

Para acceder a una versión de este aviso en español, por favor visite <http://tkrestructuring.com>.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

-----X  
: :  
In re : Chapter 11  
: :  
TK HOLDINGS INC., *et al.*, : Case Nos. 17-11372 (BLS)  
: Through 17-11383 (BLS)  
Debtors.<sup>1</sup> :  
: Jointly Administered  
-----X

**NOTICE OF DEADLINES REQUIRING FILING OF PROOFS OF CLAIM**

**TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE DEBTORS SET FORTH BELOW:**

Name of Debtor	Case Number	Tax Identification Number
Takata Americas	17-11372	XX-XXX9766
TK Finance, LLC	17-11373	XX-XXX2753
TK China, LLC	17-11374	XX-XXX1312
TK Holdings Inc.	17-11375	XX-XXX3416
Takata Protection Systems Inc.	17-11376	XX-XXX3881
Interiors in Flight Inc.	17-11377	XX-XXX4046
TK Mexico Inc.	17-11378	XX-XXX8331
TK Mexico LLC	17-11379	XX-XXX9029
TK Holdings de Mexico, S. de R.L. de C.V.	17-11380	N/A
Industrias Irvin de Mexico, S.A. de C.V.	17-11381	N/A
Takata de Mexico, S.A. de C.V.	17-11382	N/A
Strosshe-Mex, S. de R.L. de C.V.	17-11383	N/A

On October 4, 2017, the Bankruptcy Court entered an order [Docket No. 959] (the “**Bar Date Order**”) establishing certain deadlines for the filing of proofs of claim in the above-listed

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Takata Americas (9766); TK Finance, LLC (2753); TK China, LLC (1312); TK Holdings Inc. (3416); Takata Protection Systems Inc. (3881); Interiors in Flight Inc. (4046); TK Mexico Inc. (8331); TK Mexico LLC (9029); TK Holdings de Mexico S. de R.L. de C.V. (N/A); Industrias Irvin de Mexico, S.A. de C.V. (N/A); Takata de Mexico, S.A. de C.V. (N/A); and Strosshe-Mex, S. de R.L. de C.V. (N/A). Except as otherwise set forth herein, the Debtors’ international affiliates and subsidiaries are not debtors in these chapter 11 cases. The location of the Debtors’ corporate headquarters is 2500 Takata Drive, Auburn Hills, Michigan 48326.

Debtors' chapter 11 cases (each a "***Proof of Claim***"), including a deadline for asserting claims against any of the Debtors for past or future monetary losses, personal injuries (including death), or asserted damages arising out of or relating to an airbag containing phase-stabilized ammonium nitrate propellant ("***PSAN Inflators***"), or their component parts, manufactured or sold by the Debtors or their affiliates prior to the Petition Date (each a "***PPIC Claim***"). Except as otherwise set forth herein, all persons, entities (including individuals, partnerships, corporations, joint ventures, and trusts), and governmental units who have a claim or potential claim, including any claims under section 503(b)(9) of title 11 of the United States Code (the "***Bankruptcy Code***"), against any of the Debtors that arose prior to the June 25, 2017 (the "***Petition Date***"), no matter how remote or contingent, **MUST FILE A PROOF OF CLAIM.**

The deadlines set forth in the Bar Date Order for filing Proofs of Claim are as follows (collectively, the "***Bar Dates***"):

(a) For all claims against any of the Debtors other than (i) PPIC Claims and (ii) claims of Governmental Units (as defined below), the last date and time to file a Proof of Claim is **November 27, 2017 at 5:00 p.m. (Prevailing Eastern Time)** (the "***General Bar Date***");

(b) For all PPIC Claims, the last date and time to file a Proof of Claim is **December 27, 2017 at 5:00 p.m. (Prevailing Eastern Time)** (the "***PPIC Bar Date***"); and

(c) For claims against any of the Debtors asserted by a governmental unit (as defined in section 101(27) of the Bankruptcy Code), the last date and time to file a Proof of Claim is **December 22, 2017 at 5:00 p.m. (Prevailing Eastern Time)** (the "***Governmental Bar Date***").

