

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

AgFeed USA, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 13-11761 (BLS)

Jointly Administered

Hearing Date: April 30, 2014, at 11:00 a.m. (ET)

Objection Deadline: April 14, 2014, at 4:00 p.m. (ET)

**NOTICE OF OBJECTION**

TO: (I) OFFICE OF THE UNITED STATES TRUSTEE FOR THE DISTRICT OF DELAWARE; (II) COUNSEL TO THE DEBTORS' PREPETITION SECURED LENDERS; (III) COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS; (IV) COUNSEL TO THE OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS; (V) HOLDERS OF THE DISPUTED CLAIMS; AND (VI) ALL PARTIES REQUESTING NOTICE PURSUANT TO BANKRUPTCY RULE 2002 AS OF THE DATE HEREOF.

**PLEASE TAKE NOTICE** that AgFeed USA, LLC and its above-captioned affiliated debtors and debtors in possession (collectively, the "Debtors"), have filed the attached **Debtors' Eighth Omnibus (Substantive) Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and 3007, and Local Rule 3007-1** (the "Objection"). By the Objection, the Debtors object to certain proofs of claim filed in the above-referenced cases and seek to alter your rights by disallowing or modifying your claim. If you disagree with the proposed treatment of your proof of claim, you must timely file a response to the Objection.

**PLEASE TAKE FURTHER NOTICE** that responses to the Objection, if any, must be filed on or before **April 14, 2014, at 4:00 p.m. (ET)** (the "Objection Deadline") with the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 3<sup>rd</sup> Floor, Wilmington, Delaware 19801. At the same time, you must serve a copy of your response upon the undersigned counsel to the Debtors so as to be received on or before the Objection Deadline.

<sup>1</sup> The Debtors and the last four digits of their federal tax identification numbers are: AgFeed USA, LLC (8748), AgFeed Industries, Inc. (7168); TS Finishing, LLC (8748); New York Finishing, LLC (8748); Pork Technologies, LC (2076); New Colony Farms, LLC (9246); Heritage Farms, LLC (8141); Heritage Land, LLC (8129); Genetics Operating, LLC (1921); M2P2 Facilities, LLC (8748); MGM, LLC (8748); M2P2 General Operations, LLC (8748); New Colony Land Company, LLC(5834); M2P2 AF JV, LLC (8748); Midwest Finishing, LLC (8748); and Genetics Land, LLC (1921). The mailing address for the Debtors is 616 Congress Ave., Suite 1280, Austin, Texas 78701.

**PLEASE TAKE FURTHER NOTICE** that responses to the Objection **MUST**, at a minimum, contain the following:

- a. a caption setting forth the name of the Bankruptcy Court, the above-referenced case number and the title of the Objection to which the response is directed;
- b. the name of the claimant and description of the basis for the amount of the claim;
- c. a concise statement setting forth the reasons why a particular claim should not be disallowed for the reasons set forth in the Objection, including, but not limited to, the specific factual and legal bases upon which the claimant will rely in opposing the Objection at the hearing;
- d. all documentation or other evidence of the claim in question, to the extent not already included with the claimant's proof of claim, upon which the claimant will rely in opposing the Objection at the hearing;
- e. the name, address, telephone number, and fax number of the person(s) (which may be the claimant or a legal representative thereof) possessing ultimate authority to reconcile, settle, or otherwise resolve the claim on behalf of the claimant; and
- f. the name, address, telephone number, and fax number of the person(s) (which may be the claimant or a legal representative thereof) to whom the Debtors should serve any reply to the response.

**PLEASE TAKE FURTHER NOTICE THAT A HEARING TO CONSIDER THE OBJECTION WILL BE HELD ON APRIL 30, 2014, AT 11:00 A.M. (ET) BEFORE THE HONORABLE BRENDAN L. SHANNON IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 N. MARKET STREET, 6<sup>TH</sup> FLOOR, COURTROOM #1, WILMINGTON, DELAWARE 19801.**

**PLEASE TAKE FURTHER NOTICE THAT CLAIMS MAY BE OBJECTED TO ON MULTIPLE GROUNDS AND THAT CLAIMANTS SHOULD REVIEW ALL OBJECTIONS THEY RECEIVE TO DETERMINE IF THEIR CLAIM HAS BEEN OBJECTED TO PURSUANT TO MULTIPLE OBJECTIONS.**

**PLEASE TAKE FURTHER NOTICE** that questions about the Objection should be directed to counsel for the Debtors (Ian J. Bambrick, Esq. at (302) 576-3599 or IBambrick@ycest.com). **CLAIMANTS SHOULD NOT CONTACT THE CLERK OF THE COURT TO DISCUSS THE MERITS OF THEIR CLAIMS.**

**PLEASE TAKE FURTHER NOTICE THAT, IF YOU ARE A CLAIMANT AND FAIL TO TIMELY FILE AND SERVE A RESPONSE IN ACCORDANCE WITH THE ABOVE REQUIREMENTS, YOU WILL BE DEEMED TO HAVE CONCURRED WITH AND CONSENTED TO THE OBJECTION AND THE RELIEF REQUESTED THEREIN, AND THE DEBTORS WILL PRESENT TO THE COURT, WITHOUT**

**FURTHER NOTICE TO YOU, AN APPROPRIATE ORDER SUSTAINING THE OBJECTION.**

Dated: March 31, 2014  
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

*Ian J. Bambrick*

Robert S. Brady (No. 2847)

Donald J. Bowman, Jr. (No. 4383)

Robert F. Poppiti, Jr. (No. 5052)

Ian J. Bambrick (No. 5455)

Ashley E. Markow (No. 5635)

1000 N. King Street

Rodney Square

Wilmington, Delaware 19801

Telephone: (302) 571-6600

Facsimile: (302) 571-1253

*Counsel for the Debtors and Debtors in Possession*