

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Case No.: - -AST
Chapter __

Debtor(s).

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ORDER ESTABLISHING DEADLINE FOR FILING ADMINISTRATIVE PROOFS OF CLAIMS AND DIRECTING THE FORM AND MANNER OF NOTICE

Upon the application (“Application”) of [Movant] (the “Movant”), for entry of an order pursuant to Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rule”) fixing a bar date for the filing of administrative expense claims in the above case and providing for notice thereof (the “Motion”), and it appearing that the relief requested is in the best interest of the Debtor(s), the estate and creditors, and that adequate notice has been given and that no further notice is necessary; and sufficient cause appearing therefor, it is hereby

ORDERED, that all persons and entities (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts and governmental units) having claims for administrative expenses against the above named estate (including, but not limited to, claims for goods delivered to the Debtor(s) within twenty (20) days before the petition date under §§ 503(b)(9) or 507(a)(1) of the Bankruptcy Code, professional fees rendered and expenses incurred and entitled to payment under §§ 327, 330 or 503 of the Bankruptcy Code, and/or any other applicable provision of the Bankruptcy Code) arising subsequent to the filing of a petition by the Debtor(s) on [Petition Date], up to and including [Date of This Order or Cutoff Date] (“Administrative Expense Claims”) are hereby directed to file their claims in approved form by **[Date 68 Days After Entry of This Order]** (the “Administrative Bar Date”); and it is further

[**ORDERED**, that with respect to Chapter 11 retained professionals, the timely filing of Administrative Expense Claims as provided for herein shall not alter the requirement to file an application on notice for final approval of fees and expenses pursuant to §§ 330 and 331 of the Bankruptcy Code, Bankruptcy Rule 2016, the E.D.N.Y. Local Bankruptcy Rules, and the United States Trustee Fee Guidelines, and to schedule a hearing on said application to be heard by the Court; and it is further]

ORDERED, that the following procedures for the filing Administrative Expense Claims shall apply:

- (a) Administrative Expense Claims must conform substantially to Official Form 410;
- (b) Attorneys (with full access accounts) and employees of institutional creditors (with limited access accounts) should file Administrative Expense Claims electronically on the Court's Case Management/Electronic Case File ("CM/ECF") system. Those without accounts to the CM/ECF system must file their Administrative Expense Claims by mailing or delivering the original proof of claim by hand to the United States Bankruptcy Court, Eastern District of New York, 290 Federal Plaza, Central Islip, New York 11722;
- (c) Administrative Expense Claims will be deemed filed only when received by the Clerk of the Bankruptcy Court on or before the Administrative Bar Date; and
- (d) Administrative Expense Claims must be (i) signed; (ii) include supporting documentation (if voluminous, attach a summary) or an explanation as to why documentation is not available; and (iii) be denominated in United States currency; and it is further

ORDERED, that the following persons or entities need not file Administrative Expense Claims on or prior to the Administrative Bar Date:

- (a) Any person or entity that holds a claim for administrative expenses that has been allowed by an Order of this Court entered on or before the Administrative Bar Date;
- (b) Any holder of a claim for administrative expenses for which a separate deadline is fixed by this Court;
- (c) Any person or entity whose claim for administrative expenses has been paid or otherwise satisfied in full on a final basis;

- (d) Any holder of a claim for administrative expenses who has already properly filed an Administrative Expense Claim with the Clerk of the Court; and
- (e) Any person or entity that holds a claim for administrative expenses that were incurred after **[Date of This Order or Cutoff Date]**; and it is further

ORDERED, that pursuant to Bankruptcy Rule 3003 (c)(2), all holders of claims that fail to comply with this Order by timely filing Administrative Expense Claims in appropriate form shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution; and it is further

ORDERED, that notice of the Administrative Bar Date, substantially in the form set forth in Administrative Order 684 of the United States Bankruptcy Court for the Eastern District of New York, shall be deemed adequate and sufficient if served by first-class mail with a copy of this Order by **[Date 5 Days After Entry of This Order]**, upon the following:

- (a) the United States Trustee;
- (b) the Debtor(s) and Debtor(s) counsel;
- (c) counsel to each official committee, if any, appointed in this case;
- (d) all persons or entities that have requested notice of the proceedings in this case;
- (e) all persons or entities that have filed claims;
- (f) all creditors and other known holders of claims against the Debtor(s) as of the date of this Order, including all persons or entities listed in the Schedules as holding Claims;
- (g) all parties to litigation with the Debtor(s);
- (h) the Internal Revenue Service for the district in which the case is pending; and
- (i) all retained professionals; and
- (j) such additional persons and entities as deemed appropriate by the Debtor(s); and

it is further

ORDERED, that the Court authorizes and empowers the Debtor(s) to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order; and it is further

ORDERED, that entry of this Order is without prejudice to the rights of the Debtor(s) to seek a further order of this Court fixing a date by which holders of claims or interests not subject to the Administrative Bar Date established herein must file such proofs of claim or interest or be barred from doing so.