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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: :
: :
CHIYODA AMERICA, INC, : Case No. 09-15059 (AJG)
: Chapter 11 Case
Debtor. :
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NOTICE OF DEADLINE REQUIRING FILING OF PROOFS OF CLAIM (INCLUDING ANY CLAIMS UNDER SECTION 503(B)(9) OF THE BANKRUPTCY CODE)

TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST CHIYODA AMERICA, INC.

The United States Bankruptcy Court for the Southern District of New York has entered an Order establishing (i) October 2, 2009 at 5:00 p.m. (EST) as the last date for each person or entity (including individuals, partnerships, corporations, joint ventures and trusts) to file a proof of claim (including any claims under section 503(b)(9) of the Bankruptcy Code) (“Proof of Claim”) against the Debtor listed above (the “Debtor”) (the “General Bar Date”) And (ii) February 22, 2010 at 5:00 p.m. (EST) as the last date and time for governmental units (as defined in section 101(27) of the Bankruptcy Code) to file Proofs of Claim against the Debtor (the “Government Bar Date” and together with the General Bar Date, the “Bar Dates” or “Bar Date” as may be applicable)

The Order, the Bar Dates and the procedures set forth below for filing Proofs of Claim apply to all claims against the Debtor that arose prior to August 19, 2009, the date on which the Debtor commenced its case under chapter 11 of the United States Bankruptcy Code (the “Filing Date”), except for those holders of the claims listed in Section 4 below that are specifically excluded from the applicable Bar Date filing requirement.

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a Proof of Claim to vote on a Chapter 11 plan filed by the Debtor or to share in distributions from the Debtor's bankruptcy estate if you have a claim that arose prior to the Filing Date, and it is not one of the types of claim described in Section 4 below. Claims based on acts or omissions of the Debtor that occurred before the Filing Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Filing Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word "claim" means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

2. **WHAT TO FILE**

The Debtor is enclosing a Proof of Claim form for use in this case; if your claim is scheduled by the Debtor, the form also sets forth the amount of your claim as scheduled by the Debtor, and whether the claim is scheduled as disputed, contingent or unliquidated. You may utilize the proof of claim form provided by the Debtor to file your claim. Additional Proof of Claim forms may be obtained by contacting the Claims and Noticing Agent, The Garden City Group at the following address, telephone number or e-mail address:

The Garden City Group, Inc.
Attn: Chiyoda America, Inc. Claims Processing
5151 Blazer Parkway, Suite A
Dublin, Ohio 43017
Tel: 631-470-5000
E-mail: CAIREorg@gardencitygroup.com

All Proof of Claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. It must be written in English and be denominated in United States currency. You should attach to your completed Proof of Claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

3. **WHEN AND WHERE TO FILE**

Except as provided for herein, all proofs of claim must be filed so as to be received **on or before** the applicable Bar Date at the following address:

IF BY OVERNIGHT DELIVERY or HAND DELIVERY TO:

The Garden City Group, Inc.
Attn: Chiyoda America, Inc. Claims Processing
5151 Blazer Parkway, Suite A
Dublin, Ohio 43017

IF BY STANDARD MAILING TO:

The Garden City Group, Inc.
Attn: Chiyoda America, Inc. Claims Processing
P.O. Box 9531
Dublin, Ohio 43017-4831

IF BY HAND DELIVERY TO:

United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

Proofs of Claim will be deemed timely filed only if **actually received** by Garden City or the United States Bankruptcy Court (by hand delivery) on or before the applicable Bar Date. Proofs of Claim may **not** be delivered by facsimile, telecopy or electronic mail transmission.

