

Joshua N. Eppich  
Texas Bar I.D. No. 24050567  
J. Robertson Clarke  
Texas Bar I.D. No. 24108098  
C. Joshua Osborne  
Texas Bar I.D. No. 24065856  
Bryan C. Assink  
Texas Bar I.D. No. 24089009  
BONDS ELLIS EPPICH SCHAFFER JONES LLP  
420 Throckmorton Street, Suite 1000  
Fort Worth, Texas 76102  
(817) 405-6900 telephone  
(817) 405-6902 facsimile  
Email: joshua@bondsellis.com  
Email: robbie.clarke@bondsellis.com  
Email: c.joshosborne@bondsellis.com  
Email: bryan.assink@bondsellis.com

**COUNSEL FOR DEBTOR AND  
DEBTOR-IN-POSSESSION**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IN RE:	§	CHAPTER 11
	§	
NAVARRO PECAN COMPANY, INC.,	§	CASE NO. 23-40266-elm11
	§	
Debtor. <sup>1</sup>	§	
	§	

**CERTIFICATE OF NO OBJECTION TO THE MOTION FOR AN ORDER  
(I) ESTABLISHING BAR DATES FOR FILING PROOFS OF CLAIM AND  
(II) APPROVING THE FORM AND MANNER OF NOTICE THEREOF**  
*(Relates to ECF No. 149)*

The above-captioned debtor and debtor-in-possession (the “**Debtor**”), by and through its undersigned counsel, respectfully submits this *Certificate of No Objection to the Motion for an Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* (the “**Certificate**”) and certifies that there have been no objections to the *Motion for an Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving*

---

<sup>1</sup> The Debtor’s principal address is 4200 South Hulen Street, Suite 680, Fort Worth, Texas 76109. The Debtor’s facilities are located at 2131 East Highway 31, Corsicana, Texas 75109.

*the Form and Manner of Notice Thereof* (the “**Motion**”). In support of the Certificate, the Debtor submits the following statements:

1. On March 10, 2023, the Debtor filed the Motion. Pursuant to Local Rule 9007-1 of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas (the “**Local Rules**”), the Debtor included negative notice language in the Motion. The Motion stated, “[i]f no hearing on such notice or motion is timely requested, the relief requested shall be deemed to be unopposed, and the court may enter an order granting the relief sought, or the noticed action may be taken.”

2. As described in the *Affidavit of Service* [Docket No. 163], Epiq Corporate Restructuring, LLC, as the claims and noticing agent, served the Motion, as described therein, on March 10, 2023.

3. The undersigned counsel represents to the Court that, as of the date of this Certificate, the undersigned counsel is unaware of any formal or informal objection or response to the Motion, and further that no objection or response to the Motion appears on the Court’s docket.

4. The Debtor will upload a proposed order attached as **Exhibit A** with respect to the Motion and requests entry of such order at the Court’s earliest convenience.

Dated: April 3, 2023

Respectfully Submitted,

/s/ Joshua N. Eppich

Joshua N. Eppich

Texas Bar I.D. No. 24050567

J. Robertson Clarke

Texas Bar I.D. No. 24108098

C. Joshua Osborne

Texas Bar I.D. No. 24065856

Bryan C. Assink

Texas Bar I.D. No. 24089009

BONDS ELLIS EPPICH SCHAFFER JONES LLP

420 Throckmorton Street, Suite 1000

Fort Worth, Texas 76102

(817) 405-6900 telephone

(817) 405-6902 facsimile

Email: joshua@bondsellis.com

Email: robbie.clarke@bondsellis.com

Email: c.joshosborne@bondsellis.com

Email: bryan.assink@bondsellis.com

**COUNSEL FOR DEBTOR AND  
DEBTOR-IN-POSSESSION**

**CERTIFICATE OF SERVICE**

I certify that on April 3, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ Joshua N. Eppich

Joshua N. Eppich

**EXHIBIT A**

**Proposed Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IN RE:	§	CHAPTER 11
	§	
NAVARRO PECAN COMPANY, INC.,	§	CASE NO. 23-40266-elm11
	§	
Debtor. <sup>1</sup>	§	
	§	

**ORDER (I) ESTABLISHING  
BAR DATES FOR FILING PROOFS OF CLAIM AND  
(II) APPROVING THE FORM AND MANNER OF NOTICE THEROF**

On this date, the Court considered the *Motion for an Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* (the “**Motion**”)<sup>2</sup> filed by the above-captioned debtor and debtor-in-possession (the “**Debtor**”) in the

---

<sup>1</sup> The Debtor’s principal address is 4200 South Hulen Street, Suite 680, Fort Worth, Texas 76109. The Debtor’s facilities are located at 2131 East Highway 31, Corsicana, Texas 75109.

