



Caption in Compliance with D.N.J. LBR 9004-1(b)

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:

BOWFLEX INC., *et al.*,<sup>1</sup>

Debtors.

Order Filed on March 6, 2024

by Clerk

U.S. Bankruptcy Court

District of New Jersey

Chapter 11


Case No. 24-12364 (ABA)

(Joint Administration Requested)

**INTERIM ORDER (I) AUTHORIZING THE DEBTORS  
TO (A) FILE A CONSOLIDATED CREDITOR MATRIX AND  
(B) FILE A CONSOLIDATED LIST OF 30 LARGEST UNSECURED  
CREDITORS, (II) WAIVING THE REQUIREMENT TO FILE A LIST OF  
ALL EQUITY SECURITY HOLDERS OF BOWFLEX INC. AND PROVIDE NOTICES  
DIRECTLY TO EQUITY SECURITY HOLDERS, (III) AUTHORIZING DEBTORS  
TO REDACT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION IN THE  
CREDITOR MATRIX AND CERTAIN OTHER DOCUMENTS, AND  
(IV) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered three (3) through eight (8), is hereby  
**ORDERED.**

**DATED: March 6, 2024**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: BowFlex Inc. (2667) and BowFlex New Jersey LLC (3679). The Debtors' service address is [17750 S.E. 6th Way, Vancouver, Washington 98683](#).

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*Proposed Co-Counsel to the Debtors and  
Debtors in Possession*

(Page | 3)

Debtors: BOWFLEX INC., *et al.*

Case No. 24-12364 (ABA)

Caption of Order: Interim Order (I) Authorizing the Debtors to (A) File a Consolidated Creditor Matrix and (B) File a Consolidated List of 30 Largest Unsecured Creditors, (II) Waiving the Requirement to File a List of All Equity Security Holders of BowFlex Inc. and Provide Notices Directly to Equity Security Holders, (III) Authorizing Debtors to Redact Certain Personally Identifiable Information in the Creditor Matrix and Certain Other Documents, and (IV) Granting Related Relief

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Upon consideration of the motion (the “Motion”)<sup>1</sup> of BowFlex Inc. and its debtor affiliate, as debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “Debtors”), for entry of an interim order (this “Interim Order”) (a) authorizing the Debtors to (i) file a Consolidated Creditor Matrix and (ii) file a consolidated list of thirty (30) largest unsecured creditors (b) waiving the requirement to file a list of all equity security holders of Debtor BowFlex Inc. and provide notices directly to equity security holders, (c) authorizing the Debtors to redact certain Personally Identifiable Information of the Debtors’ individual creditors and interest holders, and (d) granting related relief, each as more fully set forth in the Motion; and upon consideration of the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and appropriate notice of and opportunity for a hearing on the Motion having been given; and the relief requested in the Motion being in the best interests of the Debtors’ estates, their creditors and other parties in

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Motion.

(Page | 4)

Debtors: BOWFLEX INC., *et al.*

Case No. 24-12364 (ABA)

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interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The relief requested in the Motion is GRANTED on an interim basis as set forth herein.

2. The final hearing with respect to the relief requested in the Motion shall be held on March 28, 2024 at 10:00 a.m. (prevailing Eastern Time) (the "Final Hearing"). Any objections or responses to entry of the proposed final order shall be filed on or before 4:00 p.m. (prevailing Eastern Time) on March 21, 2024. In the event no objections to entry of a final order on the Motion are timely received, this Court may enter a final order without need for the Final Hearing.

3. The Debtors are authorized, but not directed, to file a Consolidated Creditor Matrix and a Consolidated Top 30 Creditors List; *provided* that if any of these chapter 11 cases converts to a case under chapter 7 of the Bankruptcy Code, each applicable Debtor shall file its own creditor mailing matrix within fourteen (14) days of any such conversion.

4. The requirement under Bankruptcy Rule 1007(a)(3) to file a list of all equity security holders of Debtor BowFlex Inc. is hereby waived.

(Page | 5)

Debtors: BOWFLEX INC., *et al.*

Case No. 24-12364 (ABA)

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5. The requirement under Bankruptcy Rule 2002(d) to provide the Notice of Commencement to all of the equity security holders of BowFlex Inc. is hereby waived such that the Debtors shall: (a) publish the Notice of Commencement on the Debtors' case website, thereby notifying their investors and other parties of the commencement of these chapter 11 cases; (b) file a Form 8-K with the SEC within four (4) business days following the Petition Date, thereby notifying its investors and other parties of the commencement of these chapter 11 cases, as well as any other filings with the SEC, as necessary, and other public announcements; and (c) serve (i) each equity security holder directly registered with the transfer agent for the Debtors' equity and (ii) all banks, brokers, intermediaries, other nominees, or their mailing agents that hold equity in BowFlex Inc. in "street name" for the beneficial holders (with instructions to serve beneficial holders, as applicable). All registered holders of BowFlex Inc. Stock that are served with the Notice of Commencement shall be required to transmit such Notice of Commencement to any holder for whose benefit such registered holder acts, to the extent it has not already done so.

6. The transfer agent(s) for BowFlex Inc. Stock is ordered and authorized to provide directly to Epiq Corporate Restructuring, LLC the list of registered holders of the Debtors' equity, as and when requested by Epiq.

