

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
 Oberweis Dairy, Inc., *et al.*,¹) Case No. 24-05385
) (Jointly Administered)
 Debtors.)
 _____) Honorable David D. Cleary

**NOTICE OF DEADLINE FOR FILING PROOF OF PREPETITION
CLAIMS, INCLUDING SECTION 503(B)(9) CLAIMS**

To: All Creditors

Debtor	Case No.
Oberweis Dairy, Inc.	24-05385
The Oberweis Group, Inc.	24-05388
TOGI Brands, LLC	24-05393
North Aurora Ice Cream, LLC	24-05389
Third Millennium Real Estate L.L.C.	24-05392
Togi RE I, LLC	24-05391

Please Take Notice That on April 12, 2024 the (“**Petition Date**”), the debtors listed above (each, a “**Debtor**,” and collectively, the “**Debtors**”) in the above-captioned chapter 11 cases (each a “**Chapter 11 Case**,” and collectively, the “**Chapter 11 Cases**”), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the “**Court**”), commencing six separate bankruptcy cases, which are jointly administered under the above-captioned lead case.

Please Take Further Notice That on April 24, 2024, the Debtors filed the *Motion of Debtors for Entry of an Order (I) Setting Deadline for Filing Proofs of Claim and (II) Approving Form, Manner, and Sufficiency of Notice* [ECF No. 89] (the “**Bar Date Motion**”) with the Court. On __, 2024, the Court entered an order approving the Bar Date Motion [ECF No. __] (the “**Bar Date Order**”) and establishing certain dates (each, a “**Bar Date**,” and collectively, the “**Bar Dates**”) by which all persons and entities (collectively, the “**Creditors**,” and each, a “**Creditor**”), holding or wishing to assert an unsecured or secured, priority or nonpriority claim (as defined in section 101(5) of the Bankruptcy Code) or administrative expense claim arising under section 503(b)(9) of the Bankruptcy Code against any of the Debtors arising or accruing prior to the Petition Date (each a “**Claim**” and, collectively, the “**Claims**”) must file a separate, completed and executed proof of such Claim conforming substantially to the form enclosed

¹ The Debtors in this case, and the last four digits of their respective federal employer identification numbers, are Oberweis Dairy, Inc. (‘7516); The Oberweis Group, Inc. (‘1378); North Aurora Ice Cream, LLC (‘8506); TOGI RE I, LLC (‘5952); Third Millennium Real Estate L.L.C. (‘1589); and TOGI Brands, LLC (‘7072).

herewith (each a “Form” and collectively the “Forms”) against each of the respective Debtors. Each date is expressly set forth below.

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE HOLDING A CLAIM AGAINST ONE OR MORE OF THE DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES. 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.

Background of the Debtors’ Chapter 11 Cases

- A. **General Information About the Debtors’ Cases.** The Debtors’ cases are being jointly administered under case number 24-05385. No request for the appointment of a trustee or examiner has been made in these Chapter 11 Cases.

- B. **Access to Forms, Orders, and Additional Information.** If you have any questions regarding the claims processing and/or if you wish to obtain a copy of the Bar Date Motion, Bar Date Order, Form, or related documents (and/or any other filings filed in these Chapter 11 Cases) you may do so by visiting the website of the Debtors’ notice and claims agent, CPT Group, Inc. (“CPT Group”) at: www.cptgroupcaseinfo.com/OberweisDairyInc/. Please note that CPT Group cannot advise you on how to file, or whether you should file, a proof of claim.

- C. **Schedules of Assets and Liabilities.** On or before May 13, 2024, each of the Debtors filed its statement of financial affairs, schedules of assets and liabilities, schedules of current income and expenditures, and schedules of executory contracts and unexpired leases with the Court (collectively, the “Schedules”). In addition to the methods regularly provided by the Court, the Debtors’ Schedules may be examined and inspected online and free of charge at www.cptgroupcaseinfo.com/OberweisDairyInc/.

Bar Dates Approved by the Court

The Court has established the following Bar Dates as those dates by which Creditors holding Claims must file proofs of claim against each of the respective Debtors so that the proofs of claims are **actually received** by CPT Group:

General Bar Date: **July 8, 2024** is the date by which all Creditors holding or wishing to assert a Claim (including Claims under section 503(b)(9) of the Bankruptcy Code) must file a separate, completed and executed Form on account of each such Claim in the Chapter 11 Case of the applicable Debtor (the “General Bar Date”) with the sole exception of Claims governed by the bar dates below.

