

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

In re

TRUE VALUE COMPANY, L.L.C. *et al.*,

Debtors.¹

Chapter 11

Case No. 24-12337 (KBO)

(Jointly Administered)

Related Docket No. 117

**ORDER (I) ESTABLISHING BAR DATES FOR FILING PROOFS OF CLAIM,
INCLUDING REQUESTS FOR PAYMENT UNDER SECTION 503(b)(9) OF THE
BANKRUPTCY CODE, (II) ESTABLISHING AMENDED SCHEDULES BAR DATE
AND REJECTION DAMAGES BAR DATE, (III) APPROVING THE FORM OF AND
MANNER FOR FILING PROOFS OF CLAIM, INCLUDING REQUESTS FOR
PAYMENT UNDER SECTION 503(b)(9) OF THE BANKRUPTCY CODE,
(IV) APPROVING FORM AND MANNER OF NOTICE THEREOF,
AND (V) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)² of the Debtors for an order (this “Order”) (a) establishing deadlines for filing proofs of claim, other than 503(b)(9) Claims, in the Chapter 11 Cases, (b) establishing a deadline for filing 503(b)(9) Claims in the Chapter 11 Cases, (c) establishing the Amended Schedules Bar Date and the Rejection Damages Bar Date, (d) approving the form of and manner for filing proofs of claim, including 503(b)(9) Claims, (e) approving the form and manner of Bar Date Notice, (f) approving the form and manner of the General Bar Date Notice, and (g) granting related relief; and upon consideration of the First Day Declaration; and this Court having jurisdiction to consider the Motion and the relief requested therein in accordance with

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: True Value Company, L.L.C. (9896); TV Holdco II, L.L.C. (2272); TV TSLC, L.L.C. (7025); TV GPMC, L.L.C. (8136); True Value Retail, L.L.C. (7946); TrueValue.com Company, L.L.C. (6386); True Value Virginia, L.L.C. (9197); and Distributors Hardware, L.L.C. (8106). The address of the Debtors’ corporate headquarters is 8600 W. Bryn Mawr Ave. Chicago, IL 60631.

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

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; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary, except as set forth in the Motion with respect to entry of this Order; and upon the record herein; and after due deliberation thereon; and this Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest, it is hereby

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.

A. The Proof of Claim Form

2. The Proof of Claim Form, substantially in the form attached hereto as **Exhibit 1**, is approved. Any creditor may choose to submit the Proof of Claim Form or Official Form 410 via either hardcopy or the Online Portal available at <https://omniagentsolutions.com/TrueValue-Claims>, subject only to limitations set forth in this Order. Any creditor may choose to submit a proof of claim on a different form as long as it is substantially similar to Official Form 410.

B. The Bar Dates and Procedures for Filing Proofs of Claim

3. Each entity³ that asserts a claim against the Debtors that arose before the Petition Date shall be required to file an original proof of claim, substantially in the form attached hereto as **Exhibit 1** or Official Form 410.⁴ Specifically, the following bar dates (each, a “Bar Date,” or collectively, the “Bar Dates,” as applicable) are established:

- a. **503(b)(9) Bar Date.** The Debtors request that this Court establish 11:59 p.m. (prevailing Eastern Time) on November 27, 2024 as the 503(b)(9) Bar Date. The 503(b)(9) Bar Date would be the date and time by which all entities holding 503(b)(9) Claims must file proofs of claim so that such proofs of claim are actually received by the Debtors’ notice and claims agent, Omni Agent Solutions, Inc. (“Omni”) by the 503(b)(9) Bar Date. The 503(b)(9) Bar Date would apply to all 503(b)(9) Claims in the Chapter 11 Cases.
- b. **General Bar Date.** The Debtors request that this Court establish 11:59 p.m. (prevailing Eastern Time) on the date that is 30 days after the date the Debtors file the Schedules with this Court. The General Bar Date would be the date and time by which all entities, other than governmental units holding prepetition claims, must file proofs of claim, **other than 503(b)(9) Claims**, so that such proofs of claim are actually received by Omni by the General Bar Date, unless such entity’s claim falls within one of the exceptions set forth in the Motion. Subject to these exceptions, the General Bar Date would apply to all claims against the Debtors that arose or are deemed to have arisen before the Petition Date, **other than 503(b)(9) Claims**, including secured claims, unsecured priority claims, unsecured non-priority claims, contingent claims, unliquidated claims, disputed claims, and rejection damage claims for executory contracts and unexpired leases that have already been rejected by order of this Court in the Chapter 11 Cases.

³ Except as otherwise defined herein and in the Motion, all terms specifically defined in the Bankruptcy Code shall have those meanings ascribed to them by the Bankruptcy Code. In particular, as used herein: (a) the term “claim” has the meaning given to it in section 101(5) of the Bankruptcy Code; (b) the term “entity” has the meaning given to it in section 101(15) of the Bankruptcy Code; (c) the term “governmental unit” has the meaning given to it in section 101(27) of the Bankruptcy Code; and (d) the term “person” has the meaning given to it in section 101(41) of the Bankruptcy Code.

⁴ Copies of Official Form 410 may be obtained: (a) by calling the Debtors’ restructuring hotline at: (866) 771-0561 (U.S. & Canada) or +1 (818) 356-8633 (international); (b) via email to: TrueValueInquiries@OmniAgnt.com; (c) online at <https://omniagentsolutions.com/TrueValue-Claims>; and/or (iv) by visiting the website maintained by the Court at <http://www.deb.uscourts.gov/>.

