankruptcy Procedures 2002 and 3003(c), and applicable Sixth Circuit authority.

41. The notice program is reasonably designed to provide actual notice to known creditors and constructive notice to unknown creditors, including persons and entities holding latent or contingent construction defect claims that may arise from the Debtor's prepetition contraction activities.

[1] The Debtor has identified the Tampa Bay Times, Orlando Sentinel, Florida Times-Union, The Naples Press, and the Sun Sentinel as publications covering such areas.

42. Any person holding a claim against the Debtor arising before the Petition Date, including claims based upon alleged construction defects, defective workmanship, design errors, negligence, breach of contract, breach of warranty, indemnity, contribution, or any related theory of liability, who fails to timely file a Proof of Claim on or before applicable Bar Date, shall be forever barred, estopped, and enjoined from asserting such claim against the Debtor, the bankruptcy estate, or the reorganized Debtor, except as otherwise provided by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Court's Bar Date Order, or a confirmed chapter 11, subchapter V Plan.

## BASIS FOR RELIEF

### I. The Court Should Establish the Proposed Bar Dates Pursuant to Bankruptcy Rule 3003(c)(3).

43. Creditors generally must file a proof of claim to assert a claim against a debtor's bankruptcy estate. See 11 U.S.C. § 501(a). Federal Rule of Bankruptcy Procedure 3003(c)(3) further provides that "the court shall fix . . . the time within which proofs of claim or interest may be filed." Fed. R. Bankr. P. 3003(c)(3). The establishment of a claims bar date is a fundamental component of the chapter 11 process because it enables the Court, the Debtor, and parties in interest to identify promptly the universe of claims asserted against the estate, evaluate the Debtor's liabilities, and facilitate the efficient administration and reorganization of the estate.

As the Supreme Court has recognized, bankruptcy deadlines are intended to promote the orderly and expeditious administration of bankruptcy cases. *Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 389 (1993). The Sixth Circuit likewise recognizes the importance of bar dates in providing finality and promoting the efficient administration of bankruptcy estates. *In re M.J. Waterman & Assocs., Inc*., 227 F.3d 604, 609-10 (6th Cir. 2000). Moreover, courts have consistently held that a claims bar date is analogous to a statute of limitations and is essential to the successful administration of a chapter 11 case because, absent a bar date, the debtor's liabilities cannot be determined with finality, and a plan of reorganization cannot be administered effectively.

44. Establishing a claims bar date furthers these principles by providing a date certain upon which the Debtor and all parties in interest may determine the universe of claims asserted against the bankruptcy estate. Without a bar date, the Debtor would be unable to accurately determine its liabilities, reconcile claims, negotiate with creditors, formulate a feasible plan of reorganization, or consummate a confirmed plan under subchapter V.

45. The need for a bar date is particularly compelling in this case. The Debtor is an architectural and engineering firm whose professional services were rendered on numerous residential, condominium, commercial, and mixed-use developments over many years. Claims arising from alleged architectural design

errors, code violations, water intrusion, building envelope deficiencies, or other latent construction defects frequently are not discovered until years after substantial completion of a project. Consequently, many potential claimants, including subsequent homeowners, condominium associations, homeowners' associations, developers, insurers, contractors, and other parties—may not presently be known or reasonably identifiable from the Debtor's books and records.

46. Unless the Court establishes comprehensive Bar Dates and notice procedures, uncertainty concerning these contingent and unliquidated claims could substantially impair the Debtor's ability to formulate a feasible plan of reorganization under subchapter V, prejudice existing creditors, and unnecessarily delay administration of the bankruptcy estate.

47. The proposed General Bar Date is reasonable and exceeds the minimum notice required by Bankruptcy Rule 2002(a)(7). The Debtor proposes to provide forty-five (45) days' advance notice to known creditors, together with publication notice directed toward unknown claimants. The proposed Governmental Bar Date likewise complies with section 502(b)(9) of the Bankruptcy Code by allowing governmental units one hundred eighty (180) days after the Petition Date within which to file claims. The proposed Rejection Bar Date similarly provides contract counterparties a reasonable opportunity to assert rejection damage claims arising under section 365 of the Bankruptcy Code.