Amended Schedule Bar Date To the extent applicable, **the later of the General Bar Date or thirty (30) days after a Creditor is served with notice that any Debtor has filed amended Schedules** is the date by

which holders of Claims affected thereby must file a Proof of Claim.

Rejection Bar Date

To the extent applicable, **except as otherwise set by any order authorizing rejection of an executory contract or unexpired lease, the later of the General Bar Date or thirty (30) days after the entry of any order authorizing the rejection of an executory contract or unexpired lease** is the date by which holders of Claims affected thereby must file a Proof of Claim.

Governmental Bar Date

October 9, 2024 is the date by which all governmental units, as defined by section 101(27) of the Bankruptcy Code holding or wishing to assert Claims against any of the Debtors are required to file a separate, completed and executed Form, as described above, on account of each Claim by such governmental unit holds or wishes to assert against any Debtor in the Chapter 11 Case of the applicable Debtor (the “**Governmental Bar Date**”).

Notwithstanding the foregoing, at this time, proofs of Claim **are not required** to be filed by Creditors holding or wishing to assert Claims against a Debtor of the following types (collectively, the “**Excluded Claims**”):

- (a) Claims on account of which a proof of claim has already been properly filed with the Court;
- (b) Claims previously allowed by, or paid pursuant to, an order of the Court in the Chapter 11 Cases;
- (c) Applications or requests for award of compensation earned or reimbursement of expenses incurred by professionals retained pursuant to section 327 of the Code; and
- (d) Claims that are scheduled by the Debtor in undisputed, non-contingent, and liquidated amounts for which the Creditors holding such Claims do not dispute the amount or manner in which their Claims have been scheduled.

If the Court fixes a date in the future, after the General Bar Date, by which time any of the Excluded Claims must be filed, you will be notified.

Each Form must specifically set forth the full name of the particular Debtor and that Debtor’s particular case number, as set forth in the caption on the first paragraph of this notice, to which your Claim applies. A separate Form is required for each Debtor against which you assert a Claim. Forms must be in English and amounts must be in U.S. Dollars.

Each Form must be filed, including any supporting documentation,² by either (a) electronic submission in .pdf format using the interface available on the Claims and Noticing Agent’s website at www.cptgroupcaseinfo.com/OberweisDairyInc/; (b) if submitted through non-electronic means, the original Form with signature must be submitted either (i) by First-Class Mail to Oberweis Dairy, Inc., *et al.*, c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606, or (ii) by Hand Delivery or Overnight Mail to Oberweis Dairy, Inc., *et al.*, c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606. Forms must be **received**, in accordance with the instructions set forth therein, on or before the applicable bar date.

Consequences of Failing to Timely File Your Claim Form

Pursuant to the Bar Date Order and in accordance with Federal Rules of Bankruptcy Procedure 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 (absent consent of the Debtors, or contrary order of Court):

- **YOU WILL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTORS (OR FILING A PROOF OF CLAIM WITH RESPECT THERETO);**
- **YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND**
- **YOU WILL NOT BE PERMITTED TO VOTE ON ANY CHAPTER 11 PLAN OR PLANS FOR THE DEBTORS ON ACCOUNT OF THAT CLAIM OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.**

You should not file a proof of Claim if you do not have a Claim against a Debtor. Questions concerning this notice may be directed in writing to the Debtors’ counsel below.

Dated: [_____]

Respectfully Submitted:
OBERWEIS DAIRY, INC., *et al.*, Debtors

By: /s/ _____ [DRAFT]
Counsel for the Debtors

HOWARD L. ADELMAN, ESQ. (ARDC# 0015458)
ADAM P. SILVERMAN, ESQ. (ARDC #6256676)
ALEXANDER F. BROUGHAM, ESQ. (ARDC #6301515)
TEVIN D. BOWENS, ESQ. (ARDC #6338559)
ADELMAN & GETTLEMAN, LTD.
53 West Jackson Blvd., Suite 1050
Chicago, Illinois 60604
Tel (312) 435-1050
Counsel for the Debtors

² Any claimant asserting a claim pursuant to section 503(b)(9) of the Bankruptcy Code must also complete the appropriate box on the Form and, thereby, identify the amount of such claim believed to be entitled to administrative expense priority treatment under section 503(b)(9) of the Bankruptcy Code.