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Proposed Co-Counsel to the Debtors and Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA **ALEXANDRIA DIVISION**

In re:)	Chapter 11
ENVIVA INC., et al.,)	Case No. 24 – 10453 (BFK)
Debtors. ¹)	(Jointly Administered)
)	

ORDER (I) ESTABLISHING BAR DATES AND PROCEDURES AND (II) APPROVING THE FORM AND MANNER OF NOTICE THEREOF

Upon the Motion² filed by the above-referenced debtors and debtors in possession (collectively, the "Debtors") for entry of an order (the "Order") (i) establishing bar dates and procedures and approving the form and manner of notice thereof and (ii) granting related relief, all as more fully set forth in the Motion; and the Court having jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. § 1334; and the Court having jurisdiction over the matters raised

Capitalized terms used but not otherwise defined herein shall have the meaning set forth in the Motion.



Due to the large number of Debtors in these jointly administered chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors' claims and noticing agent at www.kccllc.net/enviva. The location of the Debtors' corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.

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in the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference from the United States District Court for the Eastern District of Virginia, dated August 15, 1984; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having reviewed the Motion; and the 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 the Court having found that the relief requested in the Motion is in the best interests of the Debtors and their respective estates, creditors, and other parties in interest; and the Court having found that proper and adequate notice of the Motion and hearing thereon has been given and that no other or further notice is necessary; and the Court having found that good and sufficient cause exists for the granting of the relief requested in the Motion after having given due deliberation upon the Motion and all of the proceedings had before the Court in connection with the Motion, it is HEREBY ORDERED THAT:

- 1. The General Bar Date shall be fixed as June 14, 2024, at 5:00 p.m. (Eastern Prevailing Time).
- 2. The Governmental Bar Date shall be fixed as **September 9, 2024, at 5:00 p.m.** (Eastern Prevailing Time).
- 3. The Amended Schedules Bar Date shall be fixed as the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m. (Eastern Prevailing Time), on the date that is 30 days from the date on which the Debtors provide notice of the previously unfiled Schedule or amendment or supplement to the Schedules.
- 4. The Rejection Damages Bar Date shall be fixed as the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m. (Eastern Prevailing

Time) on the date that is 30 days following service of an order approving the rejection of any executory contract or unexpired lease of the Debtors.³

- 5. The forms of the Bar Dates Notice, the Proof of Claim Form, the Publication Notice, and the manner of providing notice of the Bar Dates proposed in the Motion are approved in all respects. The form and manner of notice of the Bar Dates approved herein satisfy the notice requirements of the Bankruptcy Code and the Bankruptcy Rules.
- 6. Subject to terms described in this Order for holders of claims subject to the Governmental Bar Date, the following entities must file proofs of claim on or before the General Bar Date:
 - a. any person or entity whose claim against a Debtor is not listed in the applicable Debtor's Schedules, or is listed in such Schedules as "contingent," "unliquidated," or "disputed," if such person or entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
 - b. any person or entity who believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;
 - c. any person or entity who believes that its prepetition claim as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and who desires to have its claim allowed against a Debtor other than that identified in the Schedules;
 - d. any former or present full-time, part-time, salaried, or hourly employees must submit Proofs of Claim relating to any (i) grievance or (ii) claim arising from such employee's employment or the termination thereof prior to the General Bar Date to the extent grounds for such grievances or claims, in whole or in part, arose on or relate to services prior to the Petition Date; and
 - e. any person or entity who believes that its claim (or a portion of its claim) against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

To the extent any executory contract or unexpired lease is rejected pursuant to the terms of a chapter 11 plan filed by the Debtors (the "*Plan*"), the order confirming the Plan shall provide a separate bar date as the deadline on or before which claimants holding claims for damages arising from such rejection must file proofs of claim with respect to such rejection, which date will be 30 days after service of a notice of the Plan effective date.

7. The following entities, whose claims otherwise would be subject to the General Bar

Date or the Governmental Bar Date, need not file proofs of claim in these chapter 11 cases:

- a. any person or entity who has already filed a signed proof of claim against the respective Debtor(s) with the Clerk of the Court or with KCC, the Debtors' claims and noticing agent, in a form substantially similar to Official Form 410, but only with respect to the particular claim that was filed in accordance with this Order against the correct Debtor(s);
- b. any person or entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of "disputed," "contingent," or "unliquidated"; (ii) such person or entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such person or 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 person or entity whose claim has previously been allowed by order of the Court on or before the applicable Bar Date;
- d. professionals retained by the Debtors or the Committee;
- e. any person or entity whose claim has been paid in full by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- f. any Debtor having a claim against another Debtor;
- g. any person or entity whose claim is based on an equity interest in any of the Debtors *provided* that any holder of an equity interest who wishes to assert a claim (as opposed to an ownership interest) against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the General Bar Date pursuant to procedures set forth herein;
- h. any current officer, director, or employee of any of the Debtors for claims based on indemnification, contribution, or reimbursement; *provided, however*, that, notwithstanding the foregoing, following the rejection of any agreement pursuant to which such indemnification, contribution or reimbursement claim arises or is purported to arise, any such person shall be required to timely file a proof of claim in respect of any such indemnification, contribution, or reimbursement claim (and/or any damages arising from the rejection of such agreement) by the applicable Rejection Damages Bar Date (unless such party has previously filed a proof of claim in respect of any such indemnification, contribution, or reimbursement claim);
- i. any person or entity holding a claim for which a separate deadline is fixed by this Court;
- j. a current employee of the Debtors, if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business as a wage,

