

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

District of Delaware

Case number (if known): \_\_\_\_\_ Chapter 15

☐ Check if this is an amended filing**Official Form 401****Chapter 15 Petition for Recognition of a Foreign Proceeding**

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name Moncy Holding Company, Inc.

2. Debtor's unique identifier

**For non-individual debtors:**☒ Federal Employer Identification Number (EIN) 3 5 - 2 5 3 6 7 5 5☐ Other \_\_\_\_\_. Describe identifier \_\_\_\_\_.**For individual debtors:**☐ Social Security number: xxx - xx- \_\_\_\_☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - \_\_\_\_☐ Other \_\_\_\_\_. Describe identifier \_\_\_\_\_.

3. Name of foreign representative(s)

Maxime Codère

4. Foreign proceeding in which appointment of the foreign representative(s) occurred

CCAA Proceeding - Superior Court - Commercial Division in the District of Montreal

5. Nature of the foreign proceeding

**Check one:**

- ☒ Foreign main proceeding
- ☐ Foreign nonmain proceeding
- ☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☒ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.
- ☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.
- ☐ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.
- \_\_\_\_\_
- \_\_\_\_\_

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)
- ☒ Yes

Debtor Moncy Holding Company, Inc.  
Name

Case number (if known) \_\_\_\_\_

**8. Others entitled to notice**

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

**9. Addresses**

**Country where the debtor has the center of its main interests:**

Canada

**Debtor's registered office:**

160 Greentree Dr., Suite 101

Number Street

P.O. Box

Dover, DE 19904

City State/Province/Region ZIP/Postal Code

USA

Country

**Individual debtor's habitual residence:**

**Address of foreign representative(s):**

600, De Maisonneuve ouest, Bureau 1500

Number Street

Number Street

P.O. Box

P.O. Box

Montréal Québec H3A 0A3

City State/Province/Region ZIP/Postal Code

City State/Province/Region ZIP/Postal Code

Canada

Country

Country

**10. Debtor's website (URL)**

www.kpmg.com/ca/motovan

**11. Type of debtor**

Check one:

☐ Non-individual (check one):

☒ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☐ Other. Specify: \_\_\_\_\_

☐ Individual

Debtor Moncy Holding Company, Inc. Case number (if known) \_\_\_\_\_  
Name

12. Why is venue proper in this district?

Check one:

- ☐ Debtor's principal place of business or principal assets in the United States are in this district.  
☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:

☒ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:  
the Debtor is organized in Delaware

13. Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

X [Signature] Maxime Codère, Partner  
 Signature of foreign representative Printed name

Executed on 12/19/2019  
 MM / DD / YYYY

X \_\_\_\_\_  
 Signature of foreign representative Printed name

Executed on \_\_\_\_\_  
 MM / DD / YYYY

14. Signature of attorney

X [Signature] Date 12/19/2019  
 Signature of Attorney for foreign representative MM / DD / YYYY

R. Stephen McNeill

Printed name

Potter Anderson & Corroon LLP

Firm name

1313 N. Market Street, Sixth Floor

Number Street

Wilmington

City

DE

State

19801

ZIP Code

(302) 984-6000

Contact phone

rmcneill@potteranderson.com

Email address

5210

Bar number

DE

State

**VERIFICATION**

Pursuant to 28 U.S.C. § 1746, Maxime Codère declares as follows:

I am a Partner and duly authorized agent of KPMG, Inc. which was appointed as the foreign representative of Motorcycle Tires & Accessories LLC, Moncy Holding Company, Inc., Moncy Financial Services Company, Inc., Moncy LLC and Nichols Motorcycle Supply, Inc. by the Superior Court in Commercial Division in the District of Montreal. I have full authority to verify the foregoing Chapter 15 Petition for Recognition of a Foreign Main Proceeding, and am informed and do believe that the allegations contained therein are true and accurate to the best of my knowledge, information, and belief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 19<sup>th</sup> day of December 2019



\_\_\_\_\_  
Maxime Codère, on behalf of KPMG, Inc., in its capacity as the court-appointed monitor and duly authorized foreign representative of the Debtors

**Exhibit 1****PENDING OR CONCURRENT BANKRUPTCY CASES FILED  
BY THE DEBTORS AND ITS AFFILIATES**

On the date hereof, each of the affiliated entities listed below (including the debtors in these chapter 15 cases) filed a voluntary petition for relief under title 15 of the United States Code in the United States Bankruptcy Court for the District of Delaware. A motion is being filed with the Court requesting that the chapter 15 cases of these entities be jointly administered for procedural purposes only. Additional detail regarding the relationship of each debtor is set forth in the corporate ownership statement, filed contemporaneously herewith.

<b>Entity Name</b>	<b>Relationship</b>	<b>Case Number</b>	<b>Judge</b>
Moncy Holding Company Inc.	Debtors' parent company	Not yet assigned	Not yet assigned
Moncy LLC	Direct subsidiary of Moncy Holding Company Inc.	Not yet assigned	Not yet assigned
Moncy Financial Services Company Inc.	Direct subsidiary of Moncy Holding Company Inc.	Not yet assigned	Not yet assigned
Nichols Motorcycle Supply Inc.	Direct subsidiary of Moncy Holding Company Inc.	Not yet assigned	Not yet assigned
Motorcycle Tires & Accessories LLC	Direct subsidiary of Nichols Motorcycle Supply Inc.	Not yet assigned	Not yet assigned