



U.S. Department of Justice

Office of the United States Trustee
District of New Jersey

One Newark Center
Suite 2100
Newark, New Jersey 07102

(973) 645-3014 Telephone
(973) 645-5993 Facsimile

RE: **LTL Management LLC**
Case No. 23-12825 (MBK)

***SOLICITATION OF INTEREST IN THE FORMATION OF AN
OFFICIAL COMMITTEE OF TALC CLAIMANTS***

Dear Sir or Madam:

LTL Management LLC (“Debtor”) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of New Jersey, identified by Case No. 23-12825 (MBK). Section 1102(a) of the Bankruptcy Code authorizes the United States Trustee to appoint an Official Committee of Unsecured Creditors, including an Official Committee of Talc Claimants which can include persons who assert personal injury claims against the Debtor.

The United States Trustee has been informed that you represent one or more clients with personal injury claims against the Debtor. Please forward the attached official committee solicitation package to each of your clients with claims against the Debtor as soon as possible, including, if applicable, any of your clients who hold unpaid judgments against, or have unpaid settlements with, the Debtor. Completed forms for those interested in being appointed are due to this office **no later than 5 pm on April 12, 2023**. Please send the completed questionnaire(s) via email to Tina.L.Oppelt@usdoj.gov and Neidy.Fuentes@usdoj.gov. Among other requirements, “the United States Trustee seeks creditor members who will actively participate” in the committee. United States Trustee Manual, Vol. 3, ¶ 3—4.5.3 (Ch. 11 Case Administration), available at https://www.justice.gov/ust/file/volume_3_chapter_11_case_administration.pdf/download

Please be advised that any interviews in connection with this process will be conducted telephonically.

If you prefer that we contact your client directly regarding committee service, please so advise this office as soon as possible and provide a mailing address and e-mail address.

Sincerely,
ANDREW R. VARA
United States Trustee, Regions 3 & 9

Dated: April 7, 2023

/s/ Jeffrey Sponder
Jeffrey Sponder
Trial Attorney

Attachments

TALC CLAIMANTS' COMMITTEE INFORMATION SHEET

Purpose of Committees. To increase participation in a chapter 11 proceeding, section 1102 of the Bankruptcy Code requires that the United States Trustee appoint a committee of unsecured creditors (the "Committee") as soon as practicable after the order for relief has been entered. Because the talc claimants in this bankruptcy case may have interests that are distinct from those of general unsecured creditors, it may be appropriate to appoint a Talc Claimants' Committee to represent those interests.

Powers and Duties of Talc Claimants' Committee. Members of a Talc Claimants' Committee are fiduciaries who represent all persons with personal injury claims against the Debtor. Section 1103 of the Bankruptcy Code provides that a Talc Claimants' Committee may consult with the Debtor, investigate the Debtor and its business operations, and participate in the formulation of a plan of reorganization. A Talc Claimants' Committee may also perform such other services as are in the interests of the talc claimants which it represents. Moreover, Federal Rule of Bankruptcy Procedure 2019, as amended, requires each member of an official committee to file a verified statement disclosing his or her name, address, and the nature and amount of each "disclosable economic interest"¹ held in relation to the Debtor on the date the committee was formed. Rule 2019 also requires the committee to file a verified supplemental statement updating the earlier information (if information previously disclosed has materially changed) when taking a position before the court or soliciting votes on a plan.

Employment of Professionals. Section 1103 of the Bankruptcy Code provides that a Talc Claimants' Committee may, subject to the bankruptcy court's approval, employ one or more attorneys, accountants, or other professionals to represent or perform services for a Talc Claimants' Committee. The decision to employ particular professionals should occur at a scheduled meeting of a Talc Claimants' Committee where a majority of the Talc Claimants' Committee is present. All professionals retained by a Talc Claimants' Committee may be compensated from assets of the Debtor's estate pursuant to section 330 of the Bankruptcy Code. Applications for the payment of professional fees may be monitored by the Office of the United States Trustee and are subject to the Court's approval. However, a Talc Claimants' Committee should carefully review all applications and not rely on the Court or the United States Trustee to discover and object to unreasonable or unnecessary professional fees or costs.