- c. ***Governmental Bar Date.*** In accordance with section 502(b)(9) of the Bankruptcy Code, the Debtors request that **11:59 p.m. (prevailing Eastern Time) on April 14, 2025** be established as the Governmental Bar Date in the Chapter 11 Cases. The Governmental Bar Date would apply to all governmental units holding claims against the Debtors (whether secured, unsecured priority, or unsecured non-priority) that arose before the Petition Date, including governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax years or periods, or prepetition transactions to which the Debtors were a party. All governmental units holding such claims against the Debtors would be required to file proofs of claim so that such proofs of claim are actually received by Omni by the Governmental Bar Date.
- d. ***Amended Schedules Bar Date.*** If the Debtors amend or supplement the Schedules to reduce the undisputed, noncontingent, and liquidated amount of a claim listed in the Schedules, to change the nature or classification of a claim against the Debtors reflected in the Schedules, or to add a new claim to the Schedules, the affected creditor, if it so chooses, is required to file a proof of claim or amend any previously filed proof of claim in respect of the amended scheduled claim on or before the later of (i) the General Bar Date or the Governmental Bar Date, as applicable, and (ii) 11:59 p.m. (prevailing Eastern Time) on the date that is 21 days from the date on which the Debtors provide written notice of the amendment to the Schedules.
- e. ***Rejection Damages Bar Date.*** In the event that an order authorizing the rejection of an executory contract or unexpired lease is entered, except as otherwise set forth in such order, the Debtors propose that this Court establish the later of (i) the General Bar Date or the Governmental Bar Date, as applicable, (ii) 11:59 p.m. (prevailing Eastern Time) on the date that is 30 days after the later of (A) entry of an order approving the rejection of any executory contract or unexpired lease of the Debtors or (B) the effective date of a rejection of any executory contract or unexpired lease of the Debtors pursuant to operation of any Court order. All entities holding such claims against the Debtors must file proofs of claim so that such proofs of claim are actually received by Omni by the applicable Rejection Damages Bar Date.

4. All proofs of claim must be filed so as to be actually received by Omni on or before the applicable Bar Date (or, where applicable, on or before any other bar date as set forth herein). If proofs of claim are not received by Omni on or before the applicable Bar Date (or, where applicable, on or before any other bar date as set forth herein), except in the case of certain exceptions explicitly set forth herein, the holders of the underlying claims shall be barred from

asserting such claims against the Debtors and precluded from voting on any plans of reorganization filed in the Chapter 11 Cases and/or receiving distributions from the Debtors on account of such claims in the Chapter 11 Cases.

C. Parties Required to File Proofs of Claim

5. Except as otherwise set forth herein, the following entities holding claims against the Debtors arising before the Petition Date are required to file proofs of claim on or before the applicable Bar Date:

- a. any entity whose claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of the Chapter 11 Cases or share in any distribution in any of the Chapter 11 Cases;
- b. any entity that believes that its 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;
- c. any entity that believes that its prepetition claims as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the Schedules;
- d. any person or entity who purchased a good and/or product from the Debtors prior to the Petition Date who has or may have a contingent claim, regardless of whether such claim (i) arises from the use of such good and/or product, or (b) relates to the breach of an express or implied warranty related to such good and/or product;
- e. any person or entity who asserts a claim arising from or relating to pending or threatened litigation against a Debtor, including any claim arising for alleged wage and hour violations or unfair business practices; and
- f. any entity that believes that its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code (*i.e.*, a 503(b)(9) Claim).

D. Parties Exempted from the Bar Dates

6. The following categories of claimants **shall not** be required to file a proof of claim by the applicable Bar Date:

- a. any entity that already has filed a signed proof of claim against the applicable Debtor(s) with the Clerk of this Court or with Omni on a form substantially similar to Official Form 410;
- b. any entity whose claim is listed on the Schedules if: (i) the claim is **not** scheduled as any of “disputed,” “contingent,” or “unliquidated;” (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- c. any entity whose claim has previously been allowed by order of this Court;
- d. any entity whose claim has been paid in full or is otherwise fully satisfied by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of this Court;
- e. any Debtor having a claim against another Debtor;
- f. any non-Debtor direct or indirect subsidiary of Debtor True Value Company, L.L.C. having a claim against a Debtor;
- g. any entity whose claim is solely against any of the Debtors’ non-Debtor affiliates;
- h. any entity that holds an interest in any of the Debtors, which interest is based exclusively on the ownership of common stock, preferred stock, membership interests, partnership interests, or rights to purchase, sell, or subscribe to such an interest; *provided* that interest holders who wish to assert claims (as opposed to ownership interests) against any of the Debtors, including claims that arise out of or relate to the ownership or purchase of an interest, must file proofs of claim on or before the applicable Bar Date unless another exception identified herein applies;⁵
- i. any current officer, director, or employee for claims based on indemnification, contribution, or reimbursement arising as a result of such

⁵ The Debtors reserve all rights with respect to any such claims, including to, inter alia, assert that such claims are subject to subordination pursuant to section 510(b) of the Bankruptcy Code.

officer's, director's, or employee's prepetition or postpetition services to the Debtors;

- j. any entity holding a claim for which a separate deadline is fixed by this Court;
- k. any entity holding a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course; *provided* that any entity asserting a 503(b)(9) Claim must assert such claim by filing a request for payment or a proof of claim on or prior to the 503(b)(9) Bar Date; and
- l. the Prepetition Lenders (as such term is defined in the *Motion of Debtors for Entry of Interim and Final Orders (I)(A) Authorizing Debtors to Use Cash Collateral; (B) Granting Adequate Protection to Prepetition Lenders; (C) Modifying the Automatic Stay; and (D) Scheduling a Final Hearing and (II) Granting Related Relief* [Docket No. 19] and any orders entered related thereto).

