

**Fill in this information to identify the case:**Debtor Wellmade Industries MFR. N.A LLCUnited States Bankruptcy Court for the: Northern District of Georgia  
(State)Case number 25-58760**Modified Official Form 410  
Proof of Claim****04/25**

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.**

**Part 1: Identify the Claim**

1. Who is the current creditor?	<u>Pan Wang</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?	<b>Where should notices to the creditor be sent?</b> <u>Pan Wang</u> <u>Aaron Halegua</u> <u>Aaron Halegua, PLLC</u> <u>524 Broadway, 11th Floor</u> <u>New York, NY 10012</u>  Contact phone _____ Contact email <u>ah@aaronhalegua.com</u>  Uniform claim identifier (if you use one): _____	<b>Where should payments to the creditor be sent? (if different)</b>  Contact phone _____ Contact email _____
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	



**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

<b>6. Do you have any number you use to identify the debtor?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:   __ __ __ __
<b>7. How much is the claim?</b> \$ <u>1,184,006.33</u> or more	<b>Does this amount include interest or other charges?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
<b>8. What is the basis of the claim?</b>	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.</p> <p>Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).</p> <p>Limit disclosing information that is entitled to privacy, such as health care information.</p> <p><u>See Appendix</u></p>
<b>9. Is all or part of the claim secured?</b>	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. The claim is secured by a lien on property. <b>Nature or property:</b> <div><input type="checkbox"/> Real estate: If the claim is secured by the debtor's principle residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>.</div><div><input type="checkbox"/> Motor vehicle</div><div><input type="checkbox"/> Other. Describe: _____</div></div> <div><b>Basis for perfection:</b> _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</div> <div><b>Value of property:</b> \$ _____ <b>Amount of the claim that is secured:</b> \$ _____ <b>Amount of the claim that is unsecured:</b> \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)</div> <div><b>Amount necessary to cure any default as of the date of the petition:</b> \$ _____</div> <div><b>Annual Interest Rate</b> (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div>
<b>10. Is this claim based on a lease?</b>	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. <b>Amount necessary to cure any default as of the date of the petition.</b>   \$ _____</div>
<b>11. Is this claim subject to a right of setoff?</b>	<div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Yes. Identify the property: _____</div>



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ No

☒ Yes. Check all that apply:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Amount entitled to priority

\$ \_\_\_\_\_

☐ Up to \$3,800\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ \_\_\_\_\_

☒ Wages, salaries, or commissions (up to \$17,150\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ 17,150.00

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ \_\_\_\_\_

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ \_\_\_\_\_

☐ Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/28 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

☒ No

☐ Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 11/21/2025  
MM / DD / YYYY

/s/Aaron Halegua  
Signature

Print the name of the person who is completing and signing this claim:

Name Aaron Halegua  
First name Middle name Last name

Title \_\_\_\_\_

Company Aaron Halegua, PLLC  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_

Contact phone \_\_\_\_\_ Email \_\_\_\_\_



# Verita (KCC) ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (866) 812-2297 | International (781) 575-4050

<b>Debtor:</b> 25-58760 - Wellmade Industries MFR. N.A LLC		
<b>District:</b> Northern District of Georgia, Atlanta Division		
<b>Creditor:</b> Pan Wang Aaron Halegua Aaron Halegua, PLLC 524 Broadway, 11th Floor New York, NY, 10012 <b>Phone:</b> <b>Phone 2:</b> <b>Fax:</b> <b>Email:</b> ah@aaronhalegua.com	<b>Has Supporting Documentation:</b> Yes, supporting documentation successfully uploaded <b>Related Document Statement:</b>	
	<b>Has Related Claim:</b> No <b>Related Claim Filed By:</b>	
	<b>Filing Party:</b> Authorized agent	
<b>Other Names Used with Debtor:</b>	<b>Amends Claim:</b> No <b>Acquired Claim:</b> No	
<b>Basis of Claim:</b> See Appendix	<b>Last 4 Digits:</b> No	<b>Uniform Claim Identifier:</b>
<b>Total Amount of Claim:</b> 1,184,006.33 or more	<b>Includes Interest or Charges:</b> Yes	
<b>Has Priority Claim:</b> Yes	<b>Priority Under:</b> 11 U.S.C. §507(a)(4): 17,150.00	
<b>Has Secured Claim:</b> No <b>Amount of 503(b)(9):</b> No <b>Based on Lease:</b> No <b>Subject to Right of Setoff:</b> No	<b>Nature of Secured Amount:</b> <b>Value of Property:</b> <b>Annual Interest Rate:</b> <b>Arrearage Amount:</b> <b>Basis for Perfection:</b> <b>Amount Unsecured:</b>	
<b>Submitted By:</b> Aaron Halegua on 20-Nov-2025 10:05:35 p.m. Pacific Time <b>Title:</b> <b>Company:</b> Aaron Halegua, PLLC		

