

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

EBHI HOLDINGS, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 09-12099 (MFW)

Jointly Administered

Ref. Docket No. 997

**ORDER SUSTAINING DEBTORS' SECOND OMNIBUS (NON-SUBSTANTIVE)  
OBJECTION TO CLAIMS PURSUANT TO § 502(b) OF THE BANKRUPTCY  
CODE, BANKRUPTCY RULES 3003 AND 3007, AND LOCAL RULE 3007-1**

Upon the Debtors' Second Omnibus (Non-Substantive) Objection to Claims Pursuant to § 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1 (the "**Objection**"),<sup>2</sup> and it appearing that notice of the Objection was good and sufficient upon the particular circumstances and that no other or further notice need be given; and the Court having considered the Objection, the claims listed on Exhibits A, B, C, and D attached hereto, and any responses thereto; and upon the record herein; and after due deliberation thereon and good and sufficient cause appearing therefore; it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. The Objection is GRANTED.

<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: EBHI Holdings, Inc., a Delaware corporation (2352); Amargosa, Inc., a Delaware corporation (9737); Gobi Fulfillment Services, Inc., a Delaware corporation (0882); Arabian Diversified Sales, LLC, a Delaware limited liability company (1567); Gibson Services, LLC, an Ohio limited liability company (disregarded); Karalcum International Development, LLC, a Delaware limited liability company (1571); Simpson Information Technology, LLC, a Delaware limited liability company (disregarded); Sandy Financial Services Acceptance Corporation, a Delaware corporation (7532); and Sonoran Acceptance Corporation, a Delaware corporation (7253). The mailing address for EBHI Holdings, Inc. is 10401 N.E. 8th Street, Suite 500, Bellevue, WA 98004. On or about the Petition Date, Tenere of Canada, Inc. and Yuma Customer Services, Inc., affiliates of the Debtors, commenced a proceeding before the Superior Court of Justice, Commercial List, for the Judicial District of Ontario, for a plan of compromise or arrangement under the Companies' Creditors Arrangement Act.

<sup>2</sup> Unless otherwise defined herein, capitalized terms used herein shall have the meanings ascribed to them in the Objection.



2. The Duplicate Claims listed on Exhibit A in the column labeled “Duplicate Claim to be Expunged” are disallowed ~~and expunged in their entirety~~.

3. The claims whose claim numbers are set forth on Exhibit A in the columns labeled “Remaining Claim Number” shall remain on the claims register in these cases, and to the extent that such claims are not otherwise amended or superseded by a proof of claim later filed by the creditor, or subject to an objection set forth herein or subsequently filed by the Debtors, such claims shall be allowed against the Debtors and in the case in which each such claim was filed.

4. The Amended Claims listed on Exhibit B in the column labeled “Amended Claim to be Expunged” are disallowed ~~and expunged in their entirety~~.

5. The claims whose claim numbers are set forth on Exhibit B in the column labeled “Remaining Claim Number” shall remain on the claims register in these cases, and to the extent that such claims are not subject to an objection set forth herein or subsequently filed by the Debtors, such claims shall be allowed against the Debtors and in the case in which each such claim was filed.

6. The Late Filed Claims listed on Exhibit C are disallowed ~~and expunged in their entirety~~.

7. The No Supporting Documentation Claims listed on Exhibit D are disallowed ~~and expunged in their entirety~~.

8. The Objection is withdrawn without prejudice to Disputed Claims 1180, 1188, 1166, 1168, 1160, 1171, 1208 and 1217.

9. This Court shall retain jurisdiction over the Debtors and the claimants whose Disputed Claims are subject to the Objection with respect to any matters related to or arising from the Objection or the implementation of this Order.

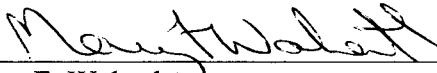
10. The Debtors reserve the right to amend, modify, or supplement the Objection, and to file additional objections to claims filed in these Chapter 11 Cases.

11. This Court shall retain jurisdiction over all affected parties with respect to any matters, claims or rights arising from or related to the implementation and interpretation of this Order.