E. Substantive Requirements of Proofs of Claim

7. The following requirements shall apply with respect to filing and preparing each proof of claim:

- a. Contents. Each proof of claim must: (i) be legibly written in English; (ii) include a claim amount denominated in United States dollars using, if applicable, the exchange rate as of 5:00 p.m. (prevailing Eastern Time) on the Petition Date (and to the extent such claim is converted to United States dollars, state the rate used in such conversion); (iii) set forth with specificity the legal and factual basis for the alleged claim; (iv) conform substantially with the Proof of Claim Form provided by the Debtors or Official Form 410; and (v) be signed by the claimant or by an authorized agent or legal representative of the claimant, whether such signature is an electronic signature or is ink.
- b. Section 503(b)(9) Claim. Any proof of claim asserting a 503(b)(9) Claim must be filed on or before the 503(b)(9) Bar Date and must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days before the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- c. Original Signatures Required. Only **original** proofs of claim (whether submitted by hard copy or through the Online Portal available at <https://omniagentsolutions.com/TrueValue-Claims>) will be deemed

acceptable for purposes of claims administration. Copies of proofs of claim or proofs of claim sent by facsimile or electronic mail will not be accepted.

- d. Identification of the Debtor Entity. Each proof of claim must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A proof of claim filed under the joint administration case number or otherwise without identifying a specific Debtor, will be deemed as filed only against True Value Company, L.L.C.
- e. Claim Against Multiple Debtor Entities. Each proof of claim must state a claim against **only one** Debtor and clearly indicate the Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the proof of claim, such claim may be treated as if filed only against the first-listed Debtor.
- f. Supporting Documentation. Each proof of claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, such proof of claim may include a summary of such documentation or an explanation as to why such documentation is not available; *provided* that any creditor that includes only a summary of such documentation shall be required to transmit all such supporting documentation to any party in interest upon request no later than ten days from the date of such request.
- g. Timely Service. Each proof of claim must be filed, including supporting documentation, so as to be **actually received** by Omni on or before the applicable Bar Date (or, where applicable, on or before any other Bar Date as set forth herein or by order of this Court) either: (i) electronically through the Online Portal or (ii) by overnight mail, or other hand delivery system, at the following address:

True Value Company, L.L.C.
Claims Processing
c/o Omni Agent Solutions, Inc.
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367

PROOFS OF CLAIM SUBMITTED BY FACSIMILE OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.
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- h. Receipt of Service. Claimants wishing to receive acknowledgment that their paper proofs of claim were received by Omni must submit (i) a copy of the Proof of Claim Form (in addition to the original Proof of Claim Form sent to Omni) and (ii) a self-addressed, stamped envelope.

F. Identification of Known Creditors

8. The Debtors shall mail the Bar Date Notice only to their known creditors, and such mailing shall be made to the last known mailing address and/or e-mail address for each such creditor.

9. The Debtors shall mail notice of the General Bar Date Notice to every creditor on the Debtors' creditor matrix, and the mailing shall be made to the last known mailing address and/or e-mail address for each such creditor.

G. Procedures for Providing Notice of the Bar Date

i. Service of Bar Date Notice

10. The Bar Date Notice, substantially in the form attached hereto as **Exhibit 2**, is approved.

11. Within two business days after the date of entry of the Bar Date Order, the Debtors shall cause the Bar Date Notice and the Proof of Claim Form (collectively, the "Bar Date Package") to be mailed via first class mail and/or e-mailed to the following entities:

- a. the U.S. Trustee;
- b. counsel to the Official Committee of Unsecured Creditors;
- c. counsel to the Prepetition Lenders;
- d. all creditors and other known holders of claims against the Debtors as of the date of entry of this Order;
- e. all entities that have requested notice of the proceedings in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002, as of the date of this Order;
- f. all entities that have filed proofs of claim in the Chapter 11 Cases, as of this Order;
- g. all known non-Debtor equity and interest holders of the Debtors, as of this Order;

- h. all entities that are party to executory contracts and unexpired leases with the Debtors;
- i. all entities that are party to litigation with the Debtors;
- j. all current employees and former employees who were employed by the Debtors in the 24 months prior to the Petition Date (to the extent that contact information for such former employees is available in the Debtors' records after reasonable inquiry);
- k. all regulatory authorities with jurisdiction over the Debtors' businesses, including environmental and permitting authorities;
- l. the U.S. Attorney's Office for the District of Delaware;
- m. the office of the attorney general for each state in which the Debtors maintain or conduct business;
- n. the Internal Revenue Service;
- o. all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct business; and
- p. the U.S. Securities and Exchange Commission.

12. Any creditor may choose to submit a proof of claim on a different form as long as it is substantially similar to Official Form 410.