## **APPENDIX**

1. Claimant Pan WANG (“Claimant”) is part of the group of Claimants represented in these proceedings against Debtor Wellmade Floor Coverings International, Inc. and Debtor Wellmade Industries MFR N.A. LLC (together, the “Debtors”) by Aaron Halegua, PLLC and Radford Scott LLP (hereinafter, the “Labor Plaintiffs”).<sup>1</sup>
2. The Debtors acted as a single, integrated enterprise under the applicable laws and are jointly and severally liable for Claimant’s claims.
3. Claimant and numerous other employees (together, the “Visa Workers” and each a “Visa Worker”) were recruited by Debtors to travel from China to the United States to work at Debtors’ factory in Cartersville, Georgia (the “Cartersville Facility”).
4. Claimant’s claims against Debtors, which include personal injury tort and other claims, are set forth in the initiating complaint in the civil matter *Liu, et al. v. Wellmade Industries MFR. N.A. LLC, et al.*, Case No. 4:25-cv-001340-WMR, filed in the U.S. District Court for the Northern District of Georgia (“the Complaint”). A copy of the Complaint has been filed in this matter. (ECF No. 171-1, App. C).<sup>2</sup>
5. The Proofs of Claim being filed on behalf of the other Labor Plaintiffs as well as prior filings in this matter by the Labor Plaintiffs (such as ECF Nos. 171 and 218), including all attached declarations and exhibits, are hereby incorporated into this Proof of Claim.

### **Additional Evidence of Debtors’ Liability**

6. In addition to the facts alleged and exhibits referenced in the Complaint, Claimant also provides the following facts and exhibits that further support the Claimant’s claims and the liability of the Debtors.
7. An example of a cover letter from Debtors to the U.S. Citizenship and Immigration Services (“USCIS”) that accompanied the visa application for Visa Worker Yao Yan has been filed in this matter. (ECF No. 218, Ex. A). The cover letter is on “Wellmade” letterhead; it attests to certain facts regarding Mr. Yan’s employment at the Cartersville Facility, such as job duties and length of the employee’s stay in the United States; and it requests that USCIS issue the visa “on an urgent basis.”

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<sup>1</sup> The Labor Plaintiffs currently include the following individuals, but more may be added: Yucong Liu, Cangen Han, Yixiang Zhang, Yao Yan, Haitao Sun, Shuai Zhang, Nan Liu, Jiansheng Yin, Jiagen Yang, Jingjing Zhang, Yanxi Gao, Weiwei Li, Sijian Jiang, Xianlai Wei, Pan Wang, Wen Chen, Shengda Yu, Shengxiang Yu, Shun Yu, Shunkui Wang, Jinchao Si, Guangshun Xing, Yorman Ojeda Herrera, Marianela Piña Yaguari, and Eglis Almarza Diaz.

<sup>2</sup> Parties in interest may receive electronic copies of these filed pleadings by accessing the Court’s docket or by sending written request by email to Claimant’s counsel, whose name and contact information appears on the Proof of Claim form to which this Appendix is attached.