Other Matters. A Talc Claimants' Committee should elect a chairperson and may adopt bylaws. As a party in interest, a Talc Claimants' Committee may be heard on any issue in the bankruptcy proceeding. Federal Bankruptcy Rule 2002(i) requires that a Talc Claimants'

¹ "Disclosable economic interest" means any claim, interest, pledge, lien, option, participation, derivative instrument, or any other right or derivative right granting the holder an economic interest that is affected by the value, acquisition, or disposition of a claim or interest.

Committee (or its authorized agent) receive all notices concerning motions and hearings in the bankruptcy proceeding.

In the event you are appointed to a Talc Claimants' Committee, the United States Trustee may require periodic certifications of your claims while the bankruptcy case is pending. Creditors wishing to serve as fiduciaries on any official committee are advised that they may not purchase, sell or otherwise trade in or transfer claims against the Debtor while they are committee members absent an order of the Court. By submitting the enclosed Questionnaire and accepting membership on an official committee of creditors, you agree to this prohibition. The United States Trustee reserves the right to take appropriate action, including removing a creditor from any committee, if the information provided in the Questionnaire is inaccurate, if the foregoing prohibition is violated, or for any other reason the United States Trustee believes is proper in the exercise of his discretion. You are hereby notified that the United States Trustee may share this information with the Securities and Exchange Commission if deemed appropriate.

Privacy Act Statement. 11 U.S.C. § 1102 authorizes the collection of this information. The information will be used by the United States Trustee to determine your qualifications for appointment to a Talc Claimants' Committee. Disclosure of this information may be to a bankruptcy trustee or examiner when the information is needed to perform the trustee's or examiner's duties, or to the appropriate federal, state, local, regulatory, tribal, or foreign law enforcement agency when the information indicates a violation or potential violation of law. Other disclosures may be made for routine purposes. For a discussion of the types of routine disclosures that may be made, you may consult the Executive Office for United States Trustee's systems of records notice, UST-001, "Bankruptcy Case Files and Associated Records." *See* 71 Fed. Reg. 59,818 et seq. (Oct. 11, 2006). A copy of the notice may be obtained at the following link: http://www.justice.gov/ust/eo/rules_regulations/index.htm. Your disclosure of information is voluntary; however, failure to provide the requested information may result in the rejection of your application to be appointed to a Talc Claimants' Committee.

Should you have any additional questions concerning a Talc Claimants' Committee or your membership on a Talc Claimants' Committee, please contact the Office of the United States Trustee.



QUESTIONNAIRE FOR OFFICIAL COMMITTEE OF TALC CLAIMANTS¹

Re: LTL Management LLC,
Case No. 23- 12825 (MBK)

I am willing to serve on a Committee of Talc Claimants

Yes () No ()

A. Creditor's Name and Contact Information:

Name: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

B. Counsel (if any) for Creditor and Contact Information:

Name: _____

Phone: _____

Address: _____

Fax: _____

E-mail: _____

C. If you have been contacted by a professional person(s) (e.g., attorney, accountant, or financial advisor) regarding the formation of this committee, please provide that individual's name and/or contact information:

D. Would your schedule permit you to actively participate on the committee by attending weekly meetings (either by telephone or in person)? Yes () No ()

¹ *Note: This is not a proof of claim form. Proof of claim forms are filed with the Clerk of the Bankruptcy Court, not with the United States Trustee.

LITIGATION HISTORY

E. Have you ever filed a personal injury lawsuit against the Debtor?

Yes () No () Don't know ()

1. If yes, for each lawsuit list the court, filing date, and docket number:

2. How many companies, including the Debtor, are you currently suing for the same injuries that are the subject of your suit against the Debtor? _____

F. Do you have a judgment against, or a settlement with, the Debtor (regardless of whether the settlement is subject to further approval)?

