

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA**

|                                 |   |                              |
|---------------------------------|---|------------------------------|
| <b>In re</b>                    | ) | <b>Chapter 11</b>            |
|                                 | ) |                              |
| <b>FREEDOM INDUSTRIES, INC.</b> | ) |                              |
|                                 | ) | <b>Case No. 14-20017-RGP</b> |
|                                 | ) |                              |
| <b>Debtor.</b>                  | ) |                              |
| <hr/>                           | ) |                              |

**PROPOSED FORM OF BALLOT FOR ACCEPTING OR REJECTING DEBTOR'S  
THIRD MODIFIED PLAN OF LIQUIDATION DATED AUGUST 12, 2015**

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Co-Counsel for the Debtor,  
Freedom Industries, Inc.

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| <b>Debtor.</b>                  | ) |                              |
|                                 | ) |                              |

**BALLOT FOR ACCEPTING OR REJECTING DEBTOR'S  
THIRD MODIFIED PLAN OF LIQUIDATION DATED AUGUST 12, 2015**

Freedom Industries, Inc. ("Freedom"), the debtor and debtor-in-possession (the "Debtor") filed a Third Modified Amended Plan of Liquidation dated August 12, 2015 (the "Plan") in this case. By order dated August 26, 2015, the Court approved a disclosure statement with respect to the Plan (the "Disclosure Statement") and summary of the Plan (the "Summary"). The Disclosure Statement and/or Summary provide information to assist you in deciding how to vote your ballot. Court approval of the Disclosure Statement and/or the Summary does not indicate approval of the Plan by the Court.

You should review the Disclosure Statement or the Summary and Plan before you vote. The Disclosure Statement or the Summary is enclosed in this mailing package, and the Plan is also enclosed. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan.

- You are a Class 3 creditor if you claim is not entitled to other treatment under the Plan and your claim does not