

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

In re:	)	
	)	Chapter 11
	)	
TERRAFORM LABS PTE LTD., <i>et al.</i> , ¹	)	Case No. 24-10070 (BLS)
	)	
Post-Effective Date Debtors.	)	(Jointly Administered)
	)	
	)	Re: Docket Nos. 1147, 1148, 1155 & 1158

**PLAN ADMINISTRATOR'S OMNIBUS RESPONSE TO ADDITIONAL
MOTIONS FOR LEAVE TO FILE LATE CRYPTO LOSS CLAIMS**

By this response (the “Response”), Todd R. Snyder, in his capacity as the Plan Administrator (the “Plan Administrator”) for the above-captioned debtors (the “Post-Effective Date Debtors,” and prior to the Effective Date,² the “Debtors”) in the above-captioned chapter 11 cases (the “Chapter 11 Cases”) seeks the entry of an order pursuant to sections 501 and 502 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 3001 and 9006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), denying the Motions (as defined below) to file late Crypto Loss Claims. In further support of this Response, the Plan Administrator respectfully states as follows:

1 The Post-Effective Date Debtors in these chapter 11 cases are: Terraform Labs Pte. Ltd. and Terraform Labs Limited. The Post-Effective Date Debtors' principal offices are located at 10 Anson Road, #10-10 International Plaza, Singapore 079903. The Plan Administrator of the Post-Effective Date Debtors is Todd R. Snyder. The Plan Administrator's principal office is located at 1251 Avenue of the Americas, New York, New York 10020.

² Capitalized terms used but not defined herein have the meanings ascribed to them in the *Second Amended Chapter 11 Plan of Liquidation of Terraform Labs Pte. Ltd. and Terraform Labs Limited* [Docket No. 717] (the “Plan”) or the *Motion of the Plan Administrator Seeking Entry of an Order (I) Setting the Bar Date for Filing Proofs of Claim on Account of Crypto Loss Claims, (II) Approving the Form of and Manner for Filing Proofs of Claim, (III) Approving Form and Manner of Notice Thereof, and (IV) Approving Related Procedures* [Docket No. 904] (the “CLC Bar Date Motion”).

Relief Requested

1. The Plan Administrator seeks entry of an order, substantially in the form attached hereto as **Exhibit A**, denying the relief requested in the following motions for leave to file a late Crypto Loss Claim, as each of the movants have not met their burden under the excusable neglect standard:

- *Motion to Allow Late Filed Claim Filed by Daniel Finkelstein* [Docket No. 1147] (the “Finkelstein Motion”);
- *Motion to Allow Late Filed Claim Filed by Ashishbhai Prameshkumar Gandhi* [Docket No. 1148] (the “Gandhi Motion”);
- *Motion to Allow Late-Filed Crypto Loss Claim Filed by David Anthony Alexander Parkinson* [Docket No. 1155] (the “Parkinson Motion”); and
- *Motion for Leave to File Late Crypto Loss Claim Filed by Fiona Carlin* [Docket No. 1158] (the “Carlin Motion” and together with the Finkelstein Motion, the Gandhi Motion, and the Parkinson Motion, the “Motions,” and Finkelstein, Gandhi, Parkinson, and Carlin each, individually, a “Movant,” and collectively, the “Movants”).

Jurisdiction and Venue

2. The United States Bankruptcy Court for the District of Delaware (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012. The Plan Administrator confirms his consent, pursuant to rule 9013-1(f) of the Local Rules, to the entry of a final order by the Court in connection with the Motions and this Response to the extent that it is later determined that the Court, absent consent of the parties,

cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

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

4. The statutory bases for the relief sought herein are sections 502 and 503 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), and Bankruptcy Rules 3001, and 9006.

Background

5. On January 21, 2024 (the “Petition Date”), Terraform Labs Pte. Ltd. (“Terraform”) filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. Terraform Labs Limited (“TLL”) subsequently filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code on July 1, 2024 (the “TLL Petition Date”). On September 18, 2024, the Debtors filed the Plan, and on September 20, 2024, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming Second Amended Chapter 11 Plan of Liquidation of Terraform Labs Pte. Ltd. and Terraform Labs Limited* confirming the Plan [Docket No. 734] (the “Confirmation Order”). The effective date of the Plan occurred on October 1, 2024 (the “Effective Date”).³ The history leading up to the Debtors’ chapter 11 cases is set forth in more detail in the *Declaration of Chris Amani in Support of the Debtor’s Chapter 11 Petition and First Day Relief* [Docket No. 18] (the “First Day Declaration”) and the *Disclosure Statement for Amended Chapter 11 Plan of Liquidation of Terraform Labs Pte. Ltd. and Terraform Labs Limited* [Docket No. 569] (the “Disclosure Statement”).