4. WHO NEED NOT FILE A PROOF OF CLAIM

You do **not** need to file a proof of claim on or prior to the Bar Date if you are:

- a. A person or entity that has already filed a proof of claim against the Debtor with the Clerk of the Bankruptcy Court for the Southern District of New York in a form substantially similar to Official Bankruptcy Form No. 10;
- b. A person or entity whose claim is listed on the Schedules if (i) the claim is not scheduled as “disputed,” “contingent,” or “unliquidated” and (ii) you do not disagree with the amount, nature and priority of the claim as set forth in the Schedules;
- c. A holder of a claim that has previously been allowed by order of the Court;
- d. A holder of a claim that has been paid in full by the Debtor;

- e. A holder of a claim for which a specific deadline has previously been fixed by this Court;
- f. A holder of a claim allowable under § 503(b) and § 507(a)(2) of the Bankruptcy Code as an expense of administration of the Debtor' estate; provided, however, that creditors asserting a claim under § 503(b)(9) are required to file a Proof of Claim on or before the General Bar Date. Section 503(b)(9) provides in part as follows: “. . .there shall be allowed administrative expenses . . . (9) the value of any goods received by the debtor within 20 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of such debtor's business.” Accordingly, if you have a claim under section 503(b)(9) of the Bankruptcy Code, you must file a proof of claim on or before the General Bar Date;
- g. Any person or entity that holds a claim solely against any of the Debtor's non-Debtor affiliates.

If you are a holder of an equity interest in the Debtor, you need not file a proof of interest with respect to the ownership of such equity interest at this time. However, if you assert a claim against the Debtor, including a claim relating to such equity interest or the purchase or sale of such interest, a proof of such claim must be filed on or prior to the applicable Bar Date pursuant to procedures set forth in this Notice.

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtor but may not have an unpaid claim against the Debtor. The fact that you have received this Notice does not mean that you have a claim or that the Debtor or the Court believes that you have a claim against the Debtor.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you have a claim arising out of the rejection of an executory contract or unexpired lease as to which the order authorizing such rejection is dated on or before August 19, 2009, the date of entry of the Order, you must file a proof of claim by the applicable Bar Date. Any person or entity that has a claim arising from the rejection of an executory contract or unexpired lease, as to which the order is dated after the date of entry of the Order, you must file a Proof of Claim with respect to such claim by the date fixed by the Court in the applicable order authorizing rejection of such contract or lease.

6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXCEPTED FROM THE REQUIREMENTS OF THIS ORDER, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM WILL BE BARRED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTOR AND ITS CHAPTER 11 ESTATE, FROM VOTING ON ANY PLAN OF REORGANIZATION FILED

IN THIS CASE, AND FROM PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTOR'S CASE ON ACCOUNT OF SUCH CLAIM.

7. THE DEBTOR'S SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against the Debtor in the Debtor's Schedules of Assets and Liabilities and/or Schedules of Executory Contracts and Unexpired Leases (collectively, the "Schedules").

To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed Proof of Claim forms regarding the nature, amount, and status of your claim(s). If you received postpetition payments from the Debtor (as authorized by the Court or the Bankruptcy Code) on account of your claim, the enclosed Proof of Claim form will reflect the net amount of your claims.

If you rely on the Debtor's Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules however, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent or unliquidated.

As set forth above, if you agree with the nature, amount and status of your claim as listed in the Debtor's Schedules, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a Proof of Claim. Otherwise, or if you decide to file a Proof of Claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Debtor's Schedules may be obtained on the CAI Reorganization Website at www.CAIReorg.com or by written request to Debtor's Claims Agent at the following address, telephone number or e-mail address:

The Garden City Group, Inc.
Attn: Chiyoda America, Inc.
P.O. Box 9531
Dublin, OH 43017-4831
Tel: 631-470-5000
E-mail: CAIReorg@gardencitygroup.com

Copies of the Debtor's Schedules are also available for inspection on the Court's Internet Website at <http://www.nysb.uscourts.gov>. A login and password to the Court's Public Access to Electronic Court Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules may also be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, Room 511, New York, New York 10004-1408.

A holder of a possible claim against the Debtor should consult an attorney regarding any matters not covered by this notice, such as whether the holder should file a proof of claim.

Dated: New York, New York
August 25, 2009

BY ORDER OF THE COURT

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