Yes () No () Don't know ()

1. If yes, amount of the judgment or settlement (U.S. \$) _____

2. If yes, has any portion of that judgment or settlement been paid to you?

Yes () No () Don't know ()

3. If so, please specify amount paid to date: \$ _____

G. Have you ever sought compensation from an asbestos trust or other trust for your personal injuries?

Yes () No () Don't know ()

1. If yes, list each trust to which you have made a claim and the current status of that claim (paid, withdrawn/denied, pending). Attach additional pages if necessary.

H. Have you ever served, or are you now serving, on an official committee of creditors, of asbestos claimants, of talc claimants or of personal injury claimants in a chapter 11 bankruptcy case?

Yes () No () Don't know ()

1. If so, list all cases in which you have been appointed to serve on an official committee.

CLAIM INFORMATION

- I.** What is the most serious disease or highest disease category for which you are asserting a personal injury claim? _____

- J.** Describe the nature of your personal injury claim against the Debtor, including the product(s) to which you allege you were exposed and the approximate dates and locations where such exposure occurred, if known.

OTHER REPRESENTATIONS

1. Are you “affiliated” with the Debtor within the meaning of Section 101(2) of the Bankruptcy Code, a shareholder of the debtor, or related to the Debtor?

Yes () No ()

If a shareholder, state the number of shares: _____

2. Are you or have you ever been an officer, director, agent, representative, or employee of the Debtor?

Yes () No () Does your claim arise from this relationship? Yes () No ()

3. If you have given a proxy or power of attorney to a third party either to represent you at the committee formation meeting, or in connection with your claim, please attach a copy of the written proxy or power of attorney. If a professional person has arranged for someone to hold a proxy or power of attorney on your behalf, please identify that individual holding the proxy or power of attorney:

4. Have you executed a plan support agreement, restructuring support agreement, intercreditor agreement, or other agreement that would restrict your ability to take particular actions in this bankruptcy case, or has any such agreement been executed on your behalf? Yes () No ()

You may attach a written statement to explain or supplement any responses.

Talc Claimants wishing to serve as fiduciaries on an official committee are advised that they may not purchase, sell or otherwise trade in or transfer claims against the Debtor while they are committee members absent an order of the court on application of the claimant.

Please be advised that once a committee is formed, the United States Trustee will file a notice of appointment in the court record that contains contact information for any claimant appointed, including the creditor’s name, address, and telephone number.

Privacy Act Statement. 11 U.S.C. § 1102 authorizes the collection of this information. The information will be used by the United States Trustee to determine your qualifications for appointment to the Committee. Disclosure of this information may be to a bankruptcy trustee or examiner when the information is needed to perform the trustee’s or examiner’s duties, or to the appropriate federal, state, local, regulatory, tribal, or foreign law enforcement agency when the information indicates a violation or potential violation of law. Other disclosures may be made for routine purposes. For a discussion of the types of routine disclosures that may be made, you may consult the Executive Office for United States Trustee’s systems of records notice, UST-001,

“Bankruptcy Case Files and Associated Records.” See 71 Fed. Reg. 59,818 et seq. (Oct. 11, 2006). A copy of the notice may be obtained at the following link: http://www.justice.gov/ust/eo/rules_regulations/index.htm. Your disclosure of information is voluntary; however, failure to provide the requested information may result in the rejection of your application to be appointed to the Committee.

CERTIFICATION

I hereby certify that, to the best of my knowledge and belief, the answers to this Questionnaire are true and correct. By executing this Questionnaire, I also agree to the restrictions and conditions set forth in the preceding paragraphs and in the Talc Claimants’ Committee Information Sheet, and I agree to provide the periodic certifications upon the request of the United States Trustee.

Date: _____

Signature

Print Name

Title

**Note: This is not a proof of claim form. Proof of claim forms are filed with the Clerk of the Bankruptcy Court, not with the United States Trustee.*