Dated: Wilmington, Delaware

~~December 29, 2009~~

Jan 4, 2010

  
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Mary F. Walrath  
United States Bankruptcy Judge

**EXHIBIT A**

**Exhibit A**  
**Duplicate Claim Objections**

| Name of Claimant                    | Remaining Claim Number | Duplicate Claim to be Expunged | Claim Amount   | Debtor   | Reason for Disallowance                                   |
|-------------------------------------|------------------------|--------------------------------|----------------|----------|---|
| Frizell, Lillie                     | 652                    | 653                            | \$8,000.00     | 09-12099 | Duplicate - copy of claim processed                       |
| Frizell, Lillie                     | 652                    | 654                            | \$8,000.00     | 09-12099 | Duplicate - copy of claim processed                       |
| Kopacz, Agnes M                     | 738                    | 1104                           | \$10,000.00    | 09-12099 | Duplicate - identical claim filed with both Court and KCC |
| Lauren Shields Inc                  | 198                    | 217                            | \$9,848.22     | 09-12099 | Duplicate - identical claim submitted twice               |
| Ohio Bureau of Workers Compensation | 1231                   | 1223                           | \$698,003.08   | 09-12100 | Duplicate - identical claim filed with both Court and KCC |
| Ohio Bureau of Workers Compensation | 1232                   | 1224                           | \$1,155,825.34 | 09-12100 | Duplicate - identical claim filed with both Court and KCC |
| Shimada, Gary                       | 526                    | 631                            | \$23,700.53    | 09-12100 | Duplicate - identical claim submitted twice               |

**EXHIBIT B**

**Exhibit B**  
**Amended and Superseded Claim Objections**

| Name of Claimant            | Remaining Claim Number | Amended Claim to be Expunged | Claim Amount   | Debtor   | Reason for Disallowance |
|-----------------------------|------------------------|------------------------------|----------------|----------|-------------------------|
| Kopacz, Agnes M             | 738                    | 677                          | UNLIQUIDATED   | 09-12099 | Amended and superseded  |
| Rainier Industries Ltd      | 298                    | 82                           | \$33,209.43    | 09-12099 | Amended and superseded  |
| RR Donnelley & Sons Company | 1263                   | 879                          | \$1,189,366.38 | 09-12100 | Amended and superseded  |

**EXHIBIT C**



**Exhibit C**  
**Late Filed Claim Objections**

| Name of Claimant     | Date Claim Filed | Claim Number | Claim Amount | Debtor   | Reason for Disallowance  |
|----------------------|------------------|--------------|--------------|----------|--|
| Coffin, Mari         | 10/27/09         | 1253         | UNLIQUIDATED | 09-12108 | Pre-petition claim filed 10/27/09, after general bar date of 9/21/09 |
| Johnson, Nathelyn    | 10/13/09         | 1238         | \$441.18     | 09-12100 | Pre-petition claim filed 10/13/09, after general bar date of 9/21/09 |
| Johnston, Brandy     | 10/01/09         | 1194         | \$2,497.01   | 09-12099 | Pre-petition claim filed 10/1/09, after general bar date of 9/21/09  |
| Rak, Linda Lantz     | 10/14/09         | 1236         | \$394.46     | 09-12099 | Pre-petition claim filed 10/14/09, after general bar date of 9/21/09 |
| Turner, Decy         | 10/08/09         | 1226         | UNLIQUIDATED | 09-12100 | Pre-petition claim filed 10/8/09, after general bar date of 9/21/09  |
| Westmoreland, Robert | 10/26/09         | 1251         | \$10,000.00  | 09-12100 | Pre-petition claim filed 10/26/09, after general bar date of 9/21/09 |

**EXHIBIT D**

**Exhibit D**  
**No Supporting Documentation Claim Objections**

| Name of Claimant    | Claim Number | Claim Amount | Debtor   | Reason for Disallowance                                    |
|---------------------|--------------|--------------|----------|--|
| Byrnes, Ellen       | 349          | UNLIQUIDATED | 09-12100 | Claimant provided no support to substantiate proof of clam |
| Dale, Vivian        | 700          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Darmofal, James     | 520          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Dietzenbach, Gene   | 1243         | \$500.00     | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Expotech Inc.       | 368          | \$80,000.00  | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Gilligan, Francis   | 630          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Guy, Elizabeth      | 1197         | UNLIQUIDATED | 09-12108 | Claimant provided no support to substantiate proof of clam |
| Lilburn, Kelly      | 595          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Lyons, Patricia     | 537          | BLANK        | 09-12100 | Claimant provided no support to substantiate proof of clam |
| May, Alberta        | 717          | \$10,000.00  | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Pencak, Stanley     | 676          | UNLIQUIDATED | 09-12108 | Claimant provided no support to substantiate proof of clam |
| Raghunath, Rajendra | 702          | \$5,000.00   | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Ryndak, Therese     | 645          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Thames, Pearl       | 1207         | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Thompson, Dorothy   | 776          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |
| Towns, Ellen        | 646          | UNLIQUIDATED | 09-12108 | Claimant provided no support to substantiate proof of clam |
| Walton, Almedia     | 447          | UNLIQUIDATED | 09-12099 | Claimant provided no support to substantiate proof of clam |