48. Accordingly, the requested Bar Dates are fully consistent with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the equitable purposes underlying chapter 11, and should therefore be approved.

## II. The Proposed Notice Satisfy Due Process Requirements.

49. Bankruptcy Code Rule 2002(a) requires that Debtor provide claimants at least 21-days' notice by mail of the time fixed for submitting Proof of Claim pursuant to Bankruptcy Rule 3003(c). See Fed. R. Bankr. P. 2022(a)(7). In addition, Bankruptcy Rule 2002(l) provides that the Bankruptcy Court may order notice by publication if it finds that notice by mail is impractical or that it is desirable to supplement other notice. See Fed.R. Bank. P. 2002(l). Bankruptcy Rule 9008 also provides that the Bankruptcy Court shall determine the form and manner of any publication notice, the newspaper used, and the frequency of the publication. See Fed R. Bankr. P. 9008.

50. The Supreme Court has distinguished between creditors who are known or reasonably ascertainable and those whose identities are unknown. Known creditors are entitled to actual notice before their claims may be barred. *City of New York v. New York, New Haven & Hartford Railroad Co.*, 344 U.S. 293, 296-97 (1953). Likewise, in *Tulsa Professional Collection Services, Inc. v. Pope*, 485 U.S. 478, 490 (1988), the Supreme Court held that reasonably ascertainable creditors are entitled to actual notice before their claims may be extinguished.

51. Conversely, where the identity of a creditor is not reasonably ascertainable despite reasonably diligent efforts, constructive notice by publication satisfies constitutional due process. *Mullane*, 339 U.S. at 317. Due process does not require a debtor to undertake impracticable or extended searches in an attempt to identify every conceivable claimant. Rather, the Constitution requires notice reasonably calculated to reach interested parties under the particular circumstances presented.

52. The Sixth Circuit has likewise recognized that the distinction between known and unknown creditors governs the adequacy of notice in bankruptcy proceedings. See *In re Eagle-Picher Indus., Inc.*, 447 F.3d 461, 464-66 (6th Cir. 2006) (holding that due process requires actual notice to known creditors while publication notice is constitutionally sufficient for unknown creditors).

53. The circumstances presented by this case illustrate precisely why publication notice is appropriate. The Debtor's professional services span numerous construction projects completed over an extended period. Many projects have changed ownership multiple times since completion. Condominium associations or homeowners' associations may have been formed years after the Debtor completed its services. Likewise, latent construction defects often remain undiscovered until years after substantial completion and may not become apparent until damage manifests or destructive testing is performed.

54. As a result, despite a diligent review of its books and records, the Debtor cannot reasonably identify every current or future homeowner, condominium association, homeowners' association, insurer, or successor owner that may someday assert a Construction Defect Claim arising from the Debtor's prepetition professional services.

55. The proposed notice procedures appropriately distinguish between known and unknown claimants. The Debtor will provide actual notice by first-class mail to all known creditors and all persons or entities reasonably identifiable from its books, records, litigation files, insurance files, project files, contracts, and schedules. The Debtor will supplement that notice by publication in nationally circulated and industry publications reasonably calculated to reach unknown claimants who cannot be identified through reasonable diligence.

56. Establishing the proposed Bar Dates and approving the accompanying notice procedures will facilitate the efficient administration of this chapter 11 case, permit the orderly reconciliation of claims, provide certainty regarding the liabilities of the bankruptcy estate, and enable the Debtor to formulate and confirm a feasible plan of reorganization under subchapter V. Accordingly, the Debtor respectfully requests that the Court enter the proposed Bar Date Order.

## RESERVATION OF RIGHTS

57. The Debtor reserves its right to object to any claim or proof of claim on any ground, including, but not limited to, the passing of the applicable statutes of limitations The Debtor reserves its right to dispute, or to assert offsets or defenses to, any claim reflected on the Schedules, or any amendments thereto, as to amount, liability, classification, or otherwise, and to subsequently designate any claim as disputed, contingent, unliquidated, or undetermined.