commission, or benefit; *provided* that a current or former employee must submit a Proof of Claim by the General Bar Date for all other claims arising or relating to service or the termination thereof before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;

- k. any person or entity holding a claim allowable under sections 503(b) or 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course; provided, however, that any person or entity asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must assert such claim by filing a request for payment or a proof of claim on or prior to the General Bar Date;
- 1. the DIP Creditors, the DIP Agent and the Prepetition Secured Parties (with respect to any Adequate Protection Claims) (each as defined in the DIP Order)⁴; and
- the Senior Secured Credit Facility Lenders, the 2026 Noteholders, the m. holders of Epes Green Bonds, the holders of Bond Green Bonds, the Senior Secured Credit Facility Agent, the 2026 Notes Trustee, the Epes Green Bonds Trustee, the Bond Green Bonds Trustee, and the NMTC Participants⁵; provided that the relevant authorized indenture trustee or administrative agent under the applicable Prepetition Funded Debt shall be authorized, but not required, to file a single master proof of claim in the Debtors' lead case, Enviva Inc., Case No. 24-10453 (BFK) or other applicable Debtor entity with respect to all claims relating to or arising out of the applicable Prepetition Funded Debt (each, a "Master Proof of Claim"), in which case such Master Proof of Claim shall (i) constitute the filing of a Proof of Claim Form in the chapter 11 cases of all other Debtors against whom a claim may be asserted under the applicable Prepetition Funded Debt documents and (ii) have the same effect as if each applicable holder of a claim thereunder had individually filed a Proof of Claim Form against each applicable Debtor on account of such holder's claims; provided, further, that (a) the provisions of this paragraph and the filing of Master Proofs of Claim, if any, are intended solely for the purpose of administrative convenience and shall not affect the right of each applicable holder of a claim thereunder (or its successors in interest) to vote separately on any Plan filed in these chapter 11 cases; and (b) the Master Proofs of

[&]quot;DIP Order" refers to that interim or final order, as applicable, entered by the Court approving the Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors To (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 24].

[&]quot;NMTC Participants" collectively refers to (a) NIF SUB IV, LLC, (b) UBCD SUB CDE MIDWAY, LLC, (c) PBCIF SUB-CDE4, LLC, (d) MUNISTRATEGIES SUB-CDE#41, LLC, (e) United Bank, (f)(i) National Impact Fund, LLC as the managing member of NIF SUB IV, LLC, (ii) UB Community Development, LLC as the managing member of UBCD SUB CDE MIDWAY, LLC, (iii) PB Community Impact Fund, LLC as the managing member of PBCIF SUB-CDE4, LLC, and (iv) Munistrategies, LLC as the managing member of MUNISTRATEGIES SUB-CDE#41, LLC, (g) COCRF Investor 232, LLC, and (h) Capital One, N.A.

Claim shall not be required to include any instruments, agreements, or other documents evidencing the obligations owing by each of the Debtors to the applicable holder(s) of a claim.⁶

- 8. Parties asserting claims against the Debtors that accrued before the Petition Date must use a proof of claim form (the "*Proof of Claim Form*") substantially in the form attached hereto as **Exhibit 2**.
 - 9. The following procedures for the filing of a proof of claim shall apply:
 - a. Each proof of claim must be filed so that it is received on or before the applicable Bar Dates either (i) electronically through KCC's website, using the interface available on such website located at www.kccllc.net/enviva (the "*Electronic Filing System*") or (ii) by delivering the original Proof of Claim Form by overnight courier, hand delivery, or first-class mail to:

Enviva Inc. Claims Processing Center c/o KCC 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245

or (iii) in a manner that is otherwise acceptable to the Debtors in their discretion and in consultation with the Committee and the Ad Hoc Group.

