

FREQUENTLY ASKED QUESTIONS

Q: What is the Creditors' Committee and who are the Committee members?

A: The Committee is a group of eleven (11) voucher holders. The Committee was randomly selected by the Office of the United States Trustee (a division of the United States Department of Justice) and appointed by the United States Bankruptcy Court. The Committee was appointed in order to act in the collective interests of all voucher holders in this case and to give the voucher holders a voice in the bankruptcy process.

Q: What is Fulbright & Jaworski's role?

A: Fulbright is the law firm that represents the Committee in the bankruptcy case and assists the Committee in achieving its goals. Fulbright does not represent the individual voucher holders and cannot give you legal advice. Fulbright is, however, available to provide you with information and to answer non-legal questions.

Q: Who represents the Debtor?

A: The Debtor is an English business trust and the trustees all reside in the United Kingdom. In November of 2005, the High Court in London appointed two receivers – David Rubin and Henry Lan – to take control of the Debtor and its assets for the benefit of creditors and to commence the chapter 11 case in the United States Bankruptcy Court. The receivers are licensed insolvency professionals in the United Kingdom and have retained the law firms of Lawrence Graham in the United Kingdom and Katten Muchin Rosenman LLP in the United States to assist them with the receivership and the chapter 11 case.

Q: How can I find out if my proof of claim has been filed with the Bankruptcy Court?

A: The Debtor has hired Bankruptcy Services, LLC to work with the Bankruptcy Court to process all of the claims filed in this case. Bankruptcy Services maintains a website which provides a list of all claims filed and electronic copies of the actual claim. The website is located at <http://schedule.bsillc.com>. You must first review and click the acknowledgement of Bankruptcy Service's disclaimer at the bottom of the cover screen. Next you must select the client, which is identified in our case as "The Consumers Trust." Please note that the client includes the word "The" and is listed under the letter "T", not the letter "C". Thereafter, the website asks you to select what type of search you would like to perform. We suggest that you perform a search by typing in your last name and that you click the "Search Text: Contains" option. You must thereafter click the "Perform Search" at the bottom of the screen. The program will then show all of the claims filed under the name you submitted. Simply scroll through the names to find your claim. Bankruptcy Services provides the claim number, the date the claim was filed, the amount of the claim, as well as a link to an electronic copy of the actual claim which you may print or save for your records.

Of course, if you have any difficulty accessing the Bankruptcy Services website, Fulbright is available to search and obtain a copy of the claim for you. Just send an email requesting help to the Committee's website and we will try to help you as soon as possible.

Q: I never received notice of the filing of the Debtor's bankruptcy, is it too late to file a claim?

A: You must file a proof of claim with the Bankruptcy Court in order to be eligible to receive a distribution under the Bankruptcy estate. A proof of claim form and court-approved instructions on how to complete and file the document with the Bankruptcy Court are included on the Committee's website at the links labeled [Proof of Claim Form](#) and [Proof of Claim Form Instructions](#). If you are unable to access these documents from the website, you can contact Fulbright. There is a section on the right upper hand side of the proof of claim that asks if you have never received notice of this case, which you should complete. While the time has expired to file a proof of claim, you should file the claim anyway. It will be considered a late claim. The Debtor, the Committee and the Court will have to consider in the future how to treat the late-filed claims and if there an objection to your claim **for any reason**, you will be sent written notice of the objection and given the opportunity to respond in writing and be heard by the Court if you believe the objection is not appropriate. The Committee will also endeavor to post hearing notices on the website, although its failure to do so will not relieve you of an obligation to respond if you disagree with any claim objection you receive written notice of. The website is a convenience provided for the benefit of creditors to provide information, but it is not an official Bankruptcy Court website. While we intend and will attempt to insure that the information provided on the website is accurate, the Committee and Fulbright are not responsible or liable to you for errors.

Q: I have moved since the filing of my proof of claim, what should I do?

A: You should file an amended proof of claim with the Bankruptcy Court which includes your new address. On the right side of the proof of claim you should indicate that the new claim amends your prior claim and you must include the claim number of your initial claim. Furthermore, you should provide Fulbright, through the Committee's website, with your new address. We will forward your information to the Debtor so that they can note the change of address in their records as well.

