

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

<p>In re:</p> <p>AFH AIR PROS, LLC,</p> <p>Wind Down Debtor.</p>	<p>Chapter 11</p> <p>Case No. 25-10356 (PMB)</p> <p>(Jointly Administered)</p> <p>Response Deadline: March 2, 2026, at 4:00 p.m. ET</p> <p>Hearing Date: March 9, 2026, at 11:00 a.m. ET</p>
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WIND DOWN DEBTORS’ OBJECTION TO CLAIM NO. 228
FILED BY INDIA N. MCAFEE

(Disallowance)

AFH Air Pros, LLC and its affiliated Wind Down Debtors (collectively, the “Wind Down Debtors”)¹ submit this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), pursuant to sections 105 and 502 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 3007-1 of the Local Rules of the United States Bankruptcy Court for the Northern District of Georgia (the “Local Rules”), (i) disallowing and expunging Claim No. 228 filed by India N. McAfee (“Claimant”) and (ii) granting related relief. In support of this Objection, the Wind Down Debtors respectfully state as follows:

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the Northern District of Georgia (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
2. Venue is proper in the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

¹ Prior to the Effective Date (as defined herein), the Wind Down Debtors were debtors and debtors in possession (collectively, the “Debtors”) in these chapter 11 cases.



3. The statutory and legal predicates for the relief requested herein are sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, Local Rule 3007-1, and the *Second Amended and Restated General Order 26-2019, Procedures for Complex Chapter 11 Cases*, dated February 6, 2023 (the “Complex Case Procedures”).

BACKGROUND

A. The Chapter 11 Cases

4. On March 16, 2025 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code with this Court.

5. Additional information regarding the Debtors’ businesses, capital structure, and the circumstances leading to the filing of these Chapter 11 Cases is set forth in the *Declaration of Andrew D.J. Hede in Support of Chapter 11 Petitions and First Day Pleadings* [Docket No. 8].

B. General Bar Date

6. On April 29, 2025, the Court entered the *Order (I) Fixing Deadlines for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* [Docket No. 283] (the “Bar Date Order”). The Bar Date Order (a) established June 23, 2025 at 11:59 p.m. (prevailing Eastern Time) (the “General Bar Date”) as the last day for creditors that are not governmental units to file proofs of claim, proofs of interest, and requests for payment of administrative expense claims under section 503(b)(9) of the Bankruptcy Code; (b) established September 12, 2025 at 11:59 p.m. (prevailing Eastern Time) (the “Governmental Bar Date”) as the last day for creditors that are governmental units to file proofs of claim, proofs of interest; and (c) approved a form of bar date notice, proof of claim form, and other procedures.

7. On May 6, 2025, the Debtors’ Claims and Noticing Agent caused the *Notice of Bar Dates for Filing Proofs of Claim Including Section 503(b)(9) Claims* (as approved by the Bar Date

Order) and a modified proof of claim form to be served on Claimant. *Certificate of Service* [Docket No. 351], Ex. F at p. 34 of 58.

C. The Plan

8. On September 4, 2025, the Court entered the *Findings of Fact, Conclusions of Law, and Order (I) Approving the Second Amended Disclosure Statement for the Second Amended Chapter 11 Plan of Liquidation of AFH Air Pros, LLC and Its Debtor Affiliates on a Final Basis; and (II) Confirming Second Amended Chapter 11 Plan of Liquidation of AFH Air Pros, LLC and Its Debtor Affiliates* [Docket No. 691] (the “Confirmation Order”), which confirmed the *Second Amended Plan of Liquidation of AFH Air Pros, LLC and its Debtor Affiliates* [Docket No. 479] (as may be further amended, supplemented, or otherwise modified from time to time, and including all exhibits thereto, the “Plan”).

9. On October 10, 2025, the Debtors filed a *Notice of: (I) Entry of Order Confirming Second Amended Chapter 11 Plan of Liquidation of AFH Air Pros, LLC and its Debtor Affiliates; (II) Occurrence of Effective Date; (III) Bar Date Notice for Rejection Damages, Administrative Claims, and Professional Fee Claims* [Docket No. 753] (the “Effective Date Notice”).

D. Claim No. 228 Filed by India N. McAfee

10. On November 11, 2025, after the General Bar Date, India N. McAfee filed a proof of claim, designated Claim No. 228, asserting a claim against Air Pros, LLC in the amount of \$53,662.50 for “Wages for overtime hours worked but not paid” and asserted that the full amount of the claim is entitled to priority under section 507(a)(4) of the Bankruptcy Code for wages, salaries, or commissions earned within 180 days before the Petition Date. Claim No. 228 does not include any attachments or documentation in support the claims asserted therein.

11. For the reasons set forth below, Claim No. 228 should be disallowed and expunged.

RELIEF REQUESTED

12. By this Objection, the Wind Down Debtors request that the Court enter the Proposed Order, pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1, disallowing and expunging Claim No. 228.