## **1. WHO MUST FILE A PROOF OF CLAIM**

You **MUST** file a proof of claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose prior to the Petition Date, and it is not one of the types of claims described in Section 4 below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be

filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word “claim” means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

## **2. SPECIAL PROVISIONS FOR OWNERS OF VEHICLES WITH TAKATA AIRBAG INFLATORS**

If you (or, in the case of a wrongful-death claim, the estate you represent) believe you have a claim against the Debtors, including for past or future monetary loss, personal injury, or death on account of your current or past ownership of a vehicle containing a PSAN Inflator regardless of whether such PSAN Inflator is subject to a recall or has already been repaired or you have thus far suffered no loss, injury, or death on account of your PSAN Inflator (as such claims may be deemed to have accrued before the Petition Date), you **MUST** file a Proof of Claim for your PPIC Claim prior to the PPIC Bar Date and in accordance with the instructions below.

For the avoidance of doubt, the Debtors are not seeking to, and the passage or expiration of the PPIC Bar Date shall not, bar or prevent any individuals from filing claims against the Debtors’ estates for personal injury or wrongful death tort claims that arise from or relate to incidents that occur after the Petition Date involving vehicles that contain PSAN Inflators or their component parts manufactured by the Debtors or their affiliates.

You must file a Proof of Claim even if you may be included in, or represented by, a purported class action, class suit, or similar representative action filed against the Debtors.

Information about how to file a Proof of Claim on account of a PPIC Claim, including the ability to file such claim electronically, is available at [TKRestructuring.com/PPIC](http://TKRestructuring.com/PPIC). **If you fail to file a Proof of Claim on or before the PPIC Bar Date: (a) you may be forever barred, estopped, and enjoined from asserting a PPIC Claim against the Debtors even if your loss or injury does not occur until some point in the future; (b) the Debtors and their property may be forever discharged from any and all indebtedness or liability with respect to such claim; and (c) you may not receive any distribution in these cases on account of such claim.**

### 3. WHAT TO FILE

The Debtors are enclosing a proof of claim form (the “*General Proof of Claim Form*”) for use in these cases; if your claim is listed on the schedules of assets and liabilities filed by the Debtors (collectively, the “*Schedules*,” which are available at [www.primeclerk.com/takataschedules](http://www.primeclerk.com/takataschedules)), the proof of claim form also sets forth the amount of your claim as listed on the Schedules, the specific Debtor against which the claim is scheduled, and whether the claim is scheduled as “disputed,” “contingent,” or “unliquidated.” You will receive a different proof of claim form for each claim listed in your name on the Schedules. You may utilize the proof of claim form(s) provided by the Debtors to file your claim. Additional proof of claim forms may be obtained at (i) the website established by the Debtors’ Court-approved claims and noticing agent, Prime Clerk LLC (“*Prime Clerk*”), located at [TKRestructuring.com](http://TKRestructuring.com) or (ii) the Bankruptcy Court’s website located at [www.uscourts.gov/forms/bankruptcy-forms](http://www.uscourts.gov/forms/bankruptcy-forms).

All proof of claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. It must be written in English and be denominated in United States currency (using the exchange rate, if applicable, as of the Petition Date). You also should set forth with specificity the legal and factual basis for the alleged claim and attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or explanation as to why the documents are not available.

Your proof of claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four (4) digits), a complete birth date (only the year), the name of a minor (only the minor's initials), or a financial account number (only the last four (4) digits of such account number).

Any holder of a claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor. Any holder of a claim must identify on its proof of claim the specific Debtor against which its claim is asserted and the case number of that Debtor's bankruptcy case. A list of the Debtors and their respective case numbers is set forth above on the first page of this Notice. Any holder of a claim must sign the claim or, if the claimant is not an individual, an authorized agent must sign the claim.

### **3. WHEN AND WHERE TO FILE**

Except as provided for herein, all proofs of claim must be filed so as to be received **on or before the applicable deadline set forth above** as follows:

#### **IF BY FIRST CLASS MAIL:**

TK Holdings Inc.  
Claims Processing Center  
c/o Prime Clerk LLC  
Grand Central Station  
PO Box 4850  
New York, NY 10163-4850

**IF BY OVERNIGHT COURIER OR HAND DELIVERY:**

TK Holdings Inc.  
Claims Processing Center  
c/o Prime Clerk LLC  
850 Third Avenue, Suite 412  
Brooklyn, NY 11232

**IF ELECTRONICALLY:**

The website established by Prime Clerk, using the interface available on such website located at TKRestructuring.com under the linked entitled “Submit a Claim” (the “*Electronic Filing System*”).

Proofs of claim will be deemed filed only when received at the addresses listed above or via the Electronic Filing System on or before the applicable Bar Dates. Proofs of claim may not be delivered by facsimile, telecopy, or electronic mail transmission (other than proofs of claim filed electronically through the Electronic Filing System).