Q: I heard that the Debtor has terminated all of the vouchers, does this mean that the Debtor does not have to pay me?

A: Early in this case, the Court approved the Debtor's motion to reject all of the contracts it holds in the form of vouchers that had not yet matured. The Debtor sought to do so because it did not have sufficient money to continue the program and did not believe it would be fair to selectively honor properly redeemed vouchers that happened to mature earlier than others. The Court approved the Debtor's duty to perform under the voucher contracts. However, at the same time that rejection led to a rejection damage claim for voucher holders in the amount of the voucher due to the Debtor's breach of contract when it rejected the voucher. Simply put, you still have the right to claim the same amount you were owed before the contract was rejected except you do not have to (and should not) go through the elaborate redemption procedures – you must, however, file a proof of claim with the Court.

Q: I believe that the merchant that sold me the product with my voucher owes me money as well, what should I do?

A: Any rights that you have relating to merchants are separate and not part of the Debtor's bankruptcy. The Committee and the Debtor cannot give you legal advice as to your rights, if any, against your merchant. You should seek the advice of an attorney who practices in the State where you purchased the product in order to determine your rights.

Q: Do I have any chance of receiving any of my money back?

A: A pro rata distribution will eventually be issued by the Debtor to the holders of valid voucher holders who filed allowed claims. At the time of the filing, the Debtor had approximately \$8 million in its trust account. Furthermore, the liquidation of the property of the estate will likely result in the recovery of more funds. Once the proofs of claim have been reviewed and the Bankruptcy Court approves a Plan, a distribution will be made to voucher holders.

Q: What is the current status of the case?

A: A plan of distribution has not yet been submitted by the Debtor and we do not expect a distribution to be made this year as the creditors of the Debtor (including voucher holders) must vote on any submitted plan which will eventually be filed. A plan has not yet been filed, as all of the assets of the estate have not yet been recovered. Furthermore, all of the proofs of claim must be reviewed to establish their validity. To date, approximately 30,000 proofs of claim have been filed.

The Committee and the receivers are presently concluding their discovery investigation of the Debtor, the trustees and other participants who were involved in the rebate programs, as well as former lawyers for the Debtor. This investigation was necessary to determine what assets exist for the benefit of creditors. The investigation took longer than expected due to the large volume of documentation involved (exceeding 50,000 pages) and by the fact that many key parties are located in the United Kingdom, which has different discovery laws than the United States. We expect to conclude our investigation in the very near future. Thereafter, suits may be brought to recover assets which we believe to be property of the bankruptcy estate, and thus, part of the funds available for distribution to creditors. We must note that litigation is often a lengthy process and we cannot be certain when all such suits will be resolved or whether litigation will be successful.

Q: Why have I not received any further correspondence or notices regarding this case?

A: Prior to the commencement of the bankruptcy case, the Debtor issued approximately 70,000 vouchers in the United States and Canada. Every voucher holder is equally entitled to receive service of any notice in the Bankruptcy Case. A one (1) page document mailed to all of the voucher holders would cost the estate close to \$60,000 in postage, copying and mailing costs. Accordingly, we have been reluctant to send notice to all voucher holders for every event to avoid needlessly reducing the funds otherwise available for distribution to voucher holders. As the case progress beyond the discovery phase and moves towards plan confirmation and claim resolution, you will see more notices posted on the Committee's website and will likely receive mailings as well.

Q: Should I submit my voucher and other required documents to the Debtor when the 3-year anniversary of the issuance of my voucher occurs?

A: Absolutely not. The Bankruptcy Judge ordered that the only thing that voucher holders need to do is to file a proof of claim with the Bankruptcy Court. The submission of your voucher puts you at risk as some of the documents required by the redemption process contain very confidential personal information and there is some small chance that those documents could be lost in the mail and obtained by someone who could use that information to your financial detriment. Furthermore, counsel for the Debtor is the party that receives those submissions and there is a cost for the processing and return of those documents to the voucher holder, which diminishes the amount of funds available for distribution. Please do not submit your voucher and other documents, only file a proof of claim with the Court.