

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	
)	Chapter 11
TOYS “R” US, INC., <i>et al.</i> , ¹)	Case No. 17-34665(KLP)
Debtors.)	(Jointly Administered)
)	

**STIPULATION AND AGREED ORDER FURTHER EXTENDING THE
BAR DATE WITH RESPECT TO CERTAIN CLAIMS AND RELATED RELIEF**

The above captioned debtors in the above-captioned chapter 11 cases (the “Debtors”) and Ann Marie Reinhart (“Ms. Reinhart,” and together with the Debtors, the “Parties”), by and through their undersigned counsel, hereby enter into this stipulation and agreed order (this “Stipulation and Order”), and stipulate and agree as follows.

WHEREAS, historically, the Debtors maintained a severance plan for terminated employees (the “Severance Plan”);

WHEREAS, on September 19, 2017, (the “Petition Date”) each of the Debtors filed a voluntary petition with the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”);

WHEREAS, on February 16, 2018, the Debtors’ allege their Health and Welfare Plan Committee terminated the Severance Plan (the “Severance Termination Date”);

WHEREAS, Ms. Reinhart has alleged potential claims arising under the Severance Plan;

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are set forth in the *Order (I) Directing Joint Administration of Chapter 11 Cases and (II) Granting Related Relief* [Docket No. 78]. The location of the Debtors’ service address is One Geoffrey Way, Wayne, NJ 07470.

WHEREAS, the law firm Outten & Golden LLP (“Class Counsel”) represents Ms. Reinhart;

WHEREAS, Ms. Reinhart has requested, and the Parties have agreed to allow Ms. Reinhart, through Class Counsel to file a class proof of claim on behalf of all non-insider employees of the Debtors terminated on or after the Petition Date (the “Employee Class”);

WHEREAS, the Court previously entered the *Stipulation and Agreed Order Extending the Bar Date With Respect to Certain Claims and Related Relief* [Docket No. 3852], the *Stipulation and Agreed Order Further Extending the Bar Date with Respect to Certain Claims and Related Relief* [Docket No. 3911], and the *Stipulation and Agreed Order Further Extending the Bar Date with Respect to Certain Claims and Related Relief* [Docket No. 3971];

WHEREAS, the Parties desire to further extend the deadline and memorialize their agreement in this Stipulation and Order;

NOW, THEREFORE, it is hereby stipulated and agreed to by and among the Parties and, upon this Court’s approval hereof, it shall be found and ordered as follows:

1. Ms. Reinhart, through Class Counsel, is authorized to file a proof of claim on behalf of the Employee Class (the “Severance Claim”) as putative agent and class representative for the Employee Class pursuant to the *Amended Order (I) Setting a Bar Date for Filing Proofs of Administrative Claims Against Certain Debtors, (II) Establishing Administrative Claims Procedures, (III) Approving the Form and Manner of Filing Proofs of Administrative Claims, (IV) Approving Notice of the Administrative Claim Bar Date, and (V) Granting Related Relief* [Docket No. 3260] (the “Administrative Bar Date Order”)² and Rule 3001 of the Federal Rules of

² Capitalized terms used but not otherwise defined herein shall have the meaning set forth in the Administrative Bar Date Order.

Bankruptcy Procedure; *provided* that the Employee Class may be limited to those non-insider employees terminated only after the Severance Termination Date if the Debtors can adequately demonstrate that employees terminated prior to the Severance Termination Date received proper compensation pursuant to the Severance Plan.

2. Notwithstanding anything to the contrary in the Administrative Bar Date Order, in order to explore ideas that potentially lead to the resolution of the Severance Claim, the Severance Claim must be filed so that it is actually received by Prime Clerk by August 28, 2018 at 5:00 p.m., prevailing Eastern Time.

3. The Debtors shall not object to certification of a class or any expedited relief related thereto, including Ms. Reinhart serving as class representative and Outten & Golden LLP serving as class counsel.

4. For the avoidance of doubt, the Parties and all parties in interest in these chapter 11 cases reserve all rights with respect to the allowed amount, if any, of any Severance Claim, and all rights to assert claims and defenses thereto are preserved.

5. The terms and conditions of this Stipulation and Order shall be immediately effective and enforceable upon its entry.

6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Stipulation and Agreed Order.

THIS STIPULATION IS SO ORDERED:

Dated: Aug 14 2018
Richmond Virginia

/s/ Keith L. Phillips
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: Aug 15 2018

Submitted by:

/s/ Jeremy S. Williams

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SEEN AND AGREED:

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CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Jeremy S. Williams