

K009316

Obchodné meno/Názov/Meno a priezvisko dlžníka/úpadcu: Slovpex, a.s.

Sídlo/Bydlisko dlžníka/úpadcu: Bziny 219 / 0, 026 01 Dolný Kubín

IČO/Dátum narodenia dlžníka/úpadcu: 31 625 509

Obchodné meno správcu: Origon Recovery Solutions, k.s.

Sídlo správcu: Murgašova 3, 040 01 Košice

Spisová značka správcovského spisu: 10R/2/2024 S2082

Príslušný konkurzný súd: Okresný súd Žilina

Spisová značka súdneho spisu: 10R/2/2024

Druh podania: Iné zverejnenie

File no.: **10R/2/2024** (District Court Žilina)

Administrator's mark: S2082

Mobile: +421 911 020 090

e-mail: info@origonrecovery.com

In Košice, on **24.02.2025**

Handler d.o.o.

Stenica 5a

3205 Vitanje

Slovenia

(hereinafter referred to as the „**Creditor**“)

Subject: Notification of denial of claim

Madam / Sir,

The District Court of Žilina by resolution dated 18.12.2024, file no. 10R/2/2024, which was published in the Commercial Gazette No. 249/2024 on 27.12.2024, (hereinafter also referred to as the “Resolution”), authorised the restructuring of the Slovpex, a.s. commercial company, with registered office at Bziny 219, 026 01 Dolný Kubín, ID No.: 31 625 509 (hereinafter also referred to as the “Debtor”) and appointed our company Origon Recovery Solutions, k.s. (hereinafter also referred to as the “Trustee”) as the administrator.

As a Creditor, you have filed claims in the Debtor's restructuring, which have been entered by the Administrator in the Claims List under the serial numbers set forth below.

The Administrator, in accordance with Section 124 (1) of Act No. 7/2005 Coll. on Bankruptcy and Restructuring as amended has examined the declared claim and concluded that it is obliged to deny it to the extent specified below. Pursuant to Section 124(2) of Act No. 7/2005 Coll. on Bankruptcy and Restructuring as amended, the Administrator shall notify the creditor without undue delay of the denial of the claim.

Serial number of the claim in the list of claims: **39**

The Administrator has denied your claims as to the legal basis, amount and enforceability to the extent and for the reasons set out below, which the Administrator has established based on the debtor's complaint in the denial of claims in the insolvent's restructuring proceedings:

The creditor filed a claim in the restructuring proceedings, which consisted of:

- a claim in the amount of € 8,222.53 (invoice no. 4091HI);
- a claim in the amount of € 9,406.31 (invoice no. 4138HI); and
- default interest in the amount of € 670.94.

As part of invoice No 4091HI, namely in the amount of € 1,140, was set off against the issued credit note No 002HI/2024, the administrator is obliged to deny part of the declared claim to that extent, both as regards the legal basis, the amount and the enforceability.

In accordance with the provisions of Section 120(2) of Act No. 7/2005 Coll. on bankruptcy and restructuring, as amended, in conjunction with Section 138(2) of Act No. 7/2005 Coll. on Bankruptcy and Restructuring, as amended, a creditor may apply in a restructuring only for monetary claims that arose prior to the commencement of the restructuring proceedings. The decisive moment in this case is the commencement of the restructuring proceedings and not the moment when the restructuring is authorised. The same normative rule also applies to ancillary claims. In accordance with Article 138(2) of Act No 7/2005 Coll. on Bankruptcy and Restructuring, as amended, the surplus of registered claims which have become due after the commencement of the restructuring proceedings shall not be included in the plan; such claims shall be deemed to have been discharged in their entirety in the event of confirmation of the plan by the court. The trustee therefore disputes the claimed part of the default interest, which the creditor has also claimed for the period after the opening of the restructuring procedure, in respect of the amount.

The amount of the claim denied:

Principal amount in EUR	Interest in EUR	Default interest in EUR	Default fee in EUR	Application costs in EUR	Total in EUR
1140		16,44			1156,44

The amount of the claim established:

Established - Principal amount in EUR	Established Interest in EUR	Established - Default interest in EUR	Established - Default fee in EUR	Established Application costs in EUR	Established Total in EUR
16488,84		654,50	0	0	17143,34

Pursuant:

to Section 124(4) of Act No 7/2005 Coll. on bankruptcy and restructuring, as amended: "A creditor of a denied claim may, within 30 days of the expiry of the period for denying claims, by an action brought against the debtor, request the court to determine the legal basis, enforceability, amount, security interest or ranking of the security interest of the denied claim; in the action, the creditor may claim no more than the amount of the denied claim as

stated in the application form."

Sincerely,

Origon Recovery Solutions, k.s.

Mgr. Stanislav Praskai,

General partner