## CONCLUSION

**WHEREFORE**, the Debtor respectfully requests that the Court enter an order substantially in the form attached hereto as Exhibit 1, granting the relief requested herein and such further relief as is just and proper.

Respectfully submitted,
**STEVENSON & BULLOCK, P.L.C.**

By: /s/ Charles D. Bullock
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Dated: July 30, 2026

# EXHIBIT 1

## PROPOSED ORDER

**UNITED STATES BANKRUPTCY COURT**
**EASTERN DISTRICT OF MICHIGAN**
**SOUTHERN DIVISION - DETROIT**

**IN THE MATTER OF:**

| | |
|---|---|
| Fieldstone A&E, LLC,<br>*d/b/a* Fieldstone Engineering,<br>*d/b/a* Fieldstone A & E,<br>*d/b/a* Fieldstone Architecture,<br>*d/b/a* Fieldstone Architecture & Engineering,<br><br>Debtor. | Bankruptcy Case No. 26-48494-tjt<br>Hon. Thomas J. Tucker<br>Chapter 11<br>*Subchapter V* |

**ORDER (I) ESTABLISHING DEADLINES FOR FILING PROOF OF CLAIM; (II) APPROVING THE FORM AND MANNER OF NOTICE OF THE BAR DATES; AND (III) APPROVING THE FORM OF PUBLICATION NOTICE**

This matter came before the Court on the Debtor's Motion for Entry of Order (1) Establishing Deadlines for Filing Proof of Claim; (II) Approving the Form and Manner of Notice of the Bar Dates; and (III) Approving the Form of Publication Notice (the "Motion"), filed by Fieldstone A & E, LLC (the "Debtor"), as Debtor and Debtor in Possession, for the entry of an order (this "Bar Date Order") Pursuant to 501 and 502 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code") and Rules 2002(a), 3001, 3002, and 3003 of the Federal Rules of Bankruptcy Procedure; and the Court finds that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the

best interest of the Debtor, its estate, and creditors; and after due deliberation, and good and sufficient cause therefore, the Court hereby determines the Motion should be GRANTED.

NOW THEREFORE IT IS HEREBY ORDERED as follows:

1. The General Bar Date Notice Personalized Proof of Claim Form and Publication Notice substantially in the forms attached to the Motion as Exhibit 2 Exhibit 3 and Exhibit 4, respectively, are approved in all respects. The form and matter of notice of the Bar Dates approved herein are deemed to fulfill the notice requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules of the Bankruptcy Code Court for the Eastern District of Michigan, and notice of the Bar Dates in the form and matter as proposed by the Debtor herein is fair and reasonable and will provide good, sufficient, and due notice to all creditors of their rights and obligations in connection with claims they may assert against the Debtor's estate in this chapter 11 case. Accordingly, the Debtor is authorized and directed to serve and/or publish the General Bar Date Notice and Publication Notice in the matter described herein and in the Motion.

2. Except as otherwise provided herein, all persons and entities that assert a claim (as defined in section 101(5) of the Bankruptcy Code) against the Debtor which arose before July 30, 2026 (the "Petition Date"), shall submit a written proof of such claim so that it is ***received*** on or before **4:00 p.m. (prevailing Eastern time)**

**on October 6, 2026** (the "General Bar Date") by Kurtzman Carson Consultants, LLC *d/b/a* Verita Global (the "Claims Agent"), in accordance with this Bar Date Order.

3. Any Proof of Claim asserted by governmental units must be submitted so as to be ***received*** by the Claims Agent on or before **4:00 p.m. (prevailing Eastern time) on January 26, 2027** (the "Governmental Bar Date"), the date that is 180 days from the Petition Date.