**4. WHO NEED NOT FILE A PROOF OF CLAIM**

You do **not** need to file a proof of claim on or prior to the applicable Bar Dates if you are:

- (a) any person or entity whose claim is listed on the Schedules; *provided* that (i) the claim is **not** listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- (b) any person or entity whose claim has been paid in full;
- (c) any person or entity that holds an equity security interest in the Debtors, which interest is based exclusively upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants, options, or rights to purchase, sell, or subscribe to such security or interest; *provided* that if any such holder asserts a claim (as opposed to an ownership interest) against the Debtors (including a claim relating to an equity interest or the purchase or sale of such equity interest), a proof of claim must be filed on or before the General Bar Date or Governmental Bar Date, as applicable, pursuant to the procedures described herein;

- (d) the holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (**other than** a holder of a section 503(b)(9) claim);
- (e) any person or entity that holds a claim that heretofore has been allowed by Order of the Bankruptcy Court entered on or before the applicable Bar Date;
- (f) any holder of a claim for which a separate deadline has been fixed by the Bankruptcy Court;
- (g) any person or entity who has already filed a proof of claim with Prime Clerk or the Court against any of the Debtors with respect to the claim being asserted, utilizing a claim form that substantially conforms to the General Proof of Claim Form or Official Form No. 410;
- (h) any Debtor listed on the first page of this Notice having a claim against another Debtor listed on the first page of this Notice;
- (i) any Consenting OEMs for any Consenting OEM Claims, which claims are hereby carved out of this Order and the procedures for filing General Proofs of Claim set forth herein, and shall instead be (a) filed in a format that reasonably describes, among other things, each Consenting OEM's claims, costs and expenses arising from or associated with any PSAN Inflators that are the subject of a recall, including without limitation, any amounts paid on account of litigation judgments against or settlements entered into by such Consenting OEM and (b) treated in accordance with the claims protocol to be agreed by and among the Debtors and the Initial Consenting OEMs; **provided**, that, notwithstanding the foregoing, the Consenting OEMs shall file their proofs of claim for any Consenting OEM Claims on or before the General Bar Date; **provided further**, that, in the event the restructuring support agreement to be entered into by and among the Debtors and the Initial Consenting OEMs (the "**RSA**") is (x) not approved via an order entered by the Court acceptable to the Consenting OEMs, including without limitation, approval of the claims protocol agreed upon by and among the Debtors and the Initial Consenting OEMs, the Consenting OEMs shall have until sixty (60) days after an order denying approval of the RSA, to amend or modify any claim filed on or before the General Bar Date or (y) terminated by a Consenting OEM or as to all Consenting OEMs, such terminating Consenting OEM or all Consenting OEMs, as applicable, shall have sixty (60) days after the date on which such Consenting OEM or all Consenting OEMs, as the case may be, provide notice of such termination to amend or modify any such previously filed proofs of claim.

This Notice may be sent to persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors.

*The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Bankruptcy Court believe that you have a claim against the Debtors.*

## **5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

If you hold a claim arising out of the rejection of an executory contract or unexpired lease you must file a proof of claim based on such rejection by the later of (i) the General Bar Date or Governmental Bar Date, as applicable, and (ii) the date that is thirty (30) days following the entry of the Bankruptcy Court order approving such rejection, (which order may be the order confirming a chapter 11 plan in the Debtors' Chapter 11 Cases) or be forever barred from doing so *provided, however*, that a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a proof of claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in section 4 above applies.

## **6. THE DEBTORS' SCHEDULES AND ACCESS THERETO**

You may be listed as a holder of a claim against one or more of the Debtors in the Debtors' Schedules.

To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed proof of claim form(s) regarding the nature, amount, and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Bankruptcy Court) on account of your claim(s), the enclosed proof of claim form will reflect the net amount of your claim(s). If the Debtors believe that you hold claims against more than



one Debtor, you will receive multiple proof of claim forms, each of which will reflect the nature and amount of your claim against one Debtor, as listed in the Schedules.

If you rely on the Debtors' Schedules and/or the enclosed proof of claim form(s), it is your responsibility to determine that the claim accurately is listed on the Schedules. However, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent, or unliquidated.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim only is against the Debtor specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the applicable Bar Dates, in accordance with the procedures set forth in this Notice.

