

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> Case Number: 2024CV30763  Division/Courtroom:
<p><b>Plaintiffs:</b>          ROSS BERMAN, JASON H. KARP, IMJ I LLC, a Delaware limited liability company, RACHEL FARBER REVOCABLE TRUST, STEPHEN FARBER REVOCABLE TRUST, AND RED CLOUD CAPITAL, LLC, a Connecticut limited liability company,          v.  <b>Defendants:</b>          BELLROCK BRANDS INC., a British Columbia corporation, BRB DB HOLDINGS, INC., a Delaware corporation, BRB MARY'S HOLDINGS CORP., a Delaware corporation, DIXIE BRANDS (USA) INC., a Delaware corporation, MARY'S OPERATIONS, LLC, a Colorado limited liability company, MARY'S PETS, LLC, a Colorado limited liability company, MARY'S NUTRITIONALS, LLC, a Colorado limited liability company, DB FINANCE NEVADA, LLC, a Nevada limited liability company, and DB OKLAHOMA, LLC, a Colorado limited liability company.</p>	
<b>CLAIM FORM – TREVOR GALLUP</b>	

The undersigned Claimant, Trevor Gallup, through his counsel, hereby asserts a claim against one of the above- captioned Defendants (also known as “Receivership Defendants”) as follows:

1. Amount of Claim as it existed on March 25, 2024.

Claim is asserted against: Bellrock Brands Inc., a British Columbia corporation; BRB DB Holdings, Inc., a Delaware corporation; BRB Mary's Holdings Corp., a Delaware corporation; Dixie Brands (USA) Inc., a Delaware corporation; Mary's Operations, LLC, a Colorado limited liability company; Mary's Pets, LLC, a Colorado limited liability company; Mary's Nutritionals, LLC, a Colorado limited liability company; DB Finance, Nevada, LLC, a Nevada limited

liability company; and DB Oklahoma, LLC, a Colorado limited liability company.

Actual damages:	\$ <u>Initial face amount of \$3,490,235.00, of which at least \$2,664,648.00 plus accrued interest remains unpaid as of Note's stated maturity date of May 13, 2024</u>
Consequential and other damages, if any:	\$ <u>To be determined</u>
Interest, if any:	\$ <u>To be determined</u>
Attorneys' fees and costs, if any:	\$ <u>To be determined</u>
Other:	\$ <u>To be determined</u>
TOTAL:	\$ <u>To be determined</u>

2. The foregoing claim arose on or about May 2019, and is based upon the following events:

See attached Joint Amended Complaint in Intervention, Third-Party Complaint in Intervention, and Jury Demand, including exhibits, filed in the above referenced case on June 27, 2024, and incorporated herein. Based on the facts and claims set forth therein, Gallup also claims that Gallup Agreement (as defined therein) must be rescinded and all assets in the Receivership Estate acquired under or traceable to the Gallup Agreement and/or the Honderd Agreement must be returned to Gallup and Honderd. Based on the facts set forth in the Joint Amended Complaint, Gallup also claims that the security interests given to the Plaintiff group, to the High Street group, and to all other secured creditors whose security interests were granted after the Gallup Agreement must be vacated as fraudulent transfers. These issues will be adjudicated in a hearing pursuant to the Court's order prior to the determination of Gallup's claim in the receiver's claims administration process.

**DOCUMENTS SUPPORTING THE CLAIM MUST BE ATTACHED TO THIS CLAIM FORM. IF SUPPORTING DOCUMENTATION IS NOT AVAILABLE, YOU MUST ATTACH AN EXPLANATION OF WHY THE DOCUMENTATION IS UNAVAILABLE.**

3. This claim is (select one):

unsecured; OR,

secured by the following collateral or security:

Gallup disputes that his claim should be classified as unsecured and subordinated, and he has moved for rescission of the Gallup Agreement. All assets in the Estate acquired under or traceable to the Gallup Agreement must be returned to Gallup and Hondred. To this extent, Gallup has priority over all other claimants and creditors to these assets. Gallup also asserts that all subsequent secured creditors'

security interests were improperly obtained and must be avoided as fraudulent transfers. These issues will be adjudicated in a hearing pursuant to the Court's order prior to the determination of Gallup's claim in the receiver's claims administration process.

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4. If the claim is secured, please identify the location of all collateral:

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5. If the claim includes interest, please specify each of the reasons for such interest and the rate thereof (e.g. contract, statute, etc.):

Interest is accruing at either the statutory pre- and post-judgment interest rate if Claimant is awarded rescission of his Note at the scheduled hearing adjudicating his claims in this proceeding, or, at the rate set forth in the Gallup Note and Agreement, which is 7%.

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6. The nature and value of any offset or counterclaim (*i.e.*, money or property that you owe Defendants or the Estate, or any claims that Defendants or the Estate may have against you):

None.

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7. If you are currently represented by an attorney, please complete the following:

FOSTER GRAHAM MILSTEIN AND CALISHER, LLP

John A. Chanin

Katherine A. Roush

Julie M. Behrman

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CLAIMANT HEREBY CERTIFIES THAT IT HAS DISMISSED ANY OTHER PENDING SUITS OR PROCEEDINGS IT HAS COMMENCED AGAINST ANY AND ALL RECEIVERSHIP DEFENDANTS, OR ANY OF THEM, OR THE RECEIVERSHIP ESTATE AND THAT IT WILL NOT FILE (OR RE-FILE) ANY SUIT OR PROCEEDING IN ANOTHER FORUM WITHOUT THE RECEIVER'S PERMISSION OR LEAVE OF THIS COURT.

8. I hereby certify and attest, under the penalty of perjury, that the information contained in the foregoing Claim Form is true and correct:

/s/ Trevor Gallup  
Claimant Signature

Trevor Gallup  
Name of Claimant (Please print)

c/o Foster Graham Milstein & Calisher, LLP

Dated: August 8, 2024.

**IMPORTANT: A FULLY COMPLETED AND SIGNED CLAIM FORM WITH ALL SUPPORTING DOCUMENTATION MUST BE RECEIVED AT THE ADDRESS BELOW NO LATER THAN THE CLAIMS BAR DATE OR UNKNOWN CLAIMANT BAR DATE, AS APPLICABLE. REFER TO THE NOTICE YOU RECEIVED TO DETERMINE THE APPLICABLE CLAIMS BAR DATE OR UNKNOWN CLAIMANT BAR DATE.**

Claim forms submitted by hand delivery, courier, email (as an attachment in portable document format (.pdf)), facsimile or U.S. mail addressed to:

West 4th Holdings, LLC  
c/o Jordan Factor, Esq.  
Allen Vellone Wolf Helfrich & Factor, P.C.  
1600 Stout Street, Suite 1900  
Denver, Colorado 80202  
Tel. No. (303) 534-4499  
Fax No. (303) 893-8332  
Email: [jfactor@allen-vellone.com](mailto:jfactor@allen-vellone.com)

Please note that your Claim must be legible, written in English and denominated in United States currency.

**Any Claimant who is required to submit a Proof of Claim, but fails to**

do so in a timely manner or in the proper form, will be: (a) barred, estopped, and enjoined to the fullest extent allowed by applicable law from asserting, in any manner, such Claim against the Receiver, the Receivership Defendants and their respective estates or property, (b) not be permitted to object to any distribution plan proposed by the Receiver on account of such Claim, (c) be denied any distributions under any distribution plan implemented by the Receiver on account of such Claim, and (d) not receive any further notices on account of such Claim. Further, the Receivership Defendants will be discharged from any and all indebtedness or liability with respect to such Claim.