- b. A proof of claim will be deemed filed when actually received by KCC.
- c. Proofs of claim may not be delivered via facsimile or electronic mail transmission (the Electronic Filing System not being considered electronic mail transmission). Any facsimile or electronic mail submissions will not be accepted and will not be considered timely filed or otherwise filed in accordance with this Order for any purpose in these chapter 11 cases.
- d. Proofs of claim will be collected, docketed, and maintained by KCC.
- e. All proofs of claim must be signed (including by electronic means) by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. The Proof of Claim Form must be completed in English and be denominated in United States currency. Claimants should set forth with specificity the legal and factual basis for the alleged claim and attach to the completed Proof of Claim Form any documents on which the claim is based (or, if such documents are voluminous, attach a summary) or an explanation as to why the documents are not available.

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⁶ To the extent that either subparagraph (k) or (l) conflicts with paragraph 27 of the DIP Order, paragraph 27 of the DIP Order shall control.

- f. Any person or entity asserting claims against multiple Debtors must file a separate proof of claim with respect to each Debtor. In addition, any person or entity filing a proof of claim must identify on its Proof of Claim Form the particular Debtor against which the entity asserts its claim. Any filed proof of claim that fails to identify a Debtor shall be deemed as filed only against Enviva Pellets, LLC If an entity lists more than one Debtor on any one proof of claim, the relevant claims will be treated as filed only against the first listed Debtor.
- 10. Any entity holding an interest in the Debtors (an "Interest Holder"), which interest is based exclusively upon the ownership of: (a) a membership interest in a limited liability company; (b) common or preferred stock in a corporation; or (c) warrants or rights to purchase, sell or subscribe to such a security or interest (any such security or interest being referred to herein as an "Interest"), need not file a proof of interest on or before the General Bar Date; provided, however, Interest Holders who want to assert claims against the Debtors that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance or distribution of the Interest, must file a proof of claim by the applicable Bar Date, unless another exception identified in this Order applies.
- 11. Pursuant to Bankruptcy Rule 3003(c)(2), any person or entity that is required to file a proof of claim in these chapter 11 cases pursuant to the Bankruptcy Code, the Bankruptcy Rules or this Order with respect to a particular claim against the Debtors, but that fails to do so in accordance with this Order by the applicable Bar Date, shall not be treated as a creditor with respect to (a) such claim for purposes of voting upon any plan in these chapter 11 cases and (b) distribution from property of the Debtors' estates.
- 12. The Debtors shall retain the right to: (a) dispute, or assert offsets or defenses against, any filed proofs of claim, or any claim listed or reflected in the Schedules, as to nature, amount, liability, classification or otherwise; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

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- 13. If the Debtors amend or supplement their Schedules after having filed their Schedules to reduce or increase 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 Debtors shall give notice by first-class mail (and email, if known) of such amendment and a copy of the Bar Dates Notice Package to holders of claims affected thereby within three (3) business days, and the deadline for those holders to file Proofs of Claim, if necessary, shall be fixed as the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m. (Eastern Prevailing Time), on the date that is 30 days from the date on which the Debtors provide notice of the previously unfiled Schedule or amendment or supplement to the Schedules.
- 14. As soon as practicable, but no later than five business days after the later of: (a) the date the Debtors file the Schedules with this Court, and (b) the date of entry of this Order, the Debtors, through KCC or otherwise, shall serve the Bar Dates Notice Package, including a copy of the Bar Date Notice and the Proof of Claim Form, substantially in the forms attached hereto as **Exhibit 1** and **Exhibit 2**, respectively, by first-class mail, postage prepaid, and by email (where such creditor's email address is known) on: (a) all holders of claims or potential claims listed in the Debtors' Schedules; (b) the Office of the United States Trustee for the Eastern District of Virginia; (c) Akin Gump Strauss Hauer & Feld LLP, as counsel to the Committee; (d) Davis Polk & Wardwell LLP, as co-counsel to the Ad Hoc Group; (e) McGuireWoods LLP, as co-counsel to the Ad Hoc Group; (f) all parties that have requested notice in these chapter 11 cases pursuant to Bankruptcy Rule 2002 as of the date of the entry of the Order; (g) all known creditors and other known holders of potential claims against any of the Debtors; (h) all counterparties to executory contracts and unexpired leases of the Debtors listed in the Schedules or their designated

representatives; (i) all parties to pending litigation with the Debtors; (j) all current and certain former employees of the Debtors (to the extent that contact information for such employee is available in the Debtors' records); (k) the Securities and Exchange Commission; (l) the Internal Revenue Service and all other taxing authorities for the jurisdictions in which the Debtors conduct business; (m) all relevant state attorneys general; (n) all other entities listed on the Debtors' respective creditor matrices; and (o) counsel to any of the foregoing, if known.