8. An example of an English-language “Offer of Employment” from the Debtors, on “Wellmade” letterhead, that Debtors required Visa Workers to sign upon starting work at the Cartersville Facility has been filed in this matter. (ECF No. 218, Ex. B).
9. A police report describing an incident wherein Visa Worker Jiagen Yang was forced to call the police in order to have his passport returned by Debtors has been filed in this matter. (ECF No. 171-1, App. A at 31–32).
10. From 2022 to 2024, the Occupational Safety and Health Administration (“OSHA”) initiated at least eight inspections of the Cartersville Facility, which resulted in at least twelve citations against the Debtors, including ten citations for “serious violations.” This data may be accessed by entering “Wellmade” on the “Establishment Search” page of the OSHA website.<sup>3</sup>
11. Two photographs of Visa Worker Yixiang Zhang after he was struck in the face by a machine at the Cartersville Facility have been filed in this matter. (ECF No. 171-1, App. A at 28–29).
12. Two examples of time sheets that Debtors used to record the number of shifts worked by various Visa Workers and other workers have been filed in this matter. (ECF No. 171-1, App. A at 34–36; ECF No. 218, Ex. F). These time sheets show that even Visa Workers’ official schedule involved working a 12-hour shift and only provided one day (or sometimes two days) off per week. The time sheets bear the “Wellmade” logo on them.
13. A screenshot of the activity in Visa Worker Nan Liu’s Bank of America account, accessed on his cell phone, has been filed in this matter. (ECF No. 171-1, App. A at 20). This screenshot shows multiple financial transfers from “Wellmade” to Visa Worker Liu. Similarly, a bank statement from the account of Visa Worker Yixiang Zhang’s Bank of America account has been filed in this matter. (ECF No. 171-1, App. A at 22–26). This statement also shows multiple financial transfers to Visa Worker Zhang from “Wellmade.” These exhibits demonstrate that Debtors were making direct payments to the Visa Workers, not directing them through a staffing agency or other third party.
14. Weiqing Li is a former employee of Debtors who worked as a Mandarin translator for the company. Attached is the Declaration of Weiqing Li, dated November 19, 2025, attesting to, *inter alia*, Debtors’ misrepresentations to USCIS, the confiscation of the Visa Workers’ passports, the long hours they worked, the lack of personal protective equipment, limitations on their movement, and their unsanitary living conditions. (See Exhibit A).

### **Damages**

15. During the time period that Claimant worked for the Debtors, Claimant typically worked six or more days per week and far more than the scheduled 12 hours per day. Yet, Claimant was never paid overtime for his work for Debtors.

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<sup>3</sup> The web address is: <https://www.osha.gov/ords/imis/establishment.html>.

16. Under the Fair Labor Standards Act (“FLSA”), Claimant is entitled to overtime pay in the amount of 150% of his regular rate of pay for each hour worked beyond 40 hours in a workweek. 29 U.S.C. § 207(a)(1).
17. Under the FLSA, because the overtime premium was not timely paid, Claimant is entitled to liquidated damages equal to 100% of the overtime pay owed. 29 U.S.C. § 216(b).
18. To the extent that Claimant performed work for Debtors within 180 days of the petition filed on August 4, 2025, Claimant has a priority claim for all wages earned but not paid (i.e., for all unpaid overtime and liquidated damages) during that period, up to a maximum of \$17,150.
19. Under the Trafficking Victims Protection Reauthorization Act (“TVPRA”), Claimant is entitled to recover economic damages, emotional distress damages, and any other damages incurred as a result of being subjected to forced labor. 18 U.S.C. § 1595(a); *see, e.g., Arreguin v. Sanchez*, 398 F. Supp. 3d 1314, 1326–29 (S.D. Ga. 2019).
20. The economic loss to Claimant as a result of being subjected to forced labor by the Debtors is calculated by determining the amount that he should have been paid minus the amount that Debtors actually paid to Claimant. The unpaid overtime amount based on Claimant’s regular rate of pay that is referenced above is one way to calculate such damages. However, to the extent that the prevailing wage for the work performed exceeds the hourly rate paid to Claimant, the prevailing wage should be used to calculate the compensation owed. *See Ross v. Jenkins*, 325 F. Supp. 3d 1141, 1172 (D. Kan. 2018) (applying prevailing wage rate). These damages may also include any improper wage deductions made by the Debtors or any money that Claimant had to spend for the Debtors’ benefit. These amounts will be calculated after Claimant receives the necessary documents and discovery from the Debtors.
21. Claimant is entitled to emotional distress damages in an amount of at least \$1,000 for each day that Claimant was subjected to forced labor. *See, e.g., Aguilar v. Imperial Nurseries*, No. 3:07-cv-00193, ECF No. 71 (D. Conn. June 2, 2008) (awarding \$3,000 for each day subjected to forced labor); *Ross*, 325 F. Supp. 3d at 1174 (awarding \$800 per day in 2018); *Magnifico v. Villanueva*, No. 9:10-cv-80771, ECF No. 133 (S.D. Fla. Nov. 1, 2012) (awarding \$750 per day in 2012).
22. To the extent Claimant suffered physical or bodily injuries caused by the TVPRA violations, Claimant would be entitled to damages for the pain and suffering, medical costs, and lost income related to those injuries. *Wang v. Gold Mantis Constr. Decoration (CNMI), LLC*, 705 F. Supp. 3d 1190, 1208–15 (D. N. Mar. I. 2021).
23. Based on the violations of the Georgia RICO statute, Claimant is entitled to trebling of the economic damages that he suffered as a result of the Debtors’ activities. O.C.G.A. § 16-14-6(c). Since Claimant’s economic damages were already “doubled” by awarding liquidated damages under the FLSA, Claimant is entitled to receive an additional amount equivalent to one-times the overtime pay owed to him under the Georgia RICO statute. *Ross*, 325 F. Supp. 3d at 1177.