13. After the initial mailing of the Bar Date Packages, the Debtors may, in their discretion, make supplemental mailings of notices or packages, including in the event that: (a) notices are returned by the post office with forwarding addresses; (b) certain parties acting on behalf of parties in interest decline to pass along notices to these parties and instead return their names and addresses to the Debtors for direct mailing; and (c) additional potential claimants become known as the result of the Bar Date mailing process. In this regard, the Debtors may make supplemental mailings of the Bar Date Package in these and similar circumstances at any time up to 14 days in advance of the Bar Date (the "Supplemental Mailing Date"), with any such mailings being deemed timely and the Bar Date being applicable to the recipient creditors. If the Debtors determine after the Supplemental Mailing Date that additional parties should receive the Bar Date

Package, then the date by which a proof of claim must be filed by any such parties shall be the later of (i) the General Bar Date or the Government Bar Date, as applicable, or (ii) 30 days from the mailing of the Bar Date Package to such additional parties.

ii. Service of General Bar Date Notice

14. The General Bar Date Notice, substantially in the form attached hereto as **Exhibit 3**, is approved.

15. Within two business days after the date the Debtors file the Schedules with this Court, the Debtors shall cause the General Bar Date Notice to be mailed via first class mail and/or e-mailed to all creditors listed on the Debtors' creditor matrix. The General Bar Date Notice will notify the Debtors' entire creditor matrix of the General Bar Date.

H. Publication of Bar Date Notice

16. The Publication Notice, substantially in the form attached hereto as **Exhibit 4**, is approved.

17. The Debtors shall cause the Publication Notice to be published on one occasion in the national edition of *The New York Times*, *The Wall Street Journal*, *USA Today* or another publication with similar national circulation, as determined by the Debtors in consultation with the Committee, on or before the date that is 21 days before the General Bar Date. For the avoidance of doubt, the Debtors are authorized, but not directed, to post the Publication Notice to their official company websites and social media platforms, as the Debtors shall determine in their sole discretion.

18. The Publication Notice satisfies the notice requirements for creditors to whom notice by mail is impracticable, including creditors who are unknown or not reasonably ascertainable by the Debtors and creditors whose identities are known but whose addresses are unknown by the Debtors.

I. Consequences of Failure to File a Proof of Claim

19. Any entity who is required, but fails, to file a proof of claim in accordance with the Bar Date Order on or before the applicable Bar Date shall be prohibited from voting to accept or reject any plan of reorganization filed in the Chapter 11 Cases, participating in any distribution in the Chapter 11 Cases on account of such claim, or receiving further notices regarding such claim.

20. Notice of the Bar Dates as set forth in this order and in the manner set forth herein (including, but not limited to, the Bar Date Notice, the General Bar Date Notice, the Publication Notice, and any supplemental notices that the Debtors may send from time to time) constitutes adequate and sufficient notice to known and unknown creditors of each of the Bar Dates and satisfies the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules.

J. Miscellaneous

21. The Debtors are authorized to take all actions necessary or appropriate to effectuate the relief granted pursuant to this order in accordance with the Motion.

22. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

23. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

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

Dated: November 1st, 2024
Wilmington, Delaware

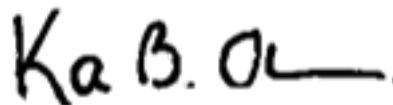

KAREN B. OWENS
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

Proof of Claim Form

EXHIBIT 2

Bar Date Notice

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

In re

TRUE VALUE COMPANY, L.L.C. *et al.*,

Debtors.¹

Chapter 11

Case No. 24-12337 (KBO)

(Jointly Administered)

**NOTICE OF DEADLINES FOR THE FILING OF
PROOFS OF CLAIM, INCLUDING REQUESTS FOR PAYMENT
PURSUANT TO SECTION 503(b)(9) OF THE BANKRUPTCY CODE**

PLEASE TAKE NOTICE THAT:

On October 14, 2024 (the “Petition Date”), True Value Company, L.L.C. and certain of its affiliates, as debtors and debtors in possession (collectively, the “Debtors”), filed voluntary petitions (collectively, the “Chapter 11 Cases”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”).

On [___], 2024 the Court entered an order [Docket No. [___]] (the “Bar Date Order”)² establishing certain dates by which parties holding prepetition claims against the Debtors must file proofs of claim, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code. For your convenience, enclosed with this notice (this “Bar Date Notice”)³ is a proof of claim form.

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: True Value Company, L.L.C. (9896); TV Holdco II, L.L.C. (2272); TV TSLC, L.L.C. (7025); TV GPMC, L.L.C. (8136); True Value Retail, L.L.C. (7946); TrueValue.com Company, L.L.C. (6386); True Value Virginia, L.L.C. (9197); and Distributors Hardware, L.L.C. (8106). The address of the Debtors’ corporate headquarters is 8600 W. Bryn Mawr Ave. Chicago, IL 60631.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Bar Date Order. The Bar Date Order is available online, for free, at <https://omniagentsolutions.com/TrueValue>.

³ 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, estates, trusts, governmental units, and the Office of the United States Trustee for the District of Delaware. In addition, the terms “persons” and “governmental units” are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively. The term “claim” means, as to or against the Debtors and in accordance with section 101(5) of the Bankruptcy Code: (a) 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 (b) 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.

A. The Bar Dates

The Bar Date Order establishes the following bar dates for filing proofs of claim in the Chapter 11 Cases.

