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

In re:	Chapter 11
SALADWORKS, LLC, <sup>1</sup>	Case No. 15-10327 (LSS)
Debtor.	

## NOTICE OF DATE BY WHICH PARTIES MUST FILE ADMINISTRATIVE CLAIMS

PLEASE TAKE NOTICE THAT Saladworks, LLC as debtor and debtor-in-possession (the "<u>Debtor</u>"), filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "<u>Bankruptcy Code</u>") in the United States Bankruptcy Court for the District of Delaware (the "<u>Court</u>") on <u>February 17, 2015</u> (the "<u>Petition Date</u>").

PLEASE TAKE FURTHER NOTICE THAT on March 31, 2015 the Debtor filed the Motion of the Debtor for Entry of an Order (A) Establishing Bar Dates for Filing Proofs of Claim, (Including Claims Arising Under Section 503(b)(9) of the Bankruptcy Code) and Proofs of Interest; (B) Approving the Form and Manner for Filing Proofs of Claim and Proofs of Interest; and (C) Approving Notice Thereof [Docket No. 135] (the "Bar Date Motion"). On April 22, 2015, the Court entered an order approving the Bar Date Motion [Docket No.177] (the "Bar Date Order") establishing May 29, 2015 (Eastern Time) (the "Administrative Claims Bar Date") as the deadline for each person or entity to assert a claim arising under Bankruptcy Code sections 503(b)(1) through (8) and 507(a)(2) (an "Administrative Claim") against the Debtor that may have arisen, accrued, or otherwise become due and payable at any time on and subsequent to the Petition Date but on or before April 30, 2015 (the "Initial Administrative Claims Period").

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE HOLDING AN ADMINISTRATIVE CLAIM AGAINST THE DEBTOR IN THE ABOVE-CAPTIONED CHAPTER 11 CASE. THEREFORE, YOU SHOULD READ THIS NOTICE CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

PLEASE TAKE FURTHER NOTICE THAT pursuant to the terms of the Bar Date Order, and except as otherwise provided therein or herein, each person and entity (including, without limitation, each individual, partnership, joint venture, corporation, limited liability company, estate, trust or governmental unit) that holds or wishes to assert an Administrative Claim that may have arisen, accrued, or otherwise become due and payable during the Initial Administrative Claims Period, must do so by filing a request for payment of administrative expense, substantially in the form of the Request for Payment of Administrative Claim and Proof

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<sup>&</sup>lt;sup>1</sup> The last four digits of the Debtor's tax identification number are (7282). The Debtor's corporate office and the mailing address is 161 Washington Street, Suite 300, Conshohocken, PA 19428.

of Claim (the "Administrative Claim Form") attached hereto, on or before the Administrative Claims Bar Date.

## Background to the Debtor's Chapter 11 Case

- A. General Information about the Debtor's Case. No request for the appointment of a trustee or examiner has been made in this Chapter 11 Case.<sup>2</sup>
- Access to Administrative Claim Forms and Additional Information. If you have any В. questions regarding the claims process and/or if you wish to obtain a copy of the Bar Date Motion, Bar Date Order (which contains a more detailed description of the requirements for filing proofs of claim and proofs of interest), a proof of claim form, proof of interest form, Administrative Claim Form or related documents (and/or any other pleadings filed in the Debtor's Chapter 11 Case) you may do so by contacting the Debtor's court-appointed claims and noticing agent UpShot Services LLC ("UpShot") in writing, at Saladworks LLC Claims Processing, c/o UpShot Services LLC, 7808 Cherry Creek South Drive, Suite 112, Denver, CO 80231 or visiting the Debtor's case website (http://www.upshotservices.com/saladworks); or the Bankruptcy Court's website (http://www.deb.uscourts.gov). Copies of the Bar Date Order also may be examined between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding federal holidays, at the Office of the Clerk of the Bankruptcy Court (the "Clerk"), 824 N. Market St., 3rd Floor, Wilmington, Delaware 19801. If you have any questions concerning the filing or processing of claims, you may contact UpShot toll free at (855)-812-6112 or via electronic mail at saladworksinfo@upshotservices.com.

