

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

In re:

**FBI WIND DOWN, INC. (f/k/a Furniture
Brands International, Inc.), *et al.*,**

Debtors.

Chapter 11

Case No. 13-12329 (CSS)

Jointly Administered

Hearing Date: 4/28/14 at 10:00 a.m. (ET)

Objection Deadline: 4/10/14 at 4:00 p.m. (ET)

Re: D.I. 1371

**STATEMENT OF DONGGUAN HUNG SHENG ARTWARE
PDTS CO LTD AND OMEXEY HOME FURNISHING CORP
(VIETNAM) IN RESPONSE TO DEBTORS' SEVENTH OMNIBUS
(SUBSTANTIVE) OBJECTION TO CLAIMS (REDUNDANT
CLAIMS; MULTIPLE DEBTOR DUPLICATE CLAIMS; WRONG
DEBTOR CLAIMS; RECLASSIFIED CLAIMS)**

Dongguan Hung Sheng Artware PDTS Co Ltd and Omexey Home Furnishing Corp (Vietnam), by its undersigned counsel, hereby submits this statement in response to the Debtor's Seventh Omnibus Objection to Claims ("Seventh Omnibus Claims Objection") [D.I. 1371], and respectfully submits as follows:

Background

1. On September 9, 2013 (the "Petition Date"), the Debtors commenced voluntary cases under the Bankruptcy Code in this Court.
2. On October 1 and October 2, 2013, the Debtors filed with the Court their schedules of assets and liabilities and their statements of financial affairs.
3. Schedule F to Debtor Broyhill Furniture Industries, Inc.'s Schedules of Assets and Liabilities [D.I. 264] lists "Omexey Home Furnishing Corp. Vietnam O/B Times Pacific Limited" as the holder of a non-contingent, liquidated and un-disputed unsecured, non-priority claim against Broyhill Furniture Industries, Inc.'s estate in the amount of \$520,642.09.

4. Schedule F to Debtor Thomasville Furniture Industries, Inc.'s Schedules of Assets and Liabilities [D.I. 292] lists "Dongguan Hung Sheng Artware Products Co Ltd" as the holder of a non-contingent, liquidated and un-disputed unsecured, non-priority claim against Thomasville Furniture Industries, Inc.'s estate in the amount of \$49,288.50.

5. On October 9, 2013, the Court entered the *Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* [D.I. 350] (the "Bar Date Order") and, on October 10, 2013, the Debtors filed the *Notice of Bar Dates for Filing Proofs of Claim to All Creditors* [D.I. 358], which established November 29, 2013 (the "Bar Date") as the general deadline to file proofs of claim against the Debtors in these chapter 11 cases by creditors other than governmental units.

6. In accordance with the Bar Date Order, on November 27, 2013:

- Omexey Home Furnishing Corp (Vietnam) ("Omexey") filed Claim No. 3449 against the estate of Broyhill Furniture Industries, Inc. in the amount of \$575,462.29, together with interest, attorneys' fees and costs (the "Omexey POC");
- Times Pacific Limited ("Times Pacific") filed Claim No. 3450 against the estate of Broyhill Furniture Industries, Inc. in the amount of \$575,462.29, together with interest, attorneys' fees and costs (the "Times Pacific POC");
- Dongguan Hung Sheng Artware Products Co. Ltd. ("Dongguan") filed Claim No. 3451 against the estate of Thomasville Furniture Industries, Inc. in the amount of \$49,288.50, together with interest, attorneys' fees and costs (the "Dongguan POC"); and
- Coronal Enterprises Co. Ltd ("Coronal") filed Claim No. 3452 against the estate of Thomasville Furniture Industries, Inc. in the amount of \$49,288.50, together with interest, attorneys' fees and costs (the "Coronal POC").

7. With respect to the aforementioned claims, the only unliquidated and/or undetermined amounts of such claims related solely to the interest, attorneys' fee and cost components of such claims. These proofs of claim otherwise assert liquidated and fixed claims against the Debtor's respective estates.

8. On March 27, 2014, the Debtors filed the Seventh Omnibus Claims Objection [D.I. 1371]. Among other objections, the Seventh Omnibus Claims Objection contains the following objection to claims [D.I. 1371-2]:

- Entry #9 – Objecting to the Dongguan POC as captured and restated by and redundant of the Coronal POC;
- Entry #49 – Objecting to the Omexey POC as captured and restated by and redundant of the Times Pacific POC; and
- In a footnote to each of the above-referenced entries, noting that “claim contains unliquidated and/or undetermined amounts.”

Response

9. To fulfill the Debtors’ orders for goods, Coronal and Times Pacific obtained the necessary products from Dongguan and Omexey, respectively. Subsequently, the invoices memorializing Coronal’s and Times Pacific’s transactions with the Debtors were sent from Dongguan and Omexey to the Debtors on behalf of Coronal and Times Pacific, respectively.

10. Although Coronal believed that it was the holder of a claim against the estate of Thomasville Furniture Industries, Inc. in the amount of \$49,288.50, Thomasville Furniture Industries, Inc. scheduled this claim as belonging to Dongguan.

11. Similarly, although Times Pacific believed that it was the holder of a claim against the estate of Broyhill Furniture Industries, Inc. in the amount of \$575,462.29, Broyhill Furniture Industries, Inc. scheduled this claim as belonging to Omexey.

12. To preserve their claims, each of Dongguan, Omexey, Coronal and Times Pacific filed their respective proofs of claim against the Debtors.

13. Contrary to the Debtors’ schedules, the Seventh Omnibus Claims Objection concedes that the correct holder of these claims are Times Pacific and Coronal, not Omexey and Dongguan as previously scheduled by the Debtors.

14. Accordingly, neither Omexey nor Dongguan objects to the Seventh Omnibus Claims Objection, *provided, however*, that the claim of Times Pacific against the estate of Broyhill Furniture Industries, Inc. is allowed in the amount of \$575,462.29, and the claim of Coronal against the estate of Thomasville Furniture Industries, Inc. is allowed in the amount of \$49,288.50.

Reservation of Rights

15. Omexey, Dongguan, Times Pacific and Coronal reserve the right to amend and/or supplement their respective proofs of claim at any time and in any manner including, without limitation, as necessary or appropriate to amend, quantify or correct amounts, amend or qualify the identity of the holder(s) of such claim(s), assert that the claims asserted in the proof of claim are secured and/or priority claims, or to provide additional detail of the claims set forth herein, and/or file additional proofs of claim for any additional amounts owing to them.

Dated: April 10, 2014
Wilmington, Delaware

Respectfully submitted,

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