³ See Notice of (I) Entry of Order Confirming the Second Amended Chapter 11 Plan of Liquidation of Terraform Labs Pte. Ltd. and Terraform Labs Limited and (II) Effective Date [Docket No. 765].

The Crypto Loss Claims Process

6. Pursuant to section 5.7 of the Plan, the Plan Administrator was charged with developing a process for allowing and valuing Crypto Loss Claims (as defined in the Plan). On January 31, 2025, the Plan Administrator filed the CLC Bar Date Motion, which sought Court approval of detailed CLC Procedures. On March 19, 2025, the Court entered the *Order (I) Setting the Bar Date for Filing Proofs of Claim on Account of Crypto Loss Claims, (II) Approving the Form of and Manner for Filing Proofs of Claim, (III) Approving Form and Manner of Notice Thereof, and (IV) Approving Related Procedures* [Docket No. 965] (the “CLC Bar Date Order”).

7. The CLC Bar Date Order established April 30, 2025 (the “CLC Bar Date”) as the final date and time for all persons and entities to file Proofs of Claim on account of Crypto Loss Claims relating to or against the Debtors. Thereafter, the Plan Administrator extended the CLC Bar Date through and including May 16, 2025. *See Notice of Extension of Crypto Loss Claims Bar Date Until May 16, 2025* [Docket No. 986].⁴

8. Pursuant to the CLC Bar Date Order, the Plan Administrator provided specific notice of the CLC Bar Date to anyone in the Debtors’ books and records, including anyone who submitted any other claim (including a Preliminary Crypto Loss Claim, filed solely for purposes of voting on the Plan) and provided notice of the CLC Bar Date through social media on X (formerly, Twitter), Discord, and Telegram on March 28, 2025, posted a banner advertising the CLC Bar Date on Coindesk and CoinTelegraph which appeared on those sites during the two months leading up to the CLC Bar Date, and posted a public Medium article on the Crypto Loss

⁴ The Plan Administrator extended the CLC Bar Date in light of the fact that the Online Portal for the submission of Crypto Loss Claims, previously communicated to be available on March 19, 2025, became available to claimants on March 31, 2025. *See Notice of Anticipated Opening of the Online Portal to Submit Proofs of Claim on Account of Crypto Loss Claims on March 31, 2025* [Docket No. 967].

Claims process.⁵ The Plan Administrator also posted periodic reminders of the upcoming CLC Bar Date through social media on April 10, 2025, April 14, 2025, April 28, 2025, and May 9, 2025.

9. Although 15,979 Crypto Loss Claims were filed prior to the CLC Bar Date, the Plan Administrator received many requests, both informally and formal motions to the Court, to file a Crypto Loss Claim after the CLC Bar Date. There were five such motions that were set for hearing on September 24, 2025, and the Plan Administrator filed the *Plan Administrator's Omnibus Response to Motions for Leave to File Late Crypto Loss Claims* [Docket No. 1080].⁶ At the hearing, the Court granted these motions and allowed claimants a short 30-day window to submit late-filed claims, but indicated that “the prejudice to the estate is on an upward track if we were looking at a graph, and [the Court] believe[s] in very, very short order, the likely prejudice to the estate and other stakeholders in this process would outweigh any other satisfied considerations” to the extent any subsequent requests to file a Crypto Loss Claim after that 30-day window were filed because “as [the Court] said, prejudice to the Debtor is the core consideration.” *See Omnibus Hearing Tr.*, 40–41:21–3 September 24, 2025. Following the September 24, 2025 hearing, the Court entered the *Order Allowing Certain Claimants to File a Crypto Loss Claim After the Crypto Loss Claim Bar Date* [Docket No. 1112] (the “Post-CLC Bar Date Claim Submission Order”) which provided that the Plan Administrator shall provide claimants with electronic access to file a late Crypto Loss Claim on the Online Portal for Crypto Loss Claims;

⁵ See https://x.com/terra_money/status/1906694568848015871; <https://discord.com/channels/983359798059892766/983359798361854027/1356253496151642173>; https://t.me/terra_announcements/892; see also <https://medium.com/terra-money/terraform-labs-crypto-loss-claims-portal-launch-7e85e3222db7>.