BASIS FOR RELIEF REQUESTED

13. Bankruptcy Code section 502 provides, in pertinent part, that “[a] claim or interest, proof of which is filed under section 501 of [the Bankruptcy Code], is deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502(a). The debtor has a duty to object to the allowance of any claim that is improper. See 11 U.S.C. § 1107(a).

14. When asserting a proof of claim against a bankrupt estate, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *See In re Allegheny Int’l, Inc.*, 954 F.2d 167, 173 (3d Cir. 1992). Where the claimant alleges sufficient facts to support its claim, its claim is afforded prima facie validity. *See id.*; *see also* Bankruptcy Rule 3001(f) (a properly executed and filed proof of claim “constitute[s] prima facie evidence of the validity and amount of the claim”).

15. A party wishing to dispute a claim’s validity must produce evidence sufficient to negate the claim’s prima facie validity. *See Allegheny*, 954 F.2d at 173–74. Once an objecting party produces such evidence, the burden shifts back to the claimant to prove the validity of his or her claim by a preponderance of the evidence. *Id.* at 174; *see also Dollinger v. BV Retail, LLC (In re S&Q Shack, LLC)*, Case No. 09-67151, 2015 Bankr. LEXIS 1166, at *6-7 (N.D. Ga. Feb. 13, 2015); *Chambliss v. Oakwood Acceptance Corp. (In re Chambliss)*, 315 B.R. 166, 169 (Bankr. S.D. Ga. 2004). Ultimately, the burden of persuasion is on the claimant. *See In re Moss*, No. 94-11959, 1995 WL 17005342, at *1 (Bankr. S.D. Ga. Sept. 28, 1995).

16. As an initial matter, Claim No. 228 was filed more than four months after the General Bar Date. Additionally, Claim No. 228 does not attach any records or documents to support the claim asserted therein. Claim No. 228 should therefore be disallowed and expunged in its entirety.

17. The Wind Down Debtors respectfully request that the Court enter the Proposed Order disallowing and expunging the Claim No. 228.

RESERVATION OF RIGHTS

18. The Wind Down Debtors reserve all rights to amend, modify, or supplement this Objection and the Proposed Order, and to file additional objections to any claims filed in these Chapter 11 Cases. The Wind Down Debtors further reserve all rights, claims, and defenses with respect to all claims, including the claim addressed herein. Nothing in this Objection or the Proposed Order shall be deemed to impair, waive, or otherwise limit any such rights, claims, or defenses, all of which are expressly preserved.

NOTICE

19. The Wind Down Debtors will provide notice of this Motion to the following parties or their respective counsel, if known: (a) the Office of the U.S. Trustee for the Northern District of Georgia, (b) the Wind Down Debtors' prepetition and postpetition lenders and collateral agent; (c) the Limited Service List; (d) India N. McAfee; and (e) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Wind Down Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

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CONCLUSION

WHEREFORE, the Wind Down Debtors request that the Court enter the Proposed Order granting the relief requested herein and such other relief as is just and proper under the circumstances.

Dated: January 30, 2026

Respectfully submitted,

GREENBERG TRAUIG, LLP

/s/ David B. Kurzweil

David B. Kurzweil (Ga. Bar No. 430492)

Matthew A. Petrie (Ga. Bar No. 227556)

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Counsel for the Wind Down Debtors

Exhibit A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

In re:

AFH AIR PROS, LLC,

Wind Down Debtor.

Chapter 11

Case No. 25-10356 (PMB)

(Jointly Administered)

Re: Docket No. __

**ORDER SUSTAINING WIND DOWN DEBTORS' OBJECTION TO
CLAIM NO. 228 FILED BY INDIA N. MCAFEE**

Upon the *Wind Down Debtors' Objection to Claim No. 228 Filed by India N. McAfee*, dated January 30, 2026 [Docket No. •] (the "Objection")¹ filed by the above-captioned Wind Down Debtors, for entry of an order (this "Order") disallowing and expunging Claim No. 228; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and due and

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

sufficient notice of the Objection and (i) the opportunity to respond or object to the relief requested in the Objection by March 2, 2026 at 4:00 p.m. (prevailing Eastern Time) (the “Response Deadline”) and (ii) the proposed hearing on the Objection, in the event a response or objection is filed by the Response Deadline, scheduled for March 9, 2026 at 11:00 a.m. (prevailing Eastern Time) having been provided in accordance with the Fifth Amended and Restated General Order No. 24-2018; and no objection or response to the Motion having been filed prior to the Response Deadline and based on the foregoing, no further notice or hearing is required and the Court finds that good cause exists to grant the relief requested in the Motion; and the Court having considered the Motion and all other matters of record, including the lack of objection thereto, it is hereby **ORDERED** that:

1. The Objection is SUSTAINED, as set forth herein.
2. Claim No. 228 filed by India N. McAfee is disallowed and expunged.
3. Nothing set forth in this Order shall be construed as, or shall in any way constitute, a waiver of the Wind Down Debtors’ or any successor’s rights to assert objections to Claim No. 228 on any additional grounds whatsoever.
4. Wind Down Debtors’ counsel will promptly cause a copy of this Order to be served on the parties listed on the Wind Down Debtors’ Limited Service List for these chapter 11 cases and any parties that were served with the Objection. Wind Down Debtors’ counsel shall cause a Certificate of Service evidencing such service to be filed within three days of service.
5. The Wind Down Debtors and their claims and noticing agent, Kurtzman Carson Consultants, LLC d/b/a Verita, as well as the Clerk of the Court, are authorized to take all such actions as are necessary and appropriate to effectuate the terms of this Order.

6. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

END OF DOCUMENT

Prepared and presented by:

GREENBERG TRAUIG, LLP

/s/ David B. Kurzweil

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Counsel for the Wind Down Debtors

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

In re:

AFH AIR PROS, LLC,

Wind Down Debtor.

Chapter 11

Case No. 25-10356 (PMB)

(Jointly Administered)

Response Deadline: March 2, 2026, at 4:00 p.m. ET

Hearing Date: March 9, 2026, at 11:00 a.m. ET

**NOTICE OF WIND DOWN DEBTORS' OBJECTION TO
CLAIM NO. 228 FILED BY INDIA N. MCAFEE,
DEADLINE TO RESPOND AND HEARING**

On January 30, 2026, the Wind Down Debtors filed the *Wind Down Debtors' Objection to Claim No. 228 Filed by India N. McAfee* (the "Objection") with the Court.

Pursuant to the Fifth Amended and Restated General Order No. 24-2018, the Court may consider this matter without further notice or a hearing if no party-in-interest files a response or objection within 30 days from the date of service of this notice. **If you object to the relief requested in this pleading, you must timely file your objection with the Bankruptcy Clerk at the United States Bankruptcy Court for the Northern District of Georgia, Newnan Division, 18 Greenville Street, Newnan, Georgia 30263, and serve a copy of your response on counsel for the Wind Down Debtors, Greenberg Traurig, LLP, Terminus 200, 3333 Piedmont Road, NE, Suite 2500, Atlanta, Georgia 30305, Attn: David B. Kurzweil, Esq. (KurzweilD@gtlaw.com) and Matthew A. Petrie (PetrieM@gtlaw.com) and any other appropriate persons by the objection deadline. The response or objection must explain your position and be actually received by the Bankruptcy Clerk on or prior to March __, 2026, at 4:00 p.m. (prevailing Eastern Time).**

A hearing on the Objection has been scheduled for **March 9, 2026, at 11:00 a.m. (prevailing Eastern Time)** in **Courtroom 1202, United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303**, which may be attended in person or via the Court's Virtual Hearing Room. The link for the Virtual Hearing Room can be found on Judge Baisier's webpage at <https://www.ganb.uscourts.gov/content/honorable-paul-m-baisier> and is best used on a desktop or laptop computer but may be used on a phone or tablet. Participants' devices must have a camera and audio. You may also join the Virtual Hearing Room through the "Dial-In and Virtual Bankruptcy Hearing Information" link at the top of the homepage of the Court's website, www.ganb.uscourts.gov. Please review "Instructions for Appearing by Telephone and Video Conference" located under the "Hearing Information" tab on the judge's webpage prior to the hearing. You should be prepared to appear at the hearing via video, but you may leave your camera in the off position unless you are speaking or until the Court instructs otherwise.

Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge's webpage.

If a response to the Objection is timely filed and served, the hearing will proceed as scheduled. **If you do not file a response within the time permitted, the Court may grant the relief requested without further notice and without holding the scheduled hearing** provided that an order approving the relief requested is entered at least one business day prior to the scheduled hearing. If no response is timely filed, but no order is entered granting the relief requested at least one business day prior to the scheduled hearing, the hearing will be held as scheduled.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

Dated: January 30, 2026

Respectfully submitted,

GREENBERG TRAUIG, LLP

/s/ David B. Kurzweil

David B. Kurzweil (Ga. Bar No. 430492)

Matthew A. Petrie (Ga. Bar No. 227556)

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Counsel for the Wind Down Debtors

CERTIFICATE OF SERVICE

I hereby certify that all ECF participants registered in these cases were served electronically with the foregoing Objection through the Court's ECF system at their respective email addresses registered with this Court. The Wind Down Debtors' claims and noticing agent will be filing a supplemental certificate of service on the docket to reflect any additional service of the foregoing document via first-class mail, including the notice parties set forth in the Objection.

Dated: January 30, 2026

GREENBERG TRAUIG, LLP

/s/ David B. Kurzweil

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