- 15. The Debtors shall post the Bar Date Notice and Proof of Claim Form on KCC's website at www.kccllc.net/enviva.
- 16. Pursuant to Bankruptcy Rule 2002(l) and 9008, the Debtors shall publish the Publication Notice in USA Today (National Edition) and local publications in The Washington Post and/or other regional publications as the Debtors may deem appropriate as a means to provide notice of the Bar Dates to such unknown potential claimants. The Debtors will cause such publication to occur three (3) business days after serving the Bar Dates Notice Package or as soon as reasonably practicable thereafter.
- 17. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
- 18. Local Bankruptcy Rule 3003-1(A) is hereby waived with respect to each chapter 11 case of the jointly administered Debtors.
- 19. Entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing the date by which holders of claims not subject to the Bar Dates established herein must file such claims against the Debtor or be forever barred from so doing.
- 20. The Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: Apr 12 2024 Alexandria, Virginia

/s/ Keith L Phillips

UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Apr 12 2024

WE ASK FOR THIS:

/s/ Peter J. Barrett

Michael A. Condyles (VA 27807) Peter J. Barrett (VA 46179) Jeremy S. Williams (VA 77469) **KUTAK ROCK LLP**

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Proposed Co-Counsel to the Debtors and Debtors in Possession

CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Peter J.	Barrett	
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EXHIBIT 1

Bar Date Notice

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

)	
In re:)	Chapter 11
)	
ENVIVA INC., et al.,)	Case No. 24 – 10453 (BFK)
)	
Debtors. ¹)	(Jointly Administered)
)	

NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM

TO ALL PERSONS OR ENTITIES WHO MAY HAVE CLAIMS AGAINST THE ABOVE-CAPTIONED DEBTORS:

On March 12, 2024 (the "*Petition Date*"), Enviva Inc. and certain of its affiliates, as debtors and debtors in possession (collectively, the "*Debtors*") filed voluntary cases under chapter 11 of title 11 of the United States Code (the "*Bankruptcy Code*") in the United States Bankruptcy Court for the Eastern District of Virginia (the "*Court*"). Set forth below are the name, case number, and last four digits of the federal tax identification number for each of the Debtors:

Debtor	Case	EIN # (Last 4 Digits)
	Number	
Enviva Aircraft Holdings Corp.	24 - 10460	3879
Enviva Development Finance	24 - 10469	5445
Company, LLC		
Enviva Energy Services, LLC	24 - 10462	8414
Enviva GP, LLC	24 - 10463	3583
Enviva Holdings GP, LLC	24 - 10465	7930
Enviva Holdings, LP	24 - 10470	8506
Enviva Inc.	24 - 10453	7730
Enviva Management Company, LLC	24 - 10461	0857
Enviva MLP International Holdings,	24 - 10464	0965
LLC		
Enviva Partners Finance Corp.	24 - 10472	8925
Enviva Pellets Bond, LLC	24 - 10466	7437
Enviva Pellets Epes Finance	24 - 10473	3359
Company, LLC		
Enviva Pellets Epes Holdings, LLC	24 - 10454	8672

Due to the large number of Debtors in these jointly administered chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors' claims and noticing agent at www.kccllc.net/enviva. The location of the Debtors' corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.

Debtor	Case	EIN # (Last 4 Digits)
	Number	
Enviva Pellets Epes, LLC	24 - 10471	5521
Enviva Pellets Greenwood, LLC	24 - 10455	0482
Enviva Pellets Lucedale, LLC	24 - 10456	9073
Enviva Pellets Waycross, LLC	24 - 10457	3402
Enviva Pellets, LLC	24 - 70505	9073
Enviva Port of Pascagoula, LLC	24 - 10458	8852
Enviva Shipping Holdings, LLC	24 - 10459	4873
Enviva, LP	24 - 10467	5617

On [•], 2024, the Court entered an order [Docket No. ___] (the "*Bar Date Order*") in the above-captioned chapter 11 cases establishing certain deadlines for filing proofs of claim. Pursuant to the Bar Date Order, the Court has established:

- June 14, 2024, at 5:00 p.m. (Eastern Prevailing Time) as the general bar date for filing prepetition claims in the Debtors' chapter 11 cases (the "General Bar Date");
- September 9, 2024, at 5:00 p.m. (Eastern Prevailing Time) as the bar date for Governmental Units to file proofs of claim (the "Governmental Bar Date");
- The later of (a) the General Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m. (Eastern Prevailing Time), on the date that is 30 days from the date on which the Debtors provide notice of a previously unfiled Schedule or amendment or supplement to the Schedules (as defined herein) as the bar date for claimants holding claims affected by such filing, amendment, or supplement to file proofs of claim (the "Amended Schedules Bar Date"); and
- The later of (a) the General Bar Date or the Governmental Bar Date, as applicable, and (b) 5:00 p.m. (Eastern Prevailing Time) on the date that is 30 days following service of an order approving the rejection of any executory contract or unexpired lease of the Debtors as the bar date for claimants asserting claims resulting from the Debtors' rejection of an executory contract or unexpired to file Proofs of Claim for damages arising from such rejection (the "Rejection Damages Bar Date").²