- a. **503(b)(9) Bar Date.** Pursuant to the Bar Date Order, all entities holding 503(b)(9) Claims against the Debtors are required to file proofs of claim by **11:59 p.m. (prevailing Eastern Time) on November 27, 2024 so that such proofs of claim are actually received by the Debtors' notice and claims agent, Omni Agent Solutions, Inc. ("Omni") by the 503(b)(9) Bar Date.** The 503(b)(9) Bar Date applies to all claims against a Debtor that are or may be administrative expenses pursuant to section 503(b)(9) of the Bankruptcy Code.
- b. **The General Bar Date.** Pursuant to the Bar Date Order, except as described below, all entities holding claims against the Debtors that arose or are deemed to have arisen before the commencement of the Chapter 11 Cases on the Petition Date, **other than 503(b)(9) Claims, are required to file proofs of claim by the General Bar Date so that such proofs of claim are actually received by Omni by the General Bar Date (i.e., 11:59 p.m. (prevailing Eastern Time) on []).**⁴ The General Bar Date applies to all types of claims against the Debtors that arose before the Petition Date, other than 503(b)(9) Claims, including secured claims, unsecured priority claims, unsecured non-priority claims contingent claims, unliquidated claims, disputed claims, and rejection damage claims for executory contracts and unexpired leases that have already been rejected by order of the Court in the Chapter 11 Cases.
- c. **The Governmental Bar Date.** Pursuant to the Bar Date Order, **all governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases on the Petition Date are required to file proofs of claim by the Governmental Bar Date (i.e., by 11:59 p.m. (prevailing Eastern Time) on April 14, 2025).** The Governmental Bar Date applies to all governmental units holding claims against the Debtors (whether secured, unsecured priority, or unsecured non-priority) that arose prior to the Petition Date, including, without limitation, governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax years or periods or prepetition transactions to which the Debtors were a party. All governmental units holding such claims against the Debtors are required to file proofs of claim so that such proofs of claim are actually received by Omni by the Governmental Bar Date.
- d. **Amended Schedules Bar Date.** If the Debtors amend or supplement their Schedules to reduce the undisputed, noncontingent, and liquidated amount of a claim listed in the Schedules, to change the nature or classification of a claim against the Debtors reflected in the Schedules, or to add a new claim to the Schedules, the affected creditor, if so chooses, is required to file a proof of claim or amend any previously filed proof of claim in respect of the amended scheduled claim on or before the later of (i) the General Bar Date or the Governmental Bar Date, as applicable, to such claim, and (ii) 11:59 p.m. (prevailing

⁴ Please note that the General Bar Date Notice, which will provide the General Bar Date, will be served upon all of the creditors in the Debtors' creditor matrix within two business days after the date the Debtors file the Schedules with the Court.

Eastern Time) on the date that is 21 days from the date on which the Debtors provide notice of the amendment to the Schedules.

- e. **Rejection Damages Bar Date.** In the event that an order authorizing the rejection of an executory contract or unexpired lease is entered, except as otherwise set forth in such order, the bar date for filing a Proof of Claim based on the Debtors' rejection of such contract or lease shall be the later of (i) the General Bar Date, and (ii) 11:59 p.m. (prevailing Eastern Time) on the date that is 30 days after the entry of an order approving the rejection of any executory contract or unexpired lease of the Debtors. All entities holding such claims against the Debtors would be required to file proofs of claim so that such proofs are actually received by Omni by the applicable Rejection Damages Bar Date.

B. Who Must File a Proof of Claim

Except as otherwise set forth herein, the following entities holding claims against the Debtors that arose (or that are deemed to have arisen) before the Petition Date **must** file proofs of claim on or before the 503(b)(9) Bar Date, General Bar Date, Governmental Bar Date, or any other bar date set forth in the Bar Date Order, as applicable:

- a. any entity whose claim against a Debtor is **not** listed in the applicable Debtor's Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of the Chapter 11 Cases or share in any distribution in any of the Chapter 11 Cases;
- b. any entity that believes that its 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;
- c. any entity that believes that its prepetition claims as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the Schedules; and
- d. any entity that believes that its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code (*i.e.*, a 503(b)(9) Claim).

C. Parties Who Do Not Need to File a Proof of Claim

Certain parties are not required to file proofs of claim. The Court may, however, enter one or more separate orders at a later time requiring creditors to file proofs of claim for some kinds of the following claims and setting related deadlines. If the Court does enter such an order, you will receive notice of it. The following entities holding claims that would otherwise be subject to the Bar Dates need **not** file proofs of claims:

- a. any entity that already has filed a signed proof of claim against the applicable Debtor(s) with the Clerk of the Court or with Omni on a form substantially similar to Official Form 410;
- b. any entity whose claim is listed on the Schedules if: (i) the claim is **not** scheduled as any of "disputed," "contingent," or "unliquidated;" (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not

dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;

