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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

In re:

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PS EXECUTIVE CENTERS, INC.

Debtor.

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Case No. 04-10686

Judge Harris

Chapter 11

## ORDER FIXING DATE BY WHICH PROOFS OF CLAIM OR INTEREST MUST BE FILED

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This matter came before the Court on the "Motion for Order Fixing Date by Which Proofs of Claim or Interest Must be Filed" (the "Motion") filed by PS Executive Centers, Inc. the debtor and debtor in possession (the "Debtor"). And it appearing that the manner of notice to be given of the entry of this Order, as provided herein, is reasonably calculated to give actual and timely notice of the bar date for the filing of proofs of claim or interest, and it appearing that adequate and sufficient notice of the Motion has been given pursuant to 11 U.S.C. § 102(1), Fed. R. Bankr. P. 2002, 3002, 3003, 3005, 9006, 9013, 9014, and other applicable law \_and rules of Court, and it further appearing that sufficient cause exists for entry of an order —fixing a bar date, as requested in the Motion.

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21, 2004 (other than (i) claims of professionals who have rendered services in this Chapter 11 case pursuant to order(s) of this Court; and (ii) claims or interests that are listed on the Debtor's "Schedules of Assets and Liabilities" or amendments thereto (the "Schedules"), but are not listed on the Schedules as being "contingent", "unliquidated", or "disputed", as further ordered hereinbelow), whether such claim(s) is/are unliquidated, matured, unmatured, contingent, or disputed and whether such claim(s) is/are based on the Debtor's primary, secondary, direct, indirect, secured, unsecured, legal, equitable, contingent, guaranty or other liability, shall file a proof of claim or interest, together with supporting documentation evidencing such claim or interest, with the Clerk of this Court, care of the United States Bankruptcy Court, Key Tower, 31<sup>st</sup> Floor, 127 Public Square, Cleveland, Ohio 44114-1309, substantially in conformity with Official Form 10, on or before June 28, 2004 (the "Bar Date"); and

IT IS FURTHER ORDERED that, notwithstanding the foregoing, holders of claims or interests that are listed on the Debtor's Schedules or amendments thereto, but are not listed on the Schedules as being "contingent", "unliquidated", or "disputed", do not need to file a proof of claim or interest, unless such holders disagree with the amount or classification of such claims or interests.

IT IS FURTHER ORDERED that any holder of any claim against or interest in the Debtor for which a proof of such claim or interest is required to be filed by the preceding paragraph, that fails to file such proof of claim or interest on or before the Bar Date, shall be forever barred and estopped from (a) asserting such claim or interest against the Debtor, its estate, property, or its successors and assigns; and (b) from claiming, receiving, or sharing in any distribution from that estate; and

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IT IS FURTHER ORDERED that the Debtor shall give notice, or shall cause notice to be given, of the entry of this Order by mailing a copy of a notice (by United States mail, first class postage prepaid), in substantially the form attached hereto as <u>Exhibit A</u> (the "Notice"), to each of the creditors and other parties in interest who are listed in the Schedules and

in all amendments thereto within fourtsen (14) days from the date of this Order. UNITED STATES BANKRUPTCY JUDGE

**APPROVED:** 

/s/ Harry W. Greenfield HARRY W. GREENFIELD (0003839) greenfield@bucklaw.com JEFFREY C. TOOLE (0064688) toole@bucklaw.com Buckley King, LPA 1400 Bank One Center 600 Superior Avenue East Cleveland, OH 44114 (216) 363-1400

Counsel for the Debtor

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