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*Counsel for CFB Liquidating Corporation, f/k/a Chicago Fire
11 Brick Company, and WFB Liquidating Corporation, f/k/a
Wellsville Firebrick Company*
12

13 **IN THE UNITED STATES BANKRUPTCY COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **OAKLAND DIVISION**

16 **In re**

17 **CFB LIQUIDATING CORPORATION,**
18 **f/k/a CHICAGO FIRE BRICK CO., an**
Illinois Corporation, et al.,

19 **Debtors.**

Case No. 01-45483 RLE

Chapter 11

Jointly Administered

Hon. Roger L. Efremsky

20
21 **DECLARATION OF JEREMY C.**
22 **KLEINMAN IN SUPPORT OF**
23 **BALLOT TABULATION**
24 **REPORT**
25

1 I, Jeremy C. Kleinman, declare as follows:

2 1. The following facts are within my personal knowledge unless otherwise stated. If
3 called to testify as a witness with regard to the statements set forth below, I could and would
4 competently testify thereto.

5 2. I am an attorney at law, duly licensed to practice in the state of Illinois.

6 3. I am an associate at the law firm of FrankGecker LLP (“FG”), special counsel to CFB
7 Liquidating Corporation f/k/a Chicago Fire Brick Company (“CFB”) or WFB Liquidating
8 Corporation f/k/a Wellsville Fire Brick Company (“WFB” and, together with CFB, the “Debtors”).

9 4. Pursuant to the Order: (I) Approving The Debtor’s Disclosure Statement With
10 Respect To The Joint Chapter 11 Plan Of CFB Liquidating Corp., f/k/a Chicago Fire Brick Company,
11 and WFB Liquidating Corp., f/k/a Wellsville Fire Brick Company, As Modified; (II) Setting Hearing
12 on Confirmation Of The Debtors’ Proposed Plan and (III) Setting Deadlines And Approving
13 Procedures, Forms Of Notice And Ballots Relating Thereto (the “Solicitation Procedures Order”),
14 creditors with claims classified in classes 3 and 4 under the Joint Chapter 11 Plan Of CFB
15 Liquidating Corp., f/k/a Chicago Fire Brick Company, and WFB Liquidating Corp., f/k/a Wellsville
16 Fire Brick Company, As Modified (the “Plan”) that wished to vote to accept or reject the Plan were
17 directed to send their individual ballots or master ballots to the Debtors in care of FG so that they
18 were received on or before August 23, 2012 (the “Voting Deadline”) at the following address:

19 FrankGecker LLP
20 325 North LaSalle Street, Suite 625
21 Chicago, Illinois 60654
22 Attn: CFB/WFB Balloting

23 5. I personally inspected each and every ballot received and maintain a file containing
24 these ballots.

25 6. Pursuant to the Solicitation Procedures Order and the solicitation procedures
26 approved therein, law firms representing multiple claimants in class 3 or class 4 were provided a
27 master ballot (the “Master Ballot”) to vote on behalf of the claimants they represent and were
28 instructed to inform FG in writing of any individual Class 3 or Class 4 Claimants represented by that
law firm, but on whose behalf the law firm was not authorized to cast a vote on the Plan. FG did not

1 receive any written notices from any law firm identifying individual claimants on whose behalf the
2 law firm was not authorized to vote.

3 7. On or before the Voting Deadline, I received Master Ballots submitted by three law
4 firms on behalf of Class 3 Claimants. The firms submitting Master Ballots were as follows: Goldberg
5 Persky White, P.C., submitting a Master Ballot on behalf of 2,196 Class 3 Claimants; Cascino
6 Vaughan Law Offices, Ltd., submitting a Master Ballot on behalf of 400 Class 3 Claimants; and
7 Zamler, Mellen & Shiffman, P.C. submitting a Master Ballot on behalf of 1,778 Class 3 Claimants.
8 All of the Class 3 Claimants on whose behalf a Master Ballot was submitted voted to accept the Plan.

9 8. On or before the Voting Deadline, I received Master Ballots submitted by three law
10 firms on behalf of Class 4 Claimants. The firms submitting Master Ballots were as follows: Goldberg
11 Persky White, P.C., submitting a Master Ballot on behalf of 219 Class 4 Claimants; Cascino Vaughan
12 Law Offices, Ltd., submitting a Master Ballot on behalf of 72 Class 4 Claimants; and Motley Rice,
13 LLC, submitting a Master Ballot on behalf of 373 Class 4 Claimants. All of the Class 4 Claimants
14 on whose behalf a Master Ballot was submitted voted to accept the Plan.

15 9. FG did not receive any Individual Ballots voting on the Plan.

16 10. FG has counted and included all votes contained in the Master Ballots and has not
17 excluded or sought disallowance of any of the votes cast.

18 11. None of the Master Ballots received by FG have been withdrawn or superseded by
19 amending individual ballots or Master Ballots.

20 I declare under penalty of perjury in accordance with the laws of the United States of America
21 that the foregoing is true and correct and that this Declaration was executed on the 30th day of
22 August, 2012, at Chicago, Illinois.

23 _____
24 */s/ Jeremy C. Kleinman*