- c. any entity whose claim has previously been allowed by order of the Court;
- d. any entity whose claim has been paid in full or is otherwise fully satisfied by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- e. any Debtor having a claim against another Debtor;
- f. any non-Debtor direct or indirect subsidiary of Debtor True Value Company, L.L.C. having a claim against a Debtor;
- g. any entity whose claim is solely against any of the Debtors' non-Debtor affiliates;
- h. any entity that holds an interest in any of the Debtors, which interest is based exclusively on the ownership of common stock, preferred stock, membership interests, partnership interests, or rights to purchase, sell, or subscribe to such an interest; *provided* that interest holders who wish to assert claims (as opposed to ownership interests) against any of the Debtors, including claims that arise out of or relate to the ownership or purchase of an interest, must file proofs of claim on or before the applicable Bar Date unless another exception identified herein applies;⁵
- i. any current officer, director, or employee for claims based on indemnification, contribution, or reimbursement arising as a result of such officer's, director's, or employee's prepetition or postpetition services to the Debtors;
- j. any entity holding a claim for which a separate deadline is fixed by the Court;
- k. any entity holding a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course; *provided* that any entity asserting a 503(b)(9) Claim must assert such claim by filing a request for payment or a proof of claim on or prior to the 503(b)(9) Bar Date; and
- l. the Prepetition Lenders (as such term is defined in the *Motion of Debtors for Entry of Interim and Final Orders (I)(A) Authorizing Debtors to Use Cash Collateral; (B) Granting Adequate Protection to Prepetition Lenders; (C) Modifying the Automatic Stay; and (D) Scheduling a Final Hearing and (II) Granting Related Relief* [Docket No. 19] and any orders entered related thereto).

D. Instructions for Filing Proofs of Claim

The following requirements shall apply with respect to filing and preparing each proof of claim:

- a. Contents. Each proof of claim must: (i) be legibly written in English; (ii) include a claim amount denominated in United States dollars using, if applicable, the exchange rate as of 5:00 p.m. (prevailing Eastern Time) on the Petition Date (and to the extent such claim is

⁵ The Debtors reserve all rights with respect to any such claims, including to, inter alia, assert that such claims are subject to subordination pursuant to section 510(b) of the Bankruptcy Code.

converted to United States dollars, state the rate used in such conversion); (iii) set forth with specificity the legal and factual basis for the alleged claim; (iv) conform substantially with the Proof of Claim Form provided by the Debtors or Official Form 410; and (v) be signed by the claimant or by an authorized agent or legal representative of the claimant, whether such signature is an electronic signature or is ink.

- b. Section 503(b)(9) Claim. Any proof of claim asserting a 503(b)(9) Claim must be filed on or before the 503(b)(9) Bar Date and must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days before the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- c. Original Signatures Required. Only **original** proofs of claim (whether submitted by hard copy or through the Online Portal available at <https://omniagentsolutions.com/TrueValue-Claims>) will be deemed acceptable for purposes of claims administration. Copies of proofs of claim or proofs of claim sent by facsimile or electronic mail will not be accepted.
- d. Identification of the Debtor Entity. Each proof of claim must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A proof of claim filed under the joint administration case number or otherwise without identifying a specific Debtor, will be deemed as filed only against True Value Company, L.L.C.
- e. Claim Against Multiple Debtor Entities. Each proof of claim must state a claim against **only one** Debtor and clearly indicate the Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the proof of claim, such claim may be treated as if filed only against the first-listed Debtor.
- f. Supporting Documentation. Each proof of claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, such proof of claim may include a summary of such documentation or an explanation as to why such documentation is not available; *provided* that any creditor that includes only a summary of such documentation shall be required to transmit all such supporting documentation to any party in interest upon request no later than ten days from the date of such request.
- g. Timely Service. Each proof of claim must be filed, including supporting documentation, so as to be **actually received** by Omni on or before the applicable Bar Date (or, where applicable, on or before any other Bar Date as set forth herein or by order of the Court) either: (i) electronically through the Online Portal or (ii) by overnight mail, or other hand delivery system, at the following address:

True Value Company, L.L.C.
Claims Processing
c/o Omni Agent Solutions, Inc.
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367

PROOFS OF CLAIM SUBMITTED BY FACSIMILE OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.

- h. Receipt of Service. Claimants wishing to receive acknowledgment that their paper proofs of claim were received by Omni must submit (i) a copy of the Proof of Claim Form (in addition to the original Proof of Claim Form sent to Omni) and (ii) a self-addressed, stamped envelope.

E. Consequences of Failing to Timely File Your Proof of Claim

Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you or any party or entity who is required, but fails, to file a proof of claim in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that:

- a. YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND
- b. YOU WILL NOT BE PERMITTED TO VOTE ON ANY PLAN OR PLANS OF REORGANIZATION FOR THE DEBTORS ON ACCOUNT OF THESE BARRED CLAIMS OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.

F. Reservation of Rights

Nothing contained in this Notice is intended to or should be construed as a waiver of the Debtors' right to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to the nature, amount, liability, or classification thereof; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

G. The Debtors' Schedules and Access Thereto

You may be listed as the holder of a claim against one or more of the Debtor entities in the Debtors' schedules of assets and liabilities filed with the Court (collectively, the "Schedules"). To determine if and how you are listed on the Schedules, please refer to the Schedules, which are available online at **<https://omniagentsolutions.com/TrueValue>**. If you rely on the Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules.

As described above, if you agree with the nature, amount, and status of your claim as listed in the Schedules, and if you do not dispute that your claim is only against the Debtor entity specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need **not** file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

H. Additional Information

Copies of the Schedules, the Bar Date Order, and other information regarding the Chapter 11 Cases are available for inspection free of charge on Omni's website at **<https://omniagentsolutions.com/TrueValue>**. The Schedules and other filings in the Chapter 11 Cases also are available for a fee at the Court's website. A login identification and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be

obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules and other documents filed in the Chapter 11 Cases also may be examined between the hours of 9:00 a.m. and 4:30 p.m., prevailing Eastern Time, Monday through Friday, at the office of the Clerk of the Bankruptcy Court, United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801.