⁶ Such requests were the *Motion for Leave to File Late Proof of Claim Filed by Jurji Grdadolnik* [Docket No. 1021], the *Motion to File Claim After Claims Bar Date* [Docket No. 1029], the *Motion to Allow Late Filed Claim* [Docket No. 1065], the *Motion to Allow Late Filing of Claim Filed by Adrien Lafourcade* [Docket No. 1070], and the *Motion for Leave to File Late Proof of Crypto Loss Claim* [Docket No. 1076].

provided that claimants must submit the Crypto Loss Claim form within 30 days of being provided with such access. Further, the Post-CLC Bar Date Claim Submission Order provided that if an agreement cannot be reached with the Plan Administrator, any claimant may file a motion on the docket to file a late Crypto Loss Claim, which will be resolved by the Court.

10. In accordance with the Post-CLC Bar Date Claim Submission Order, on October 1, 2025, the Plan Administrator reopened the Online Portal for Crypto Loss Claim form submissions. On October 1, 2025, the Plan Administrator also emailed approximately 250 claimants who had requested to file a Crypto Loss Claim after the CLC Bar Date, provided such claimants the link to the Online Portal, and informed such claimants that the Online Portal would close for submissions at 11:59 p.m. (prevailing Eastern Time) on November 24, 2025.

11. On November 25, 2025, the Plan Administrator closed the Online Portal. A total of 660 Crypto Loss Claim forms were filed between October 1, 2025 and November 24, 2025, bringing the total number of timely submitted Crypto Loss Claim forms to 16,638.

12. The Plan Administrator, together with his advisors, are in the process of reviewing all Crypto Loss Claim forms as detailed in the *Notice of Commencement of Notification of Initial Determinations and Individualized Review for Crypto Loss Claims* [Docket No. 1051]. To date, the Plan Administrator has provided Initial Determinations on approximately 7,900 Crypto Loss Claims, of which approximately 6,941 have been accepted and are now Allowed Claims.

Response

I. The Movants have not met the standard for excusable neglect.

13. Courts may allow a filing after a deadline set by the Court or the Bankruptcy Rules if “the failure to act within that period resulted from excusable neglect.” Bankruptcy Rule 9006(b); *see also Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P’ship*, 507 U.S. 380, 382 (1992). In *Pioneer Investment Services*, the Supreme Court determined that a balancing test was appropriate

for determining whether neglect, including inadvertent failure to meet a deadline, was “excusable” under Bankruptcy Rule 9006(b). These factors include the danger of prejudice to the debtor, the length of the delay and its potential impact on judicial proceedings, the reason for the delay (including whether it was within the reasonable control of the movant), and whether the movant acted in good faith. *Id.* at 395. Courts in this district have applied these factors to determine whether to allow late-filed claims. *See, e.g., In re FTX Trading*, 669 B.R. 298, 307 (Bankr. D. Del. 2025); *In re Bluestem Brands, Inc.*, No. 20-10566, 2021 WL 3174911 (Bankr. D. Del. July 27, 2021); *In re W.R. Grace & Co.*, 626 B.R. 217, 234 (Bankr. D. Del. 2021).

14. The factors of the danger of prejudice to the Post-Effective Date Debtors and the potential impact on the proceedings strongly favor denial of the Motions. Indeed, “[a] bar date serves the important purpose of enabling the parties to a bankruptcy case to identify with reasonable promptness the identity of those making claims against the bankruptcy estate, and the general amount of the claims, a necessary step in achieving the goal of successful reorganization, . . . is akin to a statute of limitations, and must be strictly observed.” *In re Energy Future Holdings Corp.*, 522 B.R. 520, 527–28 (Bankr. D. Del. 2015). The Plan Administrator has conducted a fair claims process in order to provide all claimants ample opportunity to assert their Crypto Loss Claims; however, once the submission deadline passes, that deadline must hold in order to provide finality and structure the claim reconciliation process. Here, at the direction of the Court, the Plan Administrator has reopened the Online Portal after the CLC Bar Date once already for almost two months, and provided notice thereof to all potential claimants who had at that time submitted a request to file a claim after the CLC Bar Date. The result of that reopening of the bar date was an additional 660 additional Crypto Loss Claims being submitted.

15. The Plan Administrator and his advisors have also made substantial additional progress on the processing of Crypto Loss Claims since the last time this issue was raised in September 2025. The number of Allowed Claims has skyrocketed from approximately 1,600 to nearly 7,000, and Initial Determinations have now been distributed on nearly half of the claims pool. Reopening the bar date again and allowing additional claims to be filed now will significantly delay the process of finalizing the claim reconciliation process and ultimately commencing distributions.