24. Under the TVPRA (and the Georgia RICO statute), Claimant is entitled to an award of punitive damages. The awarding of punitive damages is routine in forced labor and human trafficking cases. *See Ditullio v. Boehm*, 662 F.3d 1091, 1098 (9th Cir. 2011) (“permitting punitive damages is consistent with Congress’ purposes in enacting the TVPA, which include increased protection for victims of trafficking and punishment of traffickers”). In comparable cases, courts have awarded punitive damages in an amount of two-times the amount of the compensatory damages. *See Arreguin*, 398 F. Supp. 3d at 1319, 1329 (awarding punitive damages at a 2:1 ratio with compensatory damages to 13 workers from Mexico who were recruited under false promises, underpaid, and subjected to deplorable conditions). Accordingly, punitive damages here are estimated here by adding the compensatory damages due under the TVPRA (economic damages plus emotional distress damages) and then taking two-times those compensatory damages. However, Claimant reserves the right to adjust this request and seek higher punitive damages.
25. Based on the above, Claimant is entitled to at least the following amounts, although these calculations may be updated or amended, and certain damages must ultimately be determined by a jury.

Claimant Name:	Pan Wang
Dates Worked (Number of Weeks):	8/2024 – 11/2025 (64)*
Unpaid Overtime (FLSA):	\$98,201.27
Liquidated Damages (FLSA):	\$98,201.27
Priority Wage Claim (if any):	\$17,150.00
Economic Losses and Deductions (TVPRA):	to be determined
Emotional Distress Damages (TVPRA):	\$231,000.00
Physical Injury–Related Damages (TVPRA):	to be determined
Treble Economic Damages (Georgia RICO):	\$98,201.27
Punitive Damages (TVPRA; Georgia RICO):	\$658,402.53
Disgorgement of Profits (Georgia RICO):	see below
Attorney’s Fees and Costs:	to be determined
Prejudgment and Post-judgment Interest:	to be determined
<b>Total:</b>	<b>not less than \$1,184,006.33</b>

\*For Claimants who continued working for Debtors after the FBI raid, their TVPRA damages are only calculated through the day of the raid—March 26, 2025. Their FLSA damages are calculated through the date of the Debtors’ bankruptcy petitions, and post-petition administrative claims will be filed for their work after the petition date.

### Disgorgement of Profits

26. Under the Georgia RICO and based on Claimant’s unjust enrichment claim, Claimant is entitled to the remedy of disgorgement of profits. *See, e.g., Brenner v. Future Graphics, LLC*, No. CIVA 106CV-0362-CAP, 2006 WL 6306540, at \*5 (N.D. Ga. Nov. 14, 2006); *Barrientos v. CoreCivic, Inc.*, No. 4:18-CV-70 (CDL), 2023 WL 5538164, at \*2 (M.D. Ga. Aug. 28, 2023); *Watson v. Sierra Contracting Corp.*, 485 S.E.2d 563, 570 (Ga. Ct. App. 1997).



27. Labor Plaintiffs retained FTI Consulting, Inc. (“FTI”) to calculate the appropriate measure of disgorgement of profits damages in this case. Since Debtors did not consent to provide Labor Plaintiffs with the necessary financial information for this calculation, FTI was required to rely upon the limited financial data made available in these proceedings and other publicly-available information.
28. Based on these inputs, FTI determined that Debtors profited an additional amount of approximately \$32.3 million in the period from 2022 to mid-2025 due to the underpayment of their workforce. The methodology employed by FTI is set forth in the declaration of Edith Wong, dated November 20, 2025. (*See* Exhibit B).
29. Labor Plaintiffs reserve the right to revise their calculation of disgorgement of profits damages upon the receipt of further information regarding Debtors’ operations and finances. Additionally, after the Debtors provide the relevant records and data, Labor Plaintiffs will be able to calculate the appropriate portion of these damages attributable to each Claimant or determine an appropriate formula for doing so.