4. Any person or entity that holds a Claim arising from the rejection of an executory contract or unexpired lease must submit a Proof of Claim based on such rejection on or before the later of (a) the General Bar Date; or (b) any date the Court may fix in applicable order authorizing such rejection or, if no such date is provided, 30 days from the date of entry of such order (the "Rejection Bar Date"). The Debtor will provide notice of the Rejection Bar Date to the contract or lease counterparty whose contract or lease is being rejected at the time the Debtor rejects any executory contracts or unexpired lease.

5. The following procedures shall apply to the submission of all Proofs of Claim against the Debtor in this chapter 11 case:

a. Each Proof of Claim asserting a General Claim, Governmental Claim, or Rejection Claim must be submitted so as to be ***received*** by the Claims Agent on or before the applicable Bar Date either by (i) the interface available on

the Claims Agent's website: https://www.veritaglobal.net/fieldstone; or (ii) first-class U.S. mail, overnight mail, or hand-delivery at the following address: Fieldstone Claims Processing Center c/o KCC dba Verita 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245.;

b. Each Proof of Claim asserting a General Claim, Governmental Claim, or Rejection Claim, must: (i) be written in English; (ii) include a Claim amount denominated in United States dollars; (iii) conform substantially with the Personalized Proof of Claim Form or Official Bankruptcy Form 410; (iv) be signed or electronically transmitted, through the interface available on the Claims Agent's website at: https://www.veritaglobal.net/fieldstone by the claimant or by an authorized agent or legal representative of the claimant; and (v) include supporting documentation unless voluminous, in which case a summary must be attached or an explanation provided as to why documentation is not available; and

c. Parties who submit a Proof of Claim asserting a General Claim, Governmental Claim, or Rejection Claims, by mail and who wish to receive proof of receipt thereof must include an additional copy of their Proof of Claim and a self-addressed, stamped envelope.

6. In accordance with Bankruptcy Rule 3003(c)(2) and except as provided below, all persons and entities holding pre-petition claims, including, without

limitation, the following entities, must file Proofs of Claim on or before the Bar Date applicable to their claim:

a. Any person or entity whose pre-petition claim against the Debtor is not listed in the Schedules or whose pre-petition claim is listed in the Schedules but is listed as disputed, contingent, or unliquidated and that desires to participate in this case or share in any distribution in this case; and

b. Any person or entity that believes that its pre-petition claim is improperly classified in the Schedules or is listed in an incorrect amount and that desires to have its claim allowed in a classification or amount other than that identified in the Schedules.

7. The following persons or entities are not required to file a proof of claim on or before any applicable Bar Date:

a. Any person or entity that has already properly filed a proof of claim against the Debtor with the Clerk of the Court for the United States Bankruptcy Court for the Eastern District of Michigan, or with the Claims Agent;

b. Any person or entity: (i) whose claim is listed in the Schedules or any amendments thereto; and (ii) whose claim is not described therein as disputed, contingent, or unliquidated; and (iii) who does not dispute the amount or classification of its claim as set forth in the Schedules;

c. Any person or entity that asserts an administrative expense claim against the Debtor pursuant to section 503(b) and section 507(a)(2) of the Bankruptcy Code; *provided, however,* that any person or entity asserting a claim entitled to administrative expense status under section 503(b)(9) of the Bankruptcy Code must assert such claim by filing a Proof of Claim on or prior to the General Bar Date; and,

d. Any person or entity whose claim has been paid in full.

8. The Debtor retains the right to: (i) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to nature, amount, liability, classification or otherwise; and (ii) subsequently designated any claim as disputed, contingent, or unliquidated.

9. Nothing contained herein shall constitute a waiver by the Debtor of (a) any defenses in connection with any claims that are asserted against it; or (b) the right to assert that any claims are batted by applicable statutes of limitations.

10. In accordance with Bankruptcy Rule 3003(c)(2), any person or entity that is required, but fails, to submit a Proof of Claim in accordance with this Bar Date Order on or before the applicable Bar Date will be forever barred, estopped, and enjoined from asserting such claim against the Debtor, and the Debtor and its property will be forever discharged from any and all indebtedness or liability with respect to or arising from that claim. Moreover, such creditor will be prohibited

from (a) voting on any chapter 11 plan filed in this chapter 11 case on account of such claim; and (b) participating in any distribution in this chapter 11 case on account of such claim.