16. Courts in this district have denied requests for late-filed claims where allowing them would imperil efforts to make distributions to creditors who submitted timely claims. *See In re New Century TRS Holdings, Inc.*, 465 B.R. 38, 56 (Bankr. D. Del. 2012) (denying a claimant's request to allow late-filed claim because allowing claim would jeopardize trustee's efforts to liquidate assets for distribution to creditors with timely-filed claims and open floodgate to similar claims by other claimants).

17. As to the factors assessing the Movants' requests, the standard for excusable neglect is a high bar, particularly on the actions of the Movants. In *Pioneer*, the seminal case on excusable neglect under Bankruptcy Rule 9006(b), the Supreme Court affirmed an appellate court ruling finding excusable neglect where a claimant failed to file a claim by the bar date because their attorney specifically mistakenly assured them that there was, in fact, no bar date established and no need to file a proof of claim. *See Pioneer Inv. Servs.*, 507 U.S. at 384. *Pioneer* set the standard for the kind of facts that underpin a plausible excusable neglect argument and demonstrates that simple lack of knowledge of a bar date will not suffice—adequate diligence is required. *See id.* Courts have commented on the harsh reality that would occur if creditors could circumvent a bar

date simply by claiming they did not know about it despite the debtor's efforts to provide notice, including via publication:

There is 'no cause whatsoever' for the extension of the claims bar deadline when unknown claimants received adequate notice of the bar date by publication . . . A finding to the contrary would in effect, allow any creditor who has neglected to comply with a bar date to seek an extension on the grounds of excusable neglect because it did not read the notice. Hence, notice of a bar date by publication would be rendered a useless means of establishing a date by which all claims must be filed or forever barred.

In re Best Prods. Co., 140 B.R. 353, 359 (Bankr. S.D.N.Y. 1992) (internal citations omitted).

18. The excusable neglect standard is "intended to be a 'strict one' . . . [and] the party requesting the extension must make a clear showing that the circumstances causing the delay were unique." *In re Sutton*, 43 B.R. 250, 251 (Bankr. D. Conn. 1984) (internal citation omitted) (analyzing the excusable neglect standard under Bankruptcy Rule 9006(b)). Bare claims of hardship, while sympathetic, are not specific or heightened enough to meet the excusable neglect standard. See *W.R. Grace & Co.*, 626 B.R. at 234 (explaining that a claimant had not demonstrated excusable neglect despite alleging health and age-related factors because, among other things, "he [did] not explain *how they so interfered*" with his ability to file a timely response) (emphasis added). Under Bankruptcy Rule 9006, excusable neglect exists where failure to perform a timely duty was due to circumstances which were beyond reasonable control of the person whose duty it was to perform. In finding excusable neglect under this rule, courts have opined that "lack of control over events is essential." See *Vaccariello v. Lagrotteria*, 43 B.R. 1007, 1014 (N.D. Ill. 1984) (quoting *In re Griffiths*, 31 B.R. 279, 282 (Bankr. D. Vt. 1983)); see also *In re Lopez*, 39 B.R. 433, 437 (Bankr. D.R.I. 1984) (highlighting that excusable neglect is a "term of art" meaning "failure to timely perform duty due to circumstances that were *beyond reasonable control of person whose duty it was to perform*") (emphasis added). Each of the Motions fails for these same

reasons—none of the Movants have demonstrated why circumstances beyond their control should excuse compliance with the deadline, particularly given the robust online noticing protocol that the Plan Administrator undertook with the approval of this Court and the additional submission window provided to claimants who missed the CLC Bar Date.

19. Here, the Motions simply state that the Movants missed the CLC Bar Date and request relief to file a Crypto Loss Claim form after the deadline. These generic requests do not meet the applicable standard of excusable neglect—especially in light of the fact that the Plan Administrator had already reopened the Online Portal for submissions after the CLC Bar Date. Moreover, since the last time this issue was raised to the Court in September 2025, significant progress has been made on the claim reconciliation process, with nearly half of claimants receiving Initial Determinations. The claim reconciliation and distribution processes would face significant delay if the Plan Administrator were required to reopen the Online Portal for Crypto Loss Claim form submissions again.

20. Accordingly, the Plan Administrator respectfully submits that the Motions should be denied because they have not established excusable neglect under the circumstances.