<sup>2</sup> Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Motion.

above-captioned chapter 11 case for entry of an order pursuant to 11 U.S.C. §§ 105(a) and 501 (11 U.S.C. § 101, *et seq.* the “**Bankruptcy Code**”) establishing bar dates for the filing of proofs of claim and the form of notice thereof; and the Court having jurisdiction to consider the Motion and the relief requested in it in accordance with 28 U.S.C. §§ 157 and 1334; consideration of the Motion and the relief requested in it being a core proceeding in accordance with 28 U.S.C. § 157(b)(2)(A); venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion being adequate and appropriate under the particular circumstances; and the Court having found and determined that the relief sought in the Motion is in the best interest of the Debtor’s estate, its creditors, and other parties in interest, that the Debtor has shown good, sufficient, and sound business purpose and justification for the relief requested in the Motion, and that the legal and factual bases set forth in the Motion establish just cause for the relief granted in this Order; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED:

1. The Motion is granted to the extent provided in this Order.
2. As used in this Order, (a) the term “claim” has the meaning given to it in section 101(5) of the Bankruptcy Code and (b) the term “entity” has the meaning given to it in section 101(15) of the Bankruptcy Code.
3. The forms of the Bar Date Notice and the Proof of Claim Form, and the manner of providing notice of the Bar Dates, as proposed in the Motion are approved in all respects pursuant to Bankruptcy Rules 2002, 3003(c)(3), and 9006(c). The form and manner of the notice of the Bar Dates approved in this Order are deemed to fulfill the claims notice requirements of the Bankruptcy Code and Bankruptcy Rules. As such, the Debtor is authorized to serve the Bar Date Notice Package in the manner described in this Order.

4. Except as otherwise provided in this Order, all entities (including, without limitation, individuals, partnerships, corporation, joint ventures, and trusts) that assert or hold a claim against the Debtor that arose or is deemed to have arisen prior to the commencement of this Chapter 11 case on January 30, 2023 (the “**Petition Date**”) must file a proof of claim in writing in accordance with the procedures described herein by **April 28, 2023** (the “**General Bar Date**”). Notwithstanding any other provision in this Order, proofs of claim filed by governmental units must be filed on or before **August 30, 2023** (the “**Government Bar Date**”).

5. The General Bar Date applies to all types of claims against the Debtor that arose prior to the Petition Date, including secured unsecured claims. Claims asserted under Section 503(b) of the Bankruptcy Code must be made by separate requests for payment in accordance with Section 503(a) of the Bankruptcy Code and will not be deemed proper if made by proof of claim.

6. The Government Bar Date applies to all governmental units holding claims against the Debtor (whether secured or unsecured) that arose prior to the Petition Date, including governmental units with claims against the Debtor for unpaid taxes, whether such claims arise from pre-petition tax years or periods or pre-petition transactions to which the Debtor was a party.

7. Subject to the exceptions described in this Order, the following entities must file a proof of claim on or before the General Bar Date:

- a. Any entity whose pre-petition claim against the Debtor is not listed in the Debtor’s Schedules or is listed as disputed, contingent, or unliquidated; and/or
- b. Any entity that believes that its pre-petition claim is improperly classified in the Schedules or is listed in an incorrect amount and desires to have its claim allowed in a classification or amount other than that identified in the Schedules.

8. The following procedures for the filing of proofs of claim shall apply:

- a. Proofs of claim must be on the Proof of Claim Form or Official Bankruptcy Form B410.
- b. Proofs of claim must be filed with Epiq Corporate Restructuring, LLC (the

**“Claims and Noticing Agent”**) or electronically through the Court’s electronic (ECF) filing system on or before the applicable Bar Date.