11. The General Bar Date Notice substantially in the form attached as Exhibit 2 to the Motion is approved and shall be deemed adequate and sufficient if served by first-class mail at least 45 days prior to the General Bar Date upon:

a. The United States Trustee for the Eastern District of Michigan;

b. Any person or entities that have requested notice of the proceedings in this chapter 11 case pursuant to Bankruptcy Rule 2002;

c. All known creditors;

d. All parties to executory contracts and unexpired leases;

e. All parties to litigation and their counsel (if known);

f. The United States Attorney;

g. The Internal Revenue Service; and

h. The Attorney General's office.

12. Pursuant to the Bankruptcy Rules 2002(f) and 2002(1), the Debtor shall publish a form of the General Bar Date Notice, substantially in the form attached as Exhibit 3 to the Motion, on one occasion in the USA Today (National Edition), at least 45 days prior to the General Bar Date, or as soon as reasonably practicable. Also shall be published in newspapers of general circulation serving the geographic

regions where the Debtor conducted substantial construction operation, including without limitation: Jacksonville, Tampa Bay, Orlando, and South Florida, as soon as reasonably practicable.

13. The publication thereof is hereby approved and deemed good, adequate, and sufficient publication notice of the Bar Dates.

14. Any person or entity who desires to rely on the Schedules will have the responsibility for determining that such person's or entity's claim is accurately listed in the Schedules.

15. After the initial mailing of the Bar Date package, the Debtor may make supplemental Bar Date mailings, including when (i) the Debtor files any schedules of liabilities and statement of financial affairs and identify a claimant not included on the creditor matrix as of the time of mailing the Bar Date, (ii) notices are returned by the post office; and (iii) additional potential claimants or parties in interest become known after the initial mailing of the Bar Date package. The Court hereby authorizes the Debtor to make supplemental mailings of the Bar Date package in these and similar circumstances as soon as reasonably practicable, with any such mailings deemed timely and the Bar Date being applicable to the recipient creditors.

16. Notwithstanding anything to the contrary, the terms and conditions of this Bar Date Order are immediately effective and enforceable upon its entry.

17. The Debtor and its Claims Agent are authorized to take all actions to effectuate the relief granted pursuant to this Bar Date Order

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

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

# EXHIBIT 2

## GENERAL BAR DATE NOTICE

**UNITED STATES BANKRUPTCY COURT**
**EASTERN DISTRICT OF MICHIGAN**
**SOUTHERN DIVISION - DETROIT**

| **IN THE MATTER OF:** | |
|---|---|
| Fieldstone A&E, LLC,<br>*d/b/a* Fieldstone Engineering,<br>*d/b/a* Fieldstone A & E,<br>*d/b/a* Fieldstone Architecture,<br>*d/b/a* Fieldstone Architecture & Engineering,<br><br>Debtor. | Bankruptcy Case No. 26-48494-tjt<br>Hon. Thomas J. Tucker<br>Chapter 11<br>*Subchapter V* |

**NOTICE OF BAR DATES FOR FILING GENERAL CLAIMS**

**TO ALL ENTITIES WITH CLAIMS AGAINST FIELDSTONE A&E, LLC, *D/B/A* FIELDSTONE ARCHITECTURE & ENGINEERING, *D/B/A* FIELDSTONE A & E, *D/B/A* FIELDSTONE ENGINEERING, *D/B/A* FIELDSTONE ARCHITECTURE:**

**PLEASE TAKE NOTICE** that on July 30, 2026, (the "Petition Date") Fieldstone A&E, LLC, *d/b/a* Fieldstone Architecture & Engineering, *d/b/a* Fieldstone A & E, *d/b/a* Fieldstone Engineering, *d/b/a* Fieldstone Architecture, the Debtor and Debtor in possession in the above-captioned case (the "Debtor"), filed a voluntary petition for relief 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 Michigan (the "Court"). The Debtor, its address, case number, proof of claim forms, and other relevant information related to this chapter 11 case may be obtained at: https://www.veritaglobal.net/fieldstone.