7. The Debtors are authorized to redact in their Consolidated Creditor Matrix and other documents or pleadings that the Debtors file with the Court in these chapter 11 cases the

(Page | 6)

Debtors: BOWFLEX INC., *et al.*

Case No. 24-12364 (ABA)

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following Personally Identifiable Information only: the personal mailing addresses and email addresses of individual creditors and interest holders, including employees, but not the names.

8. The Debtors shall provide an unredacted version of the Consolidated Creditor Matrix and any other applicable document to the U.S. Trustee, any trustee or official committee of unsecured creditors subsequently appointed in these chapter 11 cases, the Court, the Debtors' claims and noticing agent, and any party in interest, upon reasonable request. Any party in interest that is not provided with an unredacted version of the applicable document upon request may file a motion with the Court to obtain such document. Each party receiving an unredacted copy of the Consolidated Creditor Matrix or any other applicable document shall keep such Personally Identifiable Information confidential unless otherwise required to be disclosed by law or court order. The Debtors shall inform the U.S. Trustee promptly after denying any request for an unredacted document pursuant to this Order.

9. When serving any notice in this case on the Debtors' current or former employees, individual interest holders, or other individual creditors, the Debtors' claims and noticing agent, and, where applicable, the clerk of the Court and any other party in interest, shall use such individual creditor's or interest holder's personal mailing address.

10. To the extent a party in interest files a document on the docket in these chapter 11 cases that is required to be served on creditors whose information is under seal or redacted pursuant

(Page | 7)

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to this Final Order, such party in interest should contact counsel for the Debtors who shall work in good faith, with the assistance of Epiq, to effectuate the service on such party's behalf.

11. Nothing in this Interim Order shall waive or otherwise limit the service of any document upon or the provision of any notice to any individual whose Personally Identifiable Information is sealed or redacted pursuant to this Interim Order. Service of all documents and notices upon individuals whose Personally Identifiable Information is sealed or redacted pursuant to this Interim Order shall be confirmed in the corresponding certificate of service.

12. The Debtors, through Epiq, are authorized, on an interim basis, to serve all pleadings and papers, including the Notice of Commencement, on all parties listed on the Consolidated Creditor Matrix (including via email if available).

13. Nothing in this Interim Order: (a) is intended or shall be deemed to constitute an assumption of any agreement pursuant to section 365 of the Bankruptcy Code or an admission as to the validity of any claim against the Debtors or their estates; (b) shall impair, prejudice, waive, or otherwise affect the rights of the Debtors or their estates to contest the validity, priority, or amount of any claim against the Debtors or their estates; (c) shall impair, prejudice, waive, or otherwise affect the rights of the Debtors or their estates with respect to any and all claims or causes of action against any third party; or (d) shall be construed as a promise to pay a claim or continue any applicable program post-petition, which decision shall be in the discretion of the Debtors. Any payment made pursuant to this Interim Order is not intended to be nor should it be

(Page | 8)

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construed as an admission as to the validity of any claim or a waiver of the Debtors' or the DIP Agent's rights to subsequently dispute such claim.

14. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion under the circumstances and the requirements of the Bankruptcy Local Rules are satisfied by such notice.

15. The requirement set forth in Bankruptcy Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

16. The Debtors shall serve by regular mail a copy of this Interim Order and the Motion on all parties required to receive such service pursuant to Bankruptcy Local Rule 9013-5(f) within two (2) business days after the entry of this Interim Order.

17. Any party may move for modification of this Interim Order in accordance with Bankruptcy Local Rule 9013-5(e).

18. Notwithstanding the applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Interim Order shall be immediately effective and enforceable upon its entry.

19. The Debtors are authorized to take all such actions as are necessary or appropriate to implement the terms of this Interim Order.

20. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.



In re:  
BowFlex Inc.  
Debtor

Case No. 24-12364-ABA  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Mar 06, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 08, 2024:

Recip ID	Recipient Name and Address
db	+ BowFlex Inc., 17750 S.E. 6th Way, Vancouver, WA 98683-7565

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 08, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 6, 2024 at the address(es) listed below:

Name	Email Address
Ilana Volkov	on behalf of Creditor Crystal Financial LLC ivolkov@mcgrailbensinger.com
Jesse M. Harris	on behalf of Debtor BowFlex Inc. jesseharris@foxrothschild.com
Joseph Lubertazzi, Jr.	on behalf of Creditor WELLS FARGO BANK N.A. jlubertazzi@mccarter.com
Joseph J. DiPasquale	on behalf of Debtor BowFlex Inc. Jdipasquale@foxrothschild.com cbrown@foxrothschild.com;msteen@foxrothschild.com
Joseph J. DiPasquale	on behalf of Debtor BowFlex New Jersey LLC Jdipasquale@foxrothschild.com cbrown@foxrothschild.com;msteen@foxrothschild.com
Mark E. Hall	

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Mar 06, 2024

Form ID: pdf903

Total Noticed: 1

on behalf of Debtor BowFlex Inc. mhall@foxrothschild.com cbrown@foxrothschild.com

Michael R. Herz

on behalf of Debtor BowFlex Inc. mherz@foxrothschild.com cbrown@foxrothschild.com

Richard L. Schepacarter

on behalf of U.S. Trustee U.S. Trustee richard.schepacarter@usdoj.gov

Robert Malone

on behalf of Creditor Johnson Health Tech Retail Inc. rmalone@gibbonslaw.com, nmitchell@gibbonslaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10