

General FAQs

On September 29, 2019, Forever 21, Inc., and certain of its affiliates (collectively, the “**Debtors**”) filed voluntary petitions (collectively, the “**F21 Cases**”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (as amended, the “Bankruptcy Code”).

The questions and answers that follow provide certain general information concerning the F21 Cases, the Official Committee of Unsecured Creditors of Forever 21, Inc., et al. (the “**Committee**”), and various topics related to the F21 Cases and the Committee.

1. What is the Committee?

Pursuant to the Bankruptcy Code, the United States Trustee (the “UST”) is authorized to appoint a committee of creditors holding unsecured claims as soon as practicable after the filing of a case. Generally a creditor’s committee is a group of general unsecured creditors appointed to represent, in a fiduciary capacity, the interests of all general unsecured creditors. In such role, creditors’ committees act to protect and promote the interests of general unsecured creditors (as a whole) by, among other things, monitoring a debtor’s business operations, investigating its business and financial affairs, and negotiating the terms of a plan. The overarching goal of a creditors’ committee is to maximize value for general unsecured creditors. The Committee does not represent the interests of individual creditors.

In accordance with this authority, on October 11, 2019, the UST appointed the Committee.

2. What is the Committee’s role in the F21 Cases?

Pursuant to the Bankruptcy Code, the Committee may: (1) consult with the Debtors concerning the administration of the cases; (2) investigate the acts, conduct, assets, liabilities, and financial condition of the Debtors, the operation or the Debtors’ business and the desirability of the continuance of such business, and any other matter relevant to the case or to the formulation of a plan; (3) participate in the formulation of a plan, advise those represented by the Committee of its determinations as to any plan formulated, and collect and file with the court acceptances or rejections of a plan; (4) request the appointment of a trustee or examiner under section 1104 of the Bankruptcy Code; and (5) perform such other services as are in the interest of those represented.

3. Who are the members of the Committee?

- KNF International Co. Ltd
- Simon Property Group, Inc.
- AT&T Services, Inc.
- Brookfield Property REIT, Inc.
- Eroglu Giyim Sanayi A.S.
- Intec, Ltd
- The Macerich Company

4. Who represents the Committee?

The Committee retained Kramer Levin Naftalis & Frankel LLP and Saul Ewing Arnstein & Lehr LLP to act as its counsel. The Committee also retained Alix Partners as its financial advisor, Malfitano Advisors, LLC as its asset disposition consultant.

5. Who represents the United States Trustee in the F21 Cases?

The trial attorney assigned to the F21 Cases by the UST is Juliet Sarkessian.

6. What role does the United States Trustee Have in the 21 Cases?

The United States Trustee Program is a component of the Department of Justice responsible for overseeing the administration of bankruptcy cases. For further details on the United States Trustee's role, please visit the website of the UST at <https://www.justice.gov/ust-regions-r03>.

7. Does the Committee represent individual creditors?

No. The Committee represents the interests of all unsecured creditors through oversight of and negotiations with the Debtors. Neither the Committee nor its counsel or other advisors represents individual creditors that may have claims in the F21 Cases.

8. What is a Proof of Claim?

A Proof of Claim is the official form that creditors or other interested parties may use to submit a prepetition claim or demonstrate amounts owing against the Debtors prior to September 29, 2019.

Each Proof of Claim must be signed by the creditor, or by an authorized agent of the creditor if the creditor is not an individual. It is recommended you attach any supporting documents on which the claim is based or an explanation as to why such documents are not available.

Instructions as to how to fill out the Proof of Claim form can be accessed [HERE]. Please read them carefully.

9. Does my Proof of Claim need to be received or stamped by a specified deadline?

All Proofs of Claim must be *received* by Prime Clerk on or before the applicable bar date (Court established deadline for filing Proofs of Claim). The bar dates can be viewed on the [calendar](#) portion of this website.

More information on filing proofs of claim, including information on submitting claims electronically can be found [HERE](#)

To file a hard copy proof of claim, the proof of claim form should be sent to the following address:

Forever 21, Inc., et al. Claims Processing
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

Proofs of Claim will be deemed timely only if actually received by the Debtor's claims agent, Prime Clerk, on or before the applicable bar date. Proofs of Claim will not be accepted by fax or email.

10. What is the deadline for filing Proofs of Claim?

The deadline (also known as the "bar date") to file general proofs of claim in the F21 Cases was set as January 13, 2020. The deadline for governmental units to file proofs of claim in the F21 Cases was set as March 28, 2020. Please refer to the order establishing the bar date [Docket No. 396] for more information.

11. Do I need to file a Proof of Claim or will I automatically be paid for the outstanding prepetition amount(s) that I am owed by the Debtors?

The Debtors received authorization to extend the deadline to file their Schedules of Assets and Liabilities (the "Schedules") to November 18, 2019. The Schedules have not yet been filed.

You should file a Proof of Claim if you believe you have an unpaid claim against the Debtor(s) that arose before September 29, 2019, and this claim is not listed in the Debtor's Schedules. (or is listed with certain qualifications). If you have an unpaid claim that (i) is not listed in the Debtors' Schedules or (ii) is listed in the Schedules, but is listed and qualified as "unliquidated," "contingent" and/or "disputed" and do not file a Proof of Claim by the Bar Date, you may not be entitled to receive any payment on your claim.

The decision to file a Proof of Claim is a legal decision. Neither the Debtors, the Committee, their advisors in these Chapter 11 proceedings, Prime Clerk nor Omni Agent Solutions is permitted to advise or assist you in this process. Rather, it is a decision you must make on your own. To the extent necessary, it is recommended you seek your own legal counsel in making this decision.

12. How will I know if my claim has been approved or disallowed?

Your Proof of Claim will be considered an allowed claim on the official claims register unless Debtor's counsel files a claim objection regarding your Proof of Claim. The objection will be filed with the Court and you will receive notification via first-class mail at the address listed on your Proof of Claim form. To contest the objection, the Claimants must file a written response to the objection with the Bankruptcy Court. The claim objection may seek to modify or expunge your claim from the claims register.

13. Have the Debtors filed any chapter 11 plan(s) or disclosure statement(s)?

Yes, they can be found [HERE](#).

14. How long will the F21 Cases take?

There is no specific time estimate for the F21 Cases. Large bankruptcy cases, such as these, can take many months to complete.

15. Who is the judge presiding over the F21 Cases?

The F21 Cases are assigned to the Honorable Keven Gross, United States Bankruptcy Judge for the District of Delaware.

16. Where can I go for more information?

If you need additional information beyond the scope of these FAQs please contact the Committee's professionals at Forever21UCCInquiry@kramerlevin.com.

Again, Neither the Debtors, the Committee, their advisors in these Chapter 11 proceedings, Prime Clerk nor Omni Agent Solutions are permitted to provide you with legal advice. The decision whether or not to file a Proof of Claim amounts to legal advice. It is recommended you seek your own legal counsel.