In the event that the Debtors amend or supplement their Schedules subsequent to the entry of the Bar Date Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (i) the applicable Bar Date and (ii) thirty (30) days from the date of such notice to file a proof of claim or be barred from doing so and shall be given notice of such deadline.

Copies of the Debtors' Schedules are available for inspection on the Bankruptcy Court's electronic docket for the Debtors' chapter 11 cases, which is posted on (i) the website established by Prime Clerk for the Debtors' cases at [TKRestructuring.com](http://TKRestructuring.com) and (ii) on the Court's website at <http://www.deb.uscourts.gov/>. A login and password to the Bankruptcy Court's Public Access to Electronic Records ("**PACER**") are required to access this

information and can be obtained through the PACER Service Center at <http://www.pacer.gov>. Copies of the Schedules also may be examined between the hours of 8:00 a.m. and 4:00 p.m., Prevaling Eastern Time, Monday through Friday at the Office of the Clerk of the Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. Copies of the Debtors' Schedules also may be obtained by request to Prime Clerk, at the address and telephone number set forth below:

## **7. RESTRUCTURING PROCEEDINGS OF DEBTORS' JAPANESE AFFILIATES**

Takata Corporation, Takata Kyushu Corporation, and Takata Service Corporation (collectively, "*Takata Japan*") have commenced proceedings under the Civil Rehabilitation Act ("CRA") in Tokyo, Japan. Takata Japan has sought recognition by the Bankruptcy Court of its CRA proceedings under Chapter 15 of the Bankruptcy Code. Parties who believe they have claims against Takata Japan can obtain information about the CRA proceedings at [www.takata.com](http://www.takata.com).

## **8. RESTITUTION FUND**

Individuals who have suffered, or will suffer, personal injury caused by the malfunction of a PSAN Inflator may be eligible for compensation from Restitution Funds established by order of the Federal Court for the E.D. of Michigan. The Court has appointed a Special Master, Prof. Eric D. Green, to administer the claimant compensation process and make recommendations regarding the distribution of funds. If you believe you may qualify for compensation from the Restitution Funds, please visit [www.takataspecialmaster.com](http://www.takataspecialmaster.com) for further information and to review relevant case documents.

## **9. PLAN AND DISCLOSURE STATEMENT**

The Debtors will soon file a chapter 11 plan of reorganization (the "*Plan*") and accompanying disclosure statement (the "*Disclosure Statement*"). The Plan will describe the

proposed treatment of claims against, and interests in, the Debtors; the Disclosure Statement will provide information about the Plan and the Debtors. The Bankruptcy Court will hold hearings to consider, and has set deadlines to object to, the Disclosure Statement and Plan.

*Disclosure Statement Hearing.* January 3, 2018 at 10:00 a.m. (Prevailing Eastern Time), with objections due no later than December 27, 2017, at 4:00 p.m. (Prevailing Eastern Time);

*Confirmation Hearing.* February 13, 2018 at 10:00 a.m. (Prevailing Eastern Time), with objections due no later than February 6, 2018, at 4:00 p.m. (Prevailing Eastern Time).

To receive notices on the chapter 11 cases, or to review the Plan and Disclosure Statement, visit and register your email address at [TKRestructuring.com/PPIC](http://TKRestructuring.com/PPIC). All documents filed with the Bankruptcy Court are available for inspection at the Office of the Clerk of the Court or free of charge at: [TKRestructuring.com/PPIC](http://TKRestructuring.com/PPIC). *The Plan will bind all creditors and interest holders upon its confirmation. If you wish to object to Plan or Disclosure Statement, you must properly file and serve an objection by the applicable deadline listed above.*

#### **10. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM SHALL NOT BE PERMITTED TO VOTE ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND SHALL RECEIVE NO DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

**A holder of a potential claim against the Debtors should consult an attorney regarding any matters not covered by this Notice, such as whether the holder should file a proof of claim.**

Dated: October 4, 2017  
Wilmington, Delaware

**BY ORDER OF THE COURT**

RICHARDS, LAYTON & FINGER, P.A.  
Mark D. Collins (No. 2981)  
Michael J. Merchant (No. 3854)  
Amanda R. Steele (No. 5530)  
Brett M. Haywood (No. 6166)  
920 N. King Street  
Wilmington, Delaware 19801  
Telephone: (302) 651-7700  
Facsimile: (302) 651-7701

-and-

WEIL, GOTSHAL & MANGES LLP  
Marcia L. Goldstein  
Ronit J. Berkovich  
Matthew P. Goren  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

*Attorneys for the Debtors  
and Debtors in Possession*