If you require additional information regarding the filing of a proof of claim, you may contact the Debtors' claims agent, Omni, (a) by calling the Debtors' restructuring hotline at: (866) 771-0561 (U.S. & Canada) or +1 (818) 356-8633 (international), (b) by writing via hand delivery or overnight mail to: True Value Company, L.L.C., Claims Processing, c/o Omni Agent Solutions, Inc., 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367; (c) by writing via email to: TrueValueInquiries@OmniAgnt.com; or (d) online at <https://omniagentsolutions.com/TrueValue>. **Please note** that Omni **cannot** offer legal advice or advise whether you should file a proof of claim.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

[Remainder of Page Intentionally Left Blank]

Dated: October [], 2024

**YOUNG CONAWAY STARGATT
& TAYLOR, LLP**

/s/

Edmon L. Morton (Del. Bar No. 3856)
Kenneth J. Enos (Del. Bar No. 4544)
Kristin L. McElroy (Del. Bar No. 6871)
Timothy R. Powell (Del. Bar No. 6894)
One Rodney Square
1000 North King Street
Wilmington, Delaware 19801
Telephone: (302) 571-6600
Email: emorton@ycst.com
kenos@ysct.com
kmcclroy@ycst.com
tpowell@ycst.com

*Proposed Efficiency Counsel to the
Debtors and Debtors in Possession*

**SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP**

Joseph O. Larkin
One Rodney Square
920 N. King Street
Wilmington, Delaware 19801
Telephone: (302) 651-3000
Email: Joseph.Larkin@skadden.com

- and -

Ron E. Meisler (admitted *pro hac vice*)
Jennifer Madden (admitted *pro hac vice*)
320 South Canal Street
Chicago, Illinois 60606-5707
Telephone: (312) 407-0705
Email: Ron.Meisler@skadden.com
Jennifer.Madden@skadden.com

- and -

Robert D. Drain (admitted *pro hac vice*)
Evan A. Hill (admitted *pro hac vice*)
Moshe S. Jacob (admitted *pro hac vice*)
One Manhattan West
New York, New York 10001
Telephone: (212) 735-3000
Email: Robert.Drain@skadden.com
Evan.Hill@skadden.com
Moshe.Jacob@skadden.com

*Proposed Counsel to Debtors and
Debtors in Possession*

EXHIBIT 3

General Bar Date Notice

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

TRUE VALUE COMPANY, L.L.C. *et al.*,

Debtors.¹

Chapter 11

Case No. 24-12337 (KBO)

(Jointly Administered)

NOTICE OF GENERAL BAR DATE FOR FILING PROOFS OF CLAIM
AGAINST THE DEBTORS IN THE CHAPTER 11 CASES

PLEASE TAKE NOTICE THAT:

On October 14, 2024 (the “Petition Date”), True Value Company, L.L.C. and certain of its affiliates, as debtors and debtors in possession (collectively, the “Debtors”), filed voluntary petitions (collectively, the “Chapter 11 Cases”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”).

On [], 2024, the Court entered an order [Docket No. []] (the “Bar Date Order”)² establishing certain dates by which parties holding prepetition claims against the Debtors must file proofs of claim, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code.

On [], 2024, the Debtors filed their schedules of assets and liabilities, schedules of executory contracts and unexpired leases, or statements of financial affairs. Pursuant to the Bar Date Order, all entities (except governmental units), including individuals, partnerships, estates, and trusts who have a claim or potential claim against the Debtors that arose before the Petition Date, no matter how remote or contingent such right to payment or equitable remedy may be, **other than** 503(b)(9) Claims, **MUST FILE A PROOF OF CLAIM** on or before the General Bar Date of [] **at 11:59 p.m. (prevailing Eastern Time)**.

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: True Value Company, L.L.C. (9896); TV Holdco II, L.L.C. (2272); TV TSLC, L.L.C. (7025); TV GPMC, L.L.C. (8136); True Value Retail, L.L.C. (7946); TrueValue.com Company, L.L.C. (6386); True Value Virginia, L.L.C. (9197); and Distributors Hardware, L.L.C. (8106). The address of the Debtors’ corporate headquarters is 8600 W. Bryn Mawr Ave. Chicago, IL 60631.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Bar Date Order. The Bar Date Order is available online, for free, at **<https://omniagentsolutions.com/TrueValue>**.

EXHIBIT 4

Publication Notice

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

TRUE VALUE COMPANY, L.L.C. *et al.*,

Debtors.¹

Chapter 11

Case No. 24-12337 (KBO)

(Jointly Administered)

**NOTICE OF DEADLINES FOR THE FILING OF
PROOFS OF CLAIM, INCLUDING REQUESTS FOR
PAYMENTS UNDER SECTION 503(b)(9) OF THE BANKRUPTCY CODE**

THE 503(B)(9) BAR DATE IS NOVEMBER 27, 2024
THE GENERAL BAR DATE IS []
THE GOVERNMENTAL BAR DATE IS APRIL 14, 2025
THE AMENDED SCHEDULES BAR DATE IS AS DEFINED HEREIN
THE REJECTION DAMAGES BAR DATE IS AS DEFINED HEREIN

PLEASE TAKE NOTICE OF THE FOLLOWING:

Deadlines for Filing Proofs of Claim. On [] 2024, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered an order [Docket No. []] (the “Bar Date Order”) establishing certain deadlines for the filing of proofs of claim, including requests for payment under section 503(b)(9) of the Bankruptcy Code, in the chapter 11 cases of the above captioned debtors and debtors in possession (collectively, the “Debtors”).