**PLEASE TAKE FURTHER NOTICE** that on _____, 2026, the Court entered an order (the "Bar Date Order") establishing certain claims bar dates in the Debtor's chapter 11 case. By the Bar Date Order, the Court established _____, **2026 at 4:00 p.m. (Prevailing Eastern Time)** as the date by which general claims must be filed (the "General Bar Date"). As described below, the Bar Date Order requires all Entities that have or assert any pre-petition Claims against the Debtor to file proofs of claim with Kurtzman Carson Consultants, LLC *d/b/a* Verita Global, the Court-appointed claims and noticing agent in this case (the "Claims Agent"), so that their proofs of claim are received by the Claims Agent on or before 4:00 p.m. (prevailing Eastern Time) on the applicable bar date set forth herein. Please note that relevant terms, including "Entity" and "Claim" are defined below.

**PLEASE TAKE FURTHER NOTICE** that for your convenience, enclosed with this notice (the "**General Bar Date Notice**") is a Personalized Proof of Claim Form 410. If this notice does not include a proof of claim form, a proof of claim form may be obtained from the Claims Agent at: https://www.veritaglobal.net/fieldstone.

**PLEASE TAKE FURTHER NOTICE** that you should consult an attorney if you have any questions, including whether you should file a proof of claim. You may also obtain information, but not legal advice, from the Claims Agent by calling (877) 725-7539 (U.S./Canada) or (424) 236-7247 (International) or visiting: https://www.veritaglobal.net/fieldstone/inquiry to submit an inquiry.

## KEY DEFINITIONS

- As used in this Notice, the term "**Entity**" has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons (individuals, partnerships, and corporations), estates, trusts, Governmental Units, and the United States Trustee.

- As used in this Notice, the term "**Governmental Unit**" has the meaning given to it in section 101(27) of the Bankruptcy Code and includes the United States, States, commonwealths, districts, territories, municipalities, foreign states, or departments, agencies, or instrumentalities of the foregoing.

- As used in this Notice, the term "**Claim**" shall mean, as to or against the Debtor and in accordance with section 101(5) of the Bankruptcy Code: (i) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (ii) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

- As used in this Notice, the term "**Schedules**" refers to the Schedules of Assets and Liabilities and/or Statement of Financial Affairs the Debtor filed in its chapter 11 case.

## THE BAR DATES

The Bar Date Order establishes the following applicable bar dates for filing proofs of claim in this case:

- General Bar Date. Except as otherwise set forth below, pursuant to the Bar Date Order, all entities must submit Proofs of Claim asserting claims that arose on or before the Petition Date against the Debtor in this chapter 11 case by the General Bar Date-_____

**at 4:00 p.m. (prevailing Eastern time).**

- Governmental Bar Date. Pursuant to the Bar Date Order, all Governmental Units must submit Proofs of Claim asserting claims that arose on or before the Petition Date against the Debtor in this chapter 11 case by the Governmental Bar Date - **January 26, 2027, at 4:00 p.m. (prevailing Eastern time).**

- Rejection Bar Date. Any person or entity that holds a Claim arising from the rejection of an executory contract or unexpired lease must submit a Proof of Claim based on such rejection on or before the later of: (a) the General Bar Date; or (b) any date this Court may fix in the applicable order authorizing such rejection or, if no such date is provided, 30 days from the date of entry of such order.

## WHO MUST SUBMIT A PROOF OF CLAIM

The Bar Date Order provides that all Entities holding pre-petition claims, including, without limitation, the following entities, must file Proofs of Claim on or before the applicable Bar Date:

- Any person or entity whose pre-petition claim against the Debtor is not listed in the Debtor's Schedules or whose pre-petition claim is listed in the Schedules but is listed as disputed, contingent, or unliquidated and that desires to participate in this case or share in any distribution in this case;

- Any person or entity that believes that its pre-petition claim is improperly classified in the Schedules or is listed in an incorrect amount and that desires to have its claim allowed in a classification or amount other than that identified in the Schedules.