### **Reservation of Rights**

30. Claimant files this Proof of Claim to preserve his/her claim against the Debtors. However, Claimant does not consent to the jurisdiction of the bankruptcy court to adjudicate or estimate his/her claim. Claimant reserves his/her right to jury trial in the district court where the Complaint was filed. Claimant reserves his/her right to amend this Proof of Claim.
31. Notwithstanding the filing of this Proof of Claim, Claimant reserves and asserts his/her right to a jury trial. The Supreme Court has held that a creditor retains his/her Seventh Amendment constitutional right to a jury trial where a matter must be tried by an Article III Court. *Granfinanciera, S.A. v. Nordberg*, 492 U.S. 33, 49 (1989). This claim is the type of action that must be tried by the Article III district court and not the bankruptcy court. 28 U.S.C. § 157(b)(5) (“The district court shall order that personal injury tort and wrongful death claims shall be tried in the district court in which the bankruptcy case is pending, or in the district court in the district in which the claim arose...”). Denying Claimant his/her right to jury trial would be unconstitutional. Moreover, the bankruptcy court is statutorily prohibited from deciding or estimating personal injury tort claims. 11 U.S.C. § 157(b)(2)(B). This claim is centered on the tortious conduct of the Debtors and personal injury to Claimant, and the bankruptcy court does not have jurisdiction to estimate or adjudicate this claim. Claimant reserves his/her right to assert abstention such that his/her claim is heard in the district court where the Complaint was filed. “[T]he district court has the authority to leave tort cases in the courts in which they are pending for liquidation there.” *Citibank v. White Motor Corp. (In re White Motor Corp.)*, 761 F.2d 270, 273 (6th Cir.1985). This authority is based on permissive abstention pursuant to 28 U.S.C. § 1334(c)(1). Permissive abstention, and not mandatory abstention, applies to personal injury tort claims. *In re White Motor Corp.*, 761 F.2d at 273. Subsection 1334(b) provides district courts with “original but not exclusive jurisdiction of all civil proceedings arising under title 11, or arising in or related to cases under title 11.” 28 U.S.C. § 1334(b). Permissive abstention derives from subsection 1334(c)(1) of title 28, which provides, with exceptions not applicable here, that “nothing in this section prevents a district court in the interest of justice,

or in the interest of comity with State courts or respect for State law, from abstaining from hearing a particular proceeding arising under title 11 or arising in or related to a case under title 11.” 28 U.S.C. § 1334(c)(1).

32. The filing of this Proof of Claim is not and should not be construed to be: (a) a waiver or release of any of Claimant’s rights against any other entity or person for all or any part of any claim set forth herein; (b) a waiver of the right to seek to have the reference withdrawn with respect to the subject matter of this Claim or with respect to any objection or other proceeding; (c) a waiver of any right to the subordination, in favor of the Claimant, of indebtedness or liens held by other creditors of the Debtors; (d) an election of remedy which waives or otherwise affects any other remedy of the Claimant, including entitlement to the recovery of attorneys’ fees and costs; (e) a waiver of the Claimant’s right to file a request for payment of administrative expenses under 11 U.S.C. § 503(b); (f) a waiver of a right to trial by jury; or (g) a waiver of a right to pursue any claims through an adversary proceeding..
33. The Claimant reserves the right to amend, modify, or supplement his/her Claim. By filing this Claim, the Claimant intends to provide notice to the Debtors of any and all claims, now known and unknown, as some claims may not be known until discovery is exchanged or further information becomes available. Furthermore, the Claimant asserts any and all of his/her rights and remedies at law, including any and all cross and counter-claims. To the extent it is determined that any claim herein properly lies against any jointly administered entity, the Claimant hereby gives notice of his/her intent that the Claim be deemed filed in any such case against any such entity. The Claimant also reserves the right to assert any portion of the Claim as a secured claim based upon any right to setoff pursuant to 11 U.S.C. § 553. Nothing in the Claim is intended to limit the Claimant’s rights against any third party or any rights they have at law or in equity. The Claimant reserves all rights to further assert and pursue any post-petition administrative claims against the Debtors’ estates.
34. To the extent that the Claimant discovers additional information regarding the Claim, and while noting that Claimant has not yet been afforded the right to any discovery relating to his/her claims, the Claimant hereby expressly reserves any and all rights to amend or supplement his/her Claim as necessary. The Claimant further reserves his/her right to amend this Proof of Claim in any way.