As used in this notice, the term "claim" has the meaning given to it in 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

To the extent any executory contract or unexpired lease is rejected pursuant to the terms of a chapter 11 plan filed by the Debtors (the "*Plan*"), the order confirming the Plan shall provide a separate bar date as the deadline on or before which claimants holding claims for damages arising from such rejection must file proofs of claim with respect to such rejection, which date will be 30 days after service of a notice of the Plan effective date.

reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

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, and governmental units. In addition, the terms "persons" and "governmental units" are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

THE BAR DATES

The Bar Date Order establishes the following bar dates for filing claims in these cases (collectively, the "Bar Dates"):

<u>General Bar Date</u>. Pursuant to the Bar Date Order, except as described below, all persons or entities other than governmental units, that hold claims (whether secured, unsecured, priority, or unsecured nonpriority, including section 503(b)(9) claims)³ against the Debtors that arose before the Petition Date must file proofs of claim so as to be **received on or before June 14, 2024, at 5:00 p.m**. (Eastern Prevailing Time).

<u>Governmental Bar Date</u>. Pursuant to the Bar Date Order, except as described below, all governmental units holding claims (whether secured, unsecured, priority, or unsecured nonpriority, including section 503(b)(9) claims) against the Debtors that arose before the Petition Date must file proofs of claim so as to be **received on or before September 9, 2024, at 5:00 p.m.** (Eastern Prevailing Time).

<u>Amended Schedules Bar Date</u>. Pursuant to the Bar Date Order, except as described below, all persons or entities holding claims affected by the Debtors filing a previously unfiled schedule of assets and liabilities and schedule of executory contracts and unexpired leases (the "*Schedules*") or amending or supplementing their Schedules, must file proofs of claims so as to be **received on or before the Amended Schedules Bar Date**.

Rejection Damages Bar Date. Pursuant to the Bar Date Order, except as described below, all persons or entities holding claims for damages arising from the rejection any executory contract or unexpired lease of the Debtors must file proofs of claim with respect to such rejection so as to be received on or before the Rejection Damages Bar Date. Notwithstanding the foregoing, a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a proof of claim for such amounts on or before the General Bar Date, the Governmental Bar Date, or the Amended Schedules Bar Date, as applicable.

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Section 503(b)(9) of the Bankruptcy Code provides for an administrative expense claim with respect to the value of any goods received by the debtor within 20 days before the date of commencement of a bankruptcy case in which the goods have been sold to the debtor in the ordinary course of such debtor's business.

INSTRUCTIONS FOR FILING CLAIMS

1. WHO MUST FILE

The following persons or entities must file proofs of claim on or before the applicable Bar Date:

- a. any person or entity whose claim against a Debtor is not listed in the applicable Debtor's Schedules, or is listed in such Schedules as "contingent," "unliquidated," or "disputed," if such person or entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
- b. any person or entity who believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;
- c. any person or entity who believes that its prepetition claim as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and who desires to have its claim allowed against a Debtor other than that identified in the Schedules;
- d. any former or present full-time, part-time, salaried, or hourly employees must submit Proofs of Claim relating to any (i) grievance or (ii) claim arising from such employee's employment or the termination thereof prior to the General Bar Date to the extent grounds for such grievances or claims, in whole or in part, arose on or relate to services prior to the Petition Date; and
- e. any person or entity who believes that its claim (or a portion of its claim) against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

2. WHO DOES NOT NEED TO FILE

The Bar Date Order provides that the following persons or entities, whose claims would otherwise be subject to the Bar Dates, need not file proofs of claim in these chapter 11 cases:

- a. any person or entity who has already filed a signed proof of claim against the respective Debtor(s) with the Clerk of the Court or with KCC, the Debtors' claims and noticing agent, in a form substantially similar to Official Form 410, but only with respect to the particular claim that was filed in accordance with the Bar Date Order against the correct Debtor(s);
- b. any person or entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of "disputed," "contingent," or "unliquidated"; (ii) such person or entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such person or 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 person or entity whose claim has previously been allowed by order of the Court on or before the applicable Bar Date;
- d. professionals retained by the Debtors or the Committee;
- e. any person or entity whose claim has been paid in full by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- f. any Debtor having a claim against another Debtor;
- g. any person or entity whose claim is based on an equity interest in any of the Debtors *provided* that any holder of an equity interest who wishes to assert a claim (as opposed to an ownership interest) against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the General Bar Date pursuant to procedures set forth herein;
- h. any current officer, director, or employee of any of the Debtors for claims based on indemnification, contribution, or reimbursement; *provided, however*, that, notwithstanding the foregoing, following the rejection of any agreement pursuant to which such indemnification, contribution or reimbursement claim arises or is purported to arise, any such person shall be required to timely file a proof of claim in respect of any such indemnification, contribution, or reimbursement claim (and/or any damages arising from the rejection of such agreement) by the applicable Rejection Damages Bar Date (unless such party has previously filed a proof of claim in respect of any such indemnification, contribution, or reimbursement claim);
- i. any person or entity holding a claim for which a separate deadline is fixed by this Court;
- j. a current employee of the Debtors, if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business as a wage, commission, or benefit; *provided* that a current or former employee must submit a Proof of Claim by the General Bar Date for all other claims arising or relating to service or the termination thereof before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;
- k. any person or entity holding a claim allowable under sections 503(b) or 507(a)(2) of the Bankruptcy Code as an expense of administration incurred in the ordinary course; provided, however, that any person or entity asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must assert such claim by filing a request for payment or a proof of claim on or prior to the General Bar Date;