## PARTIES NOT REQUIRED TO SUBMIT A PROOF OF CLAIM

Pursuant to the Bar Date Order, the following entities are not required to file a proof of claim on or before the applicable Bar Date:

- Any person or entity: (i) whose claim is listed in the Schedules or any amendments thereto; (ii) whose claim is not described therein as "disputed," "contingent," or "unliquidated"; and (iii) who does not dispute the amount or classification of its claim as set forth in the Schedules.

- Any person or entity that asserts an administrative expense claim against the Debtor pursuant to section 503(b) and section 507(a)(2) of the Bankruptcy Code; *provided, however*, that any person or entity asserting a claim entitled to administrative expense status under section 503(b)(9) of the Bankruptcy Code must assert such claim by filing a Proof of Claim on or

before the General Bar Date.

- Any person or entity whose claim against the Debtor has been allowed by an order of the Court entered on or before the applicable Bar Date; and,

- Any person or entity whose claim has been paid in full.

## PROCEDURES FOR FILING PROOFS OF CLAIM

You may submit your Claim on the Personalized Proof of Claim Form or Official Bankruptcy Form 410.

Your Proof of Claim must not contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor's initials) or a financial account number (only the last four digits of such financial account).

Additional proof of claim forms may be obtained by contacting the Claims Agent, by calling (877) 725-7539 (U.S./Canada) or (424) 236-7247 (International) or visiting the Claims Agent's website at: https://www.veritaglobal.net/fieldstone/inquiry to submit an inquiry.

The following procedures for the submission of Proofs of Claim against the Debtor in this chapter 11 case shall apply:

- Each Personalized Proof of Claim Form or Official Bankruptcy Form 410 must be submitted so as to actually be received by the Claims Agent on or before the applicable Bar Date either by: (i) the interface available on the Claims Agent's website athttps://www.veritaglobal.net/fieldstone; or (ii) first-class U.S. Mail, overnight mail, or another hand-delivery system at the following address: Fieldstone Claims Processing Center c/o KCC dba Verita
  222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245.

- Each Proof of Claim must: (i) be written in English; (ii) include a Claim amount denominated in United States dollars; (iii) conform substantially with the Personalized Proof of Claim Form or Official Bankruptcy Form 410; (iv) be signed or electronically transmitted, through the interface available on the Claims Agent's website at https://www.veritaglobal.net/fieldstone, by the claimant or by an authorized agent or legal representative of the claimant; and (v) unless otherwise consented to by the Debtor in writing, include supporting documentation unless voluminous, in which case a summary must be attached or an explanation provided as to why documentation is not available.

- Parties who submit a Proof of Claim by mail and who wish to receive proof of recipe thereof must include an additional copy of their Proof of Claim and a self-addressed, stamped envelope.

## THE DEBTOR'S SCHEDULES AND ACCESS THERETO

As described above, you may be listed as the holder of a Claim against the Debtor in the Debtor's Schedules. Copies of the Debtor's Schedules are available from the Claims Agent at: https://www.veritaglobal.net/fieldstone.

If you rely on the Debtor's Schedules, it is your responsibility to determine that the Claim is accurately listed in the Schedules. If it is unclear from the Schedules whether your Claim is disputed, contingent, or unliquidated as to amount or if it is otherwise properly listed and classified, you must file a proof of claim on or before the applicable Bar Date in accordance with the procedures set forth in this notice.

## RESERVATION OF RIGHTS

Nothing contained in this Notice is intended, or should be construed, as a waiver of the Debtor's right to object to any claim or proof of claim on any ground, including, but not limited to, the passing of the applicable statutes of limitations. The Debtor reserves it right to dispute, or to assert offsets or defenses to, any claim reflected on the Schedules, or any amendments thereto, as to amount, liability, classification, or otherwise, and to subsequently designate any claim as disputed, contingent, unliquidated, or undetermined.

