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# COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

### IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

IN RE: § Chapter 11

§

PILGRIM'S PRIDE CORPORATION, et al.,

Case No. 08-45664-DML-11

§

Debtors. § Jointly Administered

# NOTICE FROM OFFICIAL COMMITTEE OF UNSECURED CREDITORS TO HOLDERS OF CLASS 7 GENERAL UNSECURED CLAIMS REGARDING CONTRACT RATE POST-PETITION INTEREST

**PLEASE TAKE NOTICE** that the Debtors' Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code (the "Proposed Plan") provides for the payment of postpetition interest to holders of General Unsecured Claims in Classes 7(a)-(g) at the rate called for by a contract between such holder and the Debtors (the "Contract Rate"); **provided**, **however**, that the Contract Rate will only be paid if there is an existing contract between the claim holder and the Debtors which provides for a rate of interest on late or missed payments.

**PLEASE TAKE FURTHER NOTICE** that if you have already filed a proof of claim, and such proof of claim did not attach your contract with the Debtor[s], or your claim was scheduled by the Debtors in the correct amount and you were not required to file a proof of claim, then you **must** file either an amended proof of claim ("Amended Claim") or an original claim ("Claim"), which attaches a copy of your contract with the Debtor[s]. If you file an Amended Claim or a Claim, then you cannot assert or request any amounts other than the

<sup>&</sup>lt;sup>1</sup> The debtors in these cases are PPC; PFS Distribution Company; PPC Transportation Company; To-Ricos, Ltd.; To-Ricos Distribution, Ltd.; Pilgrim's Pride Corporation of West Virginia, Inc.; and PPC Marketing, Ltd (collectively, the "<u>Debtors</u>").

<sup>&</sup>lt;sup>2</sup> Capitalized terms used in this Notice and not defined shall have the meanings ascribed to them in the Proposed Plan.

amounts originally requested in your original proof of claim or scheduled by the Debtors in their official schedules with respect to amounts owing to you.. The Debtors have requested that any such Amended Claims or Claims be filed no later than December 1, 2009. If you do not provide such evidence of a contract interest rate, the rate of post-petition interest payable to you will be fixed by the Court in accordance with the Proposed Plan.

**PLEASE TAKE FURTHER NOTICE** that any and all Amended Claims and Claims must be filed with the Debtors' Claims Agent, at the following address:

Pilgrim's Pride Corporation Claims Processing Center c/o Kurtzman Carson Consultants LLC 2335 Alaska Avenue El Segundo, CA 90245

**PLEASE TAKE FURTHER NOTICE** that if you do not have a contract with the Debtors or if your contract does not provide for a Contract Rate of interest on missed or late payments, then you will be paid interest on your claim at a rate that the Bankruptcy Court determines is necessary in order for your claim to be deemed unimpaired under the Proposed Plan.

Dated: October 23, 2009.

#### ANDREWS KURTH LLP

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COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 23rd day of October, 2009, he transmitted this document to counsel to the Debtors to be served on holders of Class 7 Claims in connection with transmission of the Debtors' Proposed Plan, Disclosure Statement and related documentation.

<u>/s/Jason S. Brookner</u> Jason S. Brookner