## Parties Required To File Administrative Claims

- A. Definition of Claim. Under Bankruptcy Code section 101(5) and as used herein, the word "claim" means: (i) a 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) a 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. An Administrative Claim is a Claim of the kind described in Bankruptcy Code section 503(b)(1), (2), (3), (4), (5), (6), (7), and (8). Administrative Claims are given priority status pursuant to Bankruptcy Code section 507(a)(2), which means that they are paid before general unsecured claims.
- B. Parties Who Must File Administrative Claims. Except as set forth herein in section C below, all persons or entities holding an Administrative Claim arising within the against the Debtor that arose (or are deemed to have arisen) within the Initial Administrative

<sup>&</sup>lt;sup>2</sup> Except as otherwise defined herein, in the Bar Date Motion or in the Bar Date Order, all terms used in this notice that are specifically defined in the Bankruptcy Code shall have the meanings ascribed to such terms by the Bankruptcy Code. In particular, as used herein: (a) the term "claim" has the meaning given to it in Bankruptcy Code section 101(5); (b) the term "entity" has the meaning given to it in Bankruptcy Code section 101(15); (c) the term "governmental unit" has the meaning given to it in Bankruptcy Code section 101(27); and (d) the term "person" has the meaning given to it in Bankruptcy Code section 101(41).

Claims Period <u>must</u> file an Administrative Claim on or before the Administrative Claims Bar Date:

- C. Parties Who Do Not Need To File Administrative Claims. Pursuant to the Bar Date Order, creditors holding or wishing to assert the following types of Administrative Claims (the "Excluded Claims") against the Debtor are not required to file Administrative Claim Forms:
  - A. Administrative Claims on account of which a request for payment of administrative claim already has been properly filed with either the Claims Agent or the Clerk of Court, if such request clearly sets forth that such party is asserting an Administrative Claim and includes supporting documentation;
  - **B.** Administrative Claims previously (i) allowed, (ii) paid or (iii) potentially to be paid to the Debtor's employees solely in connection to any key employee incentive plan, pursuant to an order of the Court;
  - C. Administrative Claims asserted by professionals retained by the Debtor or any statutory committee to the extent such claims are for services performed and reimbursement of expenses incurred in this Chapter 11 Case; and
  - **D.** Administrative Claims asserted by the United States Trustee, for statutory fees required to be paid by the Debtor.

#### **Instructions for Filing Administrative Claim**

- A. Contents of Proofs of Claim. Each Administrative Claim must (i) be written in English; (ii) include a claim amount denominated in United States dollars (and to the extent such claim is converted to United States dollars, the conversion rate used); (iii) conform substantially with the Administrative Claim Form attached hereto; (iv) be signed by the holder of the claim or by an authorized agent or legal representative of the holder of the claim; and (v) be an original (photocopies, telecopies or facsimiles will <u>not</u> be accepted).
- **B.** Supporting Documentation. Each Administrative Claim Form shall attached copies of any documents on which the Claim is based (or if voluminous, attach a summary thereof instead) or an explanation as to why such documents are not available.
- C. Timely Service. Each Administrative Claim Form, including supporting documentation, must be submitted: (i) electronically, on or before the Administrative Bar Date, by completing the Administrative Claim Form that can be accessed at the Claims Agent's website (http://www.upshotservices.com/saladworks); or (ii) by United States mail or other hand delivery system, so as to be <u>actually received</u> by the Claims Agent on or before the Administrative Bar Date at the following address:

Saladworks LLC Claims Processing c/o UpShot Services LLC 7808 Cherry Creek South Drive, Suite 112 Denver, CO 80231

EXCEPT AS EXPRESSLY PERMITTED ABOVE, ADMINISTRATIVE CLAIM FORMS OTHERWISE SUBMITTED BY FACSIMILE, TELECOPY, ELECTRONIC MAIL OR OTHER FORM OF ELECTRONIC SUBMISSIONS WILL NOT BE ACCEPTED.

**Receipt of Service.** Holders of claims wishing to receive acknowledgment that their Administrative Claim Forms were received by the Claims Agent must submit (i) a copy of the Administrative Claim Form and (ii) a self-addressed, stamped envelope.

### Consequences of Failing to Timely File Your Proof of Claim

Pursuant to the Bar Date Order, if you or any party or entity is required, but fails, to file an Administrative Claim Form in accordance with the Bar Date Order and in the form and manner specified in this notice on or before the applicable Bar Date, please be advised that YOU SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION.

#### **Reservation of Rights**

Nothing contained in this notice is intended to or should be construed as a waiver of the Debtor's right to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules and Statements 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 and Statements.

If you have any questions relating to this Notice, contact UpShot toll free at (855) 812-6112 or via electronic mail at saladworksinfo@upshotservices.com.

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# NEITHER THE ATTORNEYS FOR THE DEBTOR NOR UPSHOT IS AUTHORIZED TO PROVIDE YOU WITH LEGAL ADVICE.

Dated: April 22, 2015

Wilmington, Delaware

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