## CONSEQUENCES OF FAILURE TO TIMELY SUBMIT A PROOF OF CLAIM

**ANY ENTITY THAT IS REQUIRED, BUT FAILS, TO SUBMIT A PROOF OF CLAIM IN ACCORDANCE WITH THE BAR DATE ORDER ON OR BEFORE THE APPLICABLE BAR DATE WILL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIMAGAINST THE DEBTOR, AND THE DEBTOR AND ITS PROPERTY WILL BE FOREVER DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO OR ARISING FROM THAT CLAIM. MOREOVER, SUCH CREDITOR WILL BE PROHIBITED FROM (A) VOTING ON ANY CHAPTER 11 PLAN FILED IN HIS CHAPTER 11 CASE ON ACCOUNT OF SUCH CLAIM, AND (B) PARTICIPATING IN ANY DISTRIBUTION IN THIS CHAPTER 11 CASE ON ACCOUNT OF SUCH CLAIM.**

Respectfully submitted,
**STEVENSON & BULLOCK, P.L.C.**

By: /s/ Charles D. Bullock
Charles D. Bullock (P55550)
Elliot G. Crowder (P76137)
Ernest M. Hassan, III (P67815)
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Email: ecrowder@sbplclaw.com
Email: ehassan@sbplclaw.com
Email: tleamon@sbplclaw.com

Dated: July 30, 2026

# EXHIBIT 3

# PUBLICATION NOTICE

**UNITED STATES BANKRUPTCY COURT**
**FOR THE EASTERN DISTRICT OF MICHIGAN -DETROIT**

**In re Fieldstone A&E, LLC,**
***d/b/a* Fieldstone Architecture & Engineering, *d/b/a* Fieldstone A & E,**
***d/b/a* Fieldstone Engineering, *d/b/a* Fieldstone Architecture**

**Case No.:** 26-48494-tjt

# YOU MAY HAVE A CLAIM AGAINST FIELDSTONE A&E, LLC

On July 30, 2026, Fieldstone A&E, LLC (the "Debtor") filed for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"). The Debtor, its address, case number, proof of claim form, and other relevant information related to this chapter 11 case may be obtained from Kurtzman Carson Consultants, LLC dba Verita Global (the "Claims Agent") at:

https://www.veritaglobal.net/fieldstone

**THE LAST DAY TO FILE CLAIMS AGAINST THE DEBTOR IS _____ AT 4:00 P.M. (PREVAILING EASTERN TIME)**

for more information, and instructions on how to obtain and file a proof of claim and associated documents, please visit the Claims Agent's designated website: https://www.veritaglobal.net/fieldstone **or call the Claims Agent at** (877) 725-7539 (U.S./Canada) or (424) 236-7247 (International)

**ANY PERSON OR ENTITY THAT IS REQUIRED TO TIMELY FILE A PROOF OF CLAIM BUT FAILS TO DO SO SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSE OF VOTING AND DISTRIBUTION IN THE DEBTOR'S CHAPTER 11 CASE.**

# EXHIBIT 4

# PERSONALIZED PROOF OF CLAIM FORM

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

Debtor Fieldstone A&E, LLC

United States Bankruptcy Court for the Eastern District of Michigan

Case number 26-48494-tjt

# Modified Official Form 410
# Proof of Claim

**04/25**

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. 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 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)

| **Where should notices to the creditor be sent?** | **Where should payments to the creditor be sent?** (if different) |
|---|---|
| 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 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?**

$ _____. **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.

_____

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)?**

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

☐ No

☐ Yes. *Check all that apply:*

**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 $3,800* 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 $17,150*) 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 4/01/28 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 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

## 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.**

**PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:**
Fieldstone Claims Processing Center
c/o KCC dba Verita Global
222 N. Pacific Coast Hwy., Ste. 300
El Segundo, CA 90245

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

- **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 https://www.veritaglobal.net/fieldstone.

## 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.

**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.

**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.

**Do not file these instructions with your form.**