- 1. the DIP Creditors, the DIP Agent and the Prepetition Secured Parties (with respect to any Adequate Protection Claims) (each as defined in the DIP Order)⁴; and
- the Senior Secured Credit Facility Lenders, the 2026 Noteholders, the m. holders of Epes Green Bonds, the holders of Bond Green Bonds, the Senior Secured Credit Facility Agent, the 2026 Notes Trustee, the Epes Green Bonds Trustee, the Bond Green Bonds Trustee, the CDE Lenders and NMTC Participants⁵; provided that the relevant authorized indenture trustee or administrative agent under the applicable Prepetition Funded Debt shall be authorized, but not required, to file a single master proof of claim in the Debtors' lead case, Enviva Inc., Case No. 24-10453 (BFK) or other applicable Debtor entity with respect to all claims relating to or arising out of the applicable Prepetition Funded Debt (each, a "Master Proof of Claim"), in which case such Master Proof of Claim shall (i) constitute the filing of a Proof of Claim Form in the chapter 11 cases of all other Debtors against whom a claim may be asserted under the applicable Prepetition Funded Debt documents and (ii) have the same effect as if each applicable holder of a claim thereunder had individually filed a Proof of Claim Form against each applicable Debtor on account of such holder's claims; provided, further, that (a) the provisions of this paragraph and the filing of Master Proofs of Claim, if any, are intended solely for the purpose of administrative convenience and shall not affect the right of each applicable holder of a claim thereunder (or its successors in interest) to vote separately on any Plan filed in these chapter 11 cases; and (b) the Master Proofs of Claim shall not be required to include any instruments, agreements, or other documents evidencing the obligations owing by each of the Debtors to the applicable holder(s) of a claim.⁶

The fact that you have received this notice does not mean that you have a claim or that the Debtors or the Court believe that you have a claim against the Debtors. You should not file a proof of claim if you do not have a claim against any of the Debtors.

⁴ "DIP Order" refers to that interim or final order, as applicable, entered by the Court approving the Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors To (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 24].

[&]quot;NMTC Participants" collectively refers to (a) NIF SUB IV, LLC, (b) UBCD SUB CDE MIDWAY, LLC, (c) PBCIF SUB-CDE4, LLC, (d) MUNISTRATEGIES SUB-CDE#41, LLC, (e) United Bank, (f)(i) National Impact Fund, LLC as the managing member of NIF SUB IV, LLC, (ii) UB Community Development, LLC as the managing member of UBCD SUB CDE MIDWAY, LLC, (iii) PB Community Impact Fund, LLC as the managing member of PBCIF SUB-CDE4, LLC, and (iv) Munistrategies, LLC as the managing member of MUNISTRATEGIES SUB-CDE#41, LLC, (g) COCRF Investor 232, LLC, and (h) Capital One, N.A.

⁶ To the extent that either subparagraph (k) or (l) conflicts with paragraph 27 of the DIP Order, paragraph 27 of the DIP Order shall control.

3. WHAT TO FILE

Parties asserting claims against the Debtors that arose before the Petition Date, including section 503(b)(9) claims, must use the copy of the proof of claim form (the "*Proof of Claim Form*") included with this notice. The Proof of Claim Form will state, along with the claimant's name: (a) whether the claimant's claim is listed in the Schedules and, if so, the Debtor against which the claimant's claim is scheduled; (b) whether the claimant's claim is listed as disputed, contingent, or unliquidated; and (c) whether the claimant's claim is listed as secured, unsecured, or priority. If a claim is listed in the Schedules in a liquidated amount that is not disputed or contingent, the dollar amount of the claim (as listed in the Schedules) also will be identified on the Proof of Claim Form. If you disagree with any of the information on the Proof of Claim Form regarding your claim, you must correct it on the Proof of Claim Form. Additional copies of the Proof of Claim Form may be obtained through the Debtors' case website, www.kccllc.net/enviva, or by calling KCC at (888) 249-2695 if you are in the United States of America or Canada.