The Bar Dates. Pursuant to the Bar Date Order, *any* entity that believes its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code (each, a “503(b)(9) Claim”) **MUST FILE A PROOF OF CLAIM** on or before **November 27, 2024 at 11:59 p.m. (prevailing Eastern Time)** (the “503(b)(9) Bar Date”). Additionally, *all* entities (except governmental units), including individuals, partnerships, estates, and trusts who have a claim or potential claim against the Debtors that arose before October 14, 2024 (the “Petition Date”), no matter how remote or contingent such right to payment or equitable remedy may be, **other than** 503(b)(9) Claims, **MUST FILE A PROOF OF CLAIM** on or before [] **at 11:59 p.m. (prevailing Eastern Time)** (the “General Bar Date”). Governmental entities who have a claim or potential claim against the Debtors that arose before the Petition Date, no matter how remote or contingent such right to payment or equitable remedy may be, **MUST FILE A PROOF OF CLAIM** on or before **April 14, 2025 at 11:59 p.m. (prevailing Eastern Time)** (the “Governmental Bar Date”). All entities who have a claim or

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: True Value Company, L.L.C. (9896); TV Holdco II, L.L.C. (2272); TV TSLC, L.L.C. (7025); TV GPMC, L.L.C. (8136); True Value Retail, L.L.C. (7946); TrueValue.com Company, L.L.C. (6386); True Value Virginia, L.L.C. (9197); and Distributors Hardware, L.L.C. (8106). The address of the Debtors’ corporate headquarters is 8600 W. Bryn Mawr Ave. Chicago, IL 60631.

potential claim against the Debtors based on any amendment by the Debtors of their Schedules, no matter how remote or contingent such right to payment or equitable remedy may be, if they so choose, **MUST FILE A PROOF OF CLAIM** on the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, to such claim, and (b) 11:59 p.m. (prevailing Eastern Time) on the date that is 21 days from the date on which the Debtors provide notice of the amendment (the “Amended Schedules Bar Date”). All entities who have a claim or potential claim against the Debtors based on the Debtors’ rejection of an executory contract or unexpired lease, no matter how remote or contingent such right to payment or equitable remedy may be, **MUST FILE A PROOF OF CLAIM** on the later of (i) the General Bar Date, and (ii) 30 days after the entry of an order approving the rejection of any executory contract or unexpired lease of the Debtors (the “Rejection Claim Bar Date”).

ANY PERSON OR ENTITY WHO FAILS TO FILE A PROOF OF CLAIM, INCLUDING ANY REQUEST FOR PAYMENT UNDER SECTION 503(b)(9) OF THE BANKRUPTCY CODE, ON OR BEFORE THE APPLICABLE BAR DATE SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION ON ANY CHAPTER 11 PLAN.

Filing a Proof of Claim. Each proof of claim must be filed, including supporting documentation, so as to be **actually received** by the Debtors’ notice and claims agent, Omni Agent Solutions, Inc. (“Omni”), on or before the applicable Bar Date, either: (a) electronically through the Online Portal available at <https://omniagentsolutions.com/TrueValue-Claims> or (b) by overnight mail, or other hand delivery system, at the following address:

True Value Company, L.L.C.
Claims Processing
c/o Omni Agent Solutions, Inc.
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367

Contents of Proofs of Claim. Each proof of claim must: (a) be legibly written in English; (b) include a claim amount denominated in United States dollars using, if applicable, the exchange rate as of 5:00 p.m. (prevailing Eastern Time) on the Petition Date (and to the extent such claim is converted to United States dollars, state the rate used in such conversion); (c) set forth with specificity the legal and factual basis for the alleged claim; (d) conform substantially with the Proof of Claim Form provided by the Debtors or Official Form 410; (e) be signed by the claimant or by an authorized agent or legal representative of the claimant, whether such signature is an electronic signature or is ink; and (f) include as attachments any and all supporting documentation on which the claim is based. **Please note** that each proof of claim must state a claim against only one Debtor and clearly indicate the specific Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the proof of claim, a proof of claim is treated as if filed only against the first-listed Debtor, or if a proof of claim is otherwise filed without identifying a specific Debtor, the proof of claim may be deemed as filed only against True Value Company, L.L.C.

Requests for Payment Under Section 503(b)(9) of the Bankruptcy Code. Any proof of claim asserting a 503(b)(9) Claim must be filed on or before the 503(b)(9) Bar Date and must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days before the Petition Date; (ii) attach any documentation identifying the particular invoices for which the

503(b)(9) Claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).

Additional Information. If you require additional information regarding the filing of a proof of claim, you may contact the Debtors' claims agent, Omni, (a) by calling the Debtors' restructuring hotline at: (866) 771-0561 (U.S. & Canada) or +1 (818) 356-8633 (international), (b) by writing via hand delivery or overnight mail to: True Value Company, L.L.C., Claims Processing, c/o Omni Agent Solutions, Inc., 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367; (c) by writing via email to: TrueValueInquiries@OmniAgnt.com; or (d) online at <https://omniagentsolutions.com/TrueValue>. **Please note** that Omni **cannot** offer legal advice or advise whether you should file a proof of claim.