- c. For any claim arising prior to the Petition Date to be valid and properly filed, a claim must include a signed original of a completed proof of claim together with any accompanying documentation required by Bankruptcy Rules 3001(c) and 3001(d).

9. The following entities, whose claims otherwise would be subject to the General Bar Date, shall not be required to file proofs of claim in this Chapter 11 case:

- a. Any entity that already has properly filed a proof of claim against the Debtor in accordance with the procedures described herein;
- b. Any entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as “disputed,” “contingent,” or “unliquidated” and (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules;
- c. Any holder of a claim that previously has been allowed by order of the Court;
- d. Any holder of a claim that has been paid in full by the Debtor in accordance with the Bankruptcy Code or an order of the Court; and
- e. Any holder of a claim allowable under Sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration.

10. Pursuant to Bankruptcy Rule 3003(c)(2), any entity that is required to file a proof of claim in this Chapter 11 case pursuant to the Bankruptcy Code, the Bankruptcy Rules, or the Bar Date Order with respect to a particular claim against the Debtor—but that fails to do so by the applicable Bar Date—shall be forever barred, estopped, and enjoined from: (a) asserting any claim against the Debtor that the entity has that (i) is not listed in the Schedules, (ii) is in an amount that exceeds the amount, if any, that is identified in the Schedules on behalf of such entity as undisputed, noncontingent, and liquidated, or (iii) is of a different nature, classification, or priority than any claim identified in the Schedules on behalf of such entity (any such claim under subparagraph (a) being referred to herein as an **“Unscheduled Claim”**) or (b) voting upon, or



receiving distributions under, any Chapter 11 plan in this case in respect of an Unscheduled Claim.

11. For any claim arising out of the Debtor's rejection of an executory contract or unexpired lease, in accordance with Section 365 of the Bankruptcy Code, shall file a claim by the later of (a) the General Bar Date and (b) thirty (30) days after the entry of the order approving the Debtor's rejection of the applicable executory contract or unexpired lease.

12. If the Debtor amends or supplements its Schedules after it serves notice of the Bar Dates, the Amended Schedules Bar Date with respect to any affected entity shall be established as of the later of: (a) the General Bar Date and (b) twenty (20) days after the date that notice of the applicable amendment or supplement to the Schedules is served on the entity.

13. The Debtor shall cause to be served the Bar Date Notice Package by first class mail, postage prepaid on:

- a. The U.S. Trustee;
- b. All holders of pre-petition claims listed on the Schedules at the addresses stated therein;
- c. All counterparties to executory contracts and unexpired leases listed on the Schedules at the addresses stated therein;
- d. All applicable state and local taxing authorities;
- e. All known lienholders;
- f. All known parties to lawsuits involving the Debtor as a party;
- g. All providers of utility services to the Debtor;
- h. All insurance providers;
- i. All parties listed on the Debtor's mailing matrix;
- j. All entities requesting notice pursuant to Bankruptcy Rule 2002 as of the date of entry of the Bar Date Order; and
- k. All parties that have filed proofs of claim in this Chapter 11 case as of the date of entry of the Bar Date Order.

14. The Debtor is authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

15. The terms and conditions of this Bar Date Order shall be immediately effective and enforceable upon its entry.

16. This Court shall retain jurisdiction over all matters arising out of, or related to, the Motion and this Bar Date Order.

**### END OF ORDER ###**

Submitted by:

Joshua N. Eppich  
Texas Bar I.D. No. 24050567  
J. Robertson Clarke  
Texas Bar I.D. No. 24108098  
C. Joshua Osborne  
Texas Bar I.D. No. 24065856  
Bryan C. Assink  
Texas Bar I.D. No. 24089009  
BONDS ELLIS EPPICH SCHAFFER JONES LLP  
420 Throckmorton Street, Suite 1000  
Fort Worth, Texas 76102  
(817) 405-6900 telephone  
(817) 405-6902 facsimile  
Email: joshua@bondsellis.com  
Email: robbie.clarke@bondsellis.com  
Email: c.joshosborne@bondsellis.com  
Email: bryan.assink@bondsellis.com

**COUNSEL FOR THE DEBTOR  
AND DEBTOR-IN-POSSESSION**