II. The Plan Administrator Complied with Post-CLC Bar Date Claim Submission Order.

21. The nature of the Terra Ecosystem is such that the Plan Administrator cannot know the identities of each potential Crypto Loss Claimant, and, even if he did, the Plan Administrator had no means of contacting such potential claimants. “It is well established that, in providing notice to unknown creditors, constructive notice of the bar claims date by publication satisfies the requirements of due process” where that notice is “reasonably calculated, under the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present

their objections.” *Chemetron Corp. v. Jones*, 72 F.3d 341, 348 (3d Cir. 1995) (quoting *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)).

22. Consistent with the Court’s comments at the September 24, 2025 hearing, the Plan Administrator reviewed its records and compiled a list of claimants that requested to file a Crypto Loss Claim after the CLC Bar Date, which totaled approximately 250 individuals. The Plan Administrator provided the link to each claimant via email and explained that Online Portal would close on November 25, 2025, and that all Crypto Loss Claim forms must be submitted by 11:59 p.m. (prevailing Eastern Time) on November 24, 2025. In addition, the Plan Administrator’s advisors provided technical assistance and answered questions about the submission process during the submission period. The 660 claims that were submitted in accordance with the process are evidence that the Plan Administrator’s efforts were effective to provide notice of the extended submission period to potential claimants that missed the CLC Bar Date.

Notice

23. Notice of this Response has been provided to the following parties, or their counsel, if known: (a) the Office of the United States Trustee; (b) each of the Movants whose Motion is subject to this Response; and (c) all parties who have requested service of notices in these chapter 11 cases pursuant to Bankruptcy Rule 2002. The Plan Administrator respectfully submits that such notice is sufficient under the circumstances.

No Prior Request

24. No previous request for the relief sought herein has been made by the Plan Administrator to this or any other court.

WHEREFORE, for the reasons set forth herein, the Plan Administrator requests entry of the Order, substantially in the form attached hereto as **Exhibit A**, denying relief requested in the Motions and such other and further relief as the Court may deem just and appropriate.

Dated: January 20, 2026
Wilmington, Delaware

/s/ Zachary I. Shapiro

RICHARDS, LAYTON & FINGER, P.A.

Zachary I. Shapiro (No. 5103)
One Rodney Square
920 North King Street
Wilmington, Delaware 19801
Telephone: (302) 651-7700
Email: shapiro@rlf.com

Co-Counsel for the Plan Administrator

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Christopher T. Greco, P.C. (admitted *pro hac vice*)
Elizabeth Helen Jones (admitted *pro hac vice*)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: christopher.greco@kirkland.com
elizabeth.jones@kirkland.com

-and-

Michael F. Williams, P.C. (admitted *pro hac vice*)
1301 Pennsylvania Ave., NW
Washington, DC 20004
Telephone: (202) 389-5000
Facsimile: (202) 389-5200
Email: michael.williams@kirkland.com

-and-

Christopher S. Koenig (admitted *pro hac vice*)
Casey McGushin (admitted *pro hac vice*)
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: chris.koenig@kirkland.com
casey.mcgushin@kirkland.com
Co-Counsel for the Plan Administrator

Exhibit A

Proposed Order

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

In re:	)	Chapter 11
TERRAFORM LABS PTE LTD., <i>et al.</i> , ¹	)	Case No. 24-10070 (BLS)
Post-Effective Date Debtors.	)	(Jointly Administered)

**ORDER DENYING CERTAIN ADDITIONAL REQUESTS
FOR LEAVE TO FILE LATE CRYPTO LOSS CLAIMS**

Upon consideration of the Plan Administrator’s Omnibus Response to Motions for Leave to File Late Crypto Loss Claims,² by which the Plan Administrator requests the entry of an order pursuant to sections 501 and 502 of the Bankruptcy Code and Bankruptcy Rules 3001 and 3006, denying the relief requested in the Motions; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and due and adequate notice of the Response having been given under the circumstances; and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motions are denied as set forth herein.
2. Any objections to entry of this Order are overruled on the merits.
3. Kroll, Inc., the agent retained by the Debtors to assist with processing of Crypto Loss Claims in these Chapter 11 Cases, is authorized and directed to modify the claims register in accordance with the terms of this Order.

¹ The Post-Effective Date Debtors in these chapter 11 cases are: Terraform Labs Pte. Ltd. and Terraform Labs Limited. The Post-Effective Date Debtors’ principal offices are located at 10 Anson Road, #10-10 International Plaza, Singapore 079903. The Plan Administrator of the Debtors is Todd R. Snyder. The Plan Administrator’s principal office is located at 1251 Avenue of the Americas, New York, New York 10020.

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

4. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.