4. WHEN AND WHERE TO FILE

Persons and entities must file a proof of claim so that it is **received on or before the applicable Bar Date**. Proofs of claim may be submitted: (a) electronically through KCC's website, using the interface available on such website located at www.kccllc.net/enviva or (b) by delivering the original Proof of Claim Form by overnight courier, hand delivery, or first-class mail to:

Enviva Inc. Claims Processing Center KCC 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245

Proofs of claim will be deemed filed when actually received by KCC.

Proofs of claim <u>may not be delivered via facsimile or electronic mail transmission</u>. Any facsimile or electronic mail submissions will not be accepted.

Proofs of claim will be collected, docketed, and maintained by KCC. If you would like a copy of your proof of claim returned to you as proof of receipt, please enclose an additional copy of your proof of claim and a self-addressed postage-paid envelope.

All Proof of Claim Forms must be <u>signed</u> by the claimant (including by electronic means) or, if the claimant is not an individual, by an authorized agent of the claimant. The Proof of Claim Form must be completed in English and be denominated in United States currency. You should set forth with specificity the legal and factual basis for the alleged claim and attach to your completed Proof of Claim Form any documents on which the claim is based (or, if such documents are voluminous, attach a summary) or an explanation as to why the documents are not available.

Any person or entity asserting claims against multiple Debtors must file a separate proof of claim with respect to each Debtor. In addition, any person or entity filing a proof of claim must

identify on its Proof of Claim Form the particular Debtor against which the person or entity asserts its claim. Any filed proof of claim that fails to identify a Debtor shall be deemed as filed <u>only</u> against Debtor Enviva Pellets, LLC. If an entity lists more than one Debtor on any one proof of claim, the relevant claims will be treated as filed <u>only</u> against the first listed Debtor.

NO REQUIREMENT FOR STOCKHOLDERS TO FILE PROOFS OF INTEREST

Any entity holding an interest in the Debtors (an "Interest Holder"), which interest is based exclusively upon the ownership of: (a) a membership interest in a limited liability company; (b) common or preferred stock in a corporation; or (c) warrants or right to purchase, sell, or subscribe to such a security or interest (any such security or interest being referred to herein as an "Interest"), need not file a proof of interest on or before the General Bar Date; provided, however, that Interest Holders who wish to assert claims against the Debtors that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance, or distribution of the Interest, must file a proof of claim by the applicable Bar Date, unless another exception applies.

CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM

Pursuant to Bankruptcy Rule 3003(c)(2), any person or entity that is required to file a proof of claim in these chapter 11 cases pursuant to the Bankruptcy Code, the Bankruptcy Rules, or the Bar Date Order with respect to a particular claim against the Debtors, but that fails to do so in accordance with the Bar Date Order by the applicable Bar Date, shall not be treated as a creditor with respect to such claim for purposes of (a) voting upon any plan in these chapter 11 cases and (b) distribution from property of the Debtors' estates.

ADDITIONAL INFORMATION

If you require additional information regarding the filing of a claim, you may contact KCC at (888) 249-2695 if you are in the United States of America or Canada or (310) 751-2601 if you are outside the United States of America or Canada, or by submitting an inquiry through the Debtors' case website at: www.kccllc.net/enviva/inquiry.

KCC cannot advise you how to file, or whether you should file, a claim. You may wish to consult an attorney regarding this matter.

/s/ Jeremy S. Williams

KUTAK ROCK LLP

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tspears@velaw.com

Proposed Co-Counsel for the Debtors and Debtors in Possession

EXHIBIT 2

Proof of Claim Form

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Your claim can be filed electronically on KCC's website at https://epoc.kccllc.net/enviva

United States Bankruptcy Court for the Eastern District of Virginia Alexandria Division			
Indicate Debtor against which you assert a claim by checking the appropriate box below. (Check only one Debtor per claim form.)			
☐ Enviva Inc. (Case No. 24-10453)	☐ Enviva Aircraft Holdings Corp. (Case No. 24-10460)	☐ Enviva, LP (Case No. 24-10467)	
☐ Enviva Pellets Epes Holdings, LLC (Case No. 24-10454)	☐ Enviva Management Company, LLC (Case No. 24-10461)	$\hfill\square$ Enviva Development Finance Company, LLC (Case No. 24-10469)	
☐ Enviva Pellets Greenwood, LLC (Case No. 24-10455)	☐ Enviva Energy Services, LLC (Case No. 24-10462)	☐ Enviva Holdings, LP (Case No. 24-10470)	
☐ Enviva Pellets Lucedale, LLC (Case No. 24-10456)	☐ Enviva GP, LLC (Case No. 24-10463)	☐ Enviva Pellets Epes, LLC (Case No. 24-10471)	
☐ Enviva Pellets Waycross, LLC (Case No. 24-10457)	☐ Enviva MLP International Holdings, LLC (Case No. 24-10464)	☐ Enviva Partners Finance Corp. (Case No. 24-10472)	
☐ Enviva Port of Pascagoula, LLC (Case No. 24-10458)	☐ Enviva Holdings GP, LLC (Case No. 24-10465)	☐ Enviva Pellets Epes Finance Company, LLC (Case No. 24-10473)	
☐ Enviva Shipping Holdings, LLC (Case No. 24-10459)	☐ Enviva Pellets Bond, LLC (Case No. 24-10466)	☐ Enviva Pellets, LLC (Case No. 24-70505)	

Official Form 410

Proof of Claim

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

Part 1: Identify the Cla	im	
Who is the current creditor?	Name of the current creditor (the person or entity to be paid for this cla	im)
Has this claim been acquired from someone else?	No Yes. From whom?	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Federal Rule of Bankruptcy Procedure	Name Number Street	Number Street
(FRBP) 2002(g)	City State ZIP Code	City State ZIP Code
	Contact phone Contact email	Contact phone Contact email
	Uniform claim identifier for electronic payments in chapter 13 (if you us	se one):
4. Does this claim amend one already filed?	NoYes. Claim number on court claims registry (if known)) Filed on
5. Do you know if anyone else has filed a proof of claim for this claim?	□ No □ Yes. Who made the earlier filing?	

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P	art 2: Give Information Ab	out the Claim as of the Date the Case Was Filed	
6.	6. Do you have any number you use to identify the	□ No	
	debtor?	Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:	
7.	How much is the claim?	\$ Does this amount include interest or other charges? No Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).	
8.	What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.	
9.	Is all or part of the claim secured?	Yes. The claim is secured by a lien on property. Nature of property: Real estate: If the claim is secured by the debtor's principal residence, file a Mortgage Proof of Claim Attachment (Official Form 410-A) with this Proof of Claim. Motor vehicle Other. Describe: Basis for perfection: Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) Value of property: Amount of the claim that is secured: Amount of the claim that is unsecured: Amount of the claim that is unsecured: \$	
10	. Is this claim based on a lease?	□ No □ Yes. Amount necessary to cure any default as of the date of the petition. \$	
11	. Is this claim subject to a right of setoff?	□ No □ Yes. Identify the property:	

Case 24-10453-BFK Doc 321 Filed 04/12/24 Entered 04/12/24 11:17:52 Desc Main Document Page 24 of 26 12. Is all or part of the claim □ No entitled to priority under Amount entitled to priority 11 U.S.C. § 507(a)? Yes. Check all that apply: Domestic support obligations (including alimony and child support) under A claim may be partly 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). priority and partly nonpriority. For example, Up to \$3,350* of deposits toward purchase, lease, or rental of property or in some categories, the services for personal, family, or household use. 11 U.S.C. § 507(a)(7). law limits the amount entitled to priority. Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends. whichever is earlier. 11 U.S.C. § 507(a)(4). Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies. * Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment. 13. Is all or part of the claim No entitled to administrative priority pursuant to 11 Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 U.S.C. § 503(b)(9)? days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim. Part 3: Sign Below The person completing Check the appropriate box: this proof of claim must I am the creditor. sign and date it. FRBP 9011(b). I am the creditor's attorney or authorized agent. If you file this claim electronically, FRBP I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004. 5005(a)(2) authorizes courts to establish local rules I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005. specifying what a signature is. A signature may be I understand that an authorized signature on this Proof of Claim serves as an acknowledgement that when calculating electronic. the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt. A person who files a I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct. fraudulent claim could be fined up to \$500,000, I declare under penalty of perjury that the foregoing is true and correct. imprisoned for up to 5 years, or both. Executed on date 18 U.S.C. §§ 152, 157, and 3571. Print the name of the person who is completing and signing this claim: Name First name Middle name Last name Title Company Identify the corporate servicer as the company if the authorized agent is a servicer. Address Number Street

ZIP Code

Email

Country

State

City

Contact phone

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Official Form 410

Instructions for Proof of Claim

United States Bankruptcy Court 12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.

18 U.S.C. §§ 152, 157 and 3571

How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form.

 Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).

- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

Enviva Inc. Claims Processing Center c/o KCC 222 N. Pacific Coast Hwy., Ste. 300 El Segundo, CA 90245

Alternatively, your claim can be filed electronically on KCC's website at https://epoc.kccllc.net/enviva

- A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth. See Bankruptcy Rule 9037.
- For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian. For example, write A.B., a minor child (John Doe, parent, 123 Main St., City, State). See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at http://www.kccllc.net/enviva.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate. 11 U.S.C. § 503.

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

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Claim Pursuant to 11 U.S.C. §503(b)(9): A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Do not file these instructions with your form.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Uniform claim identifier: An optional 24-character identifier that some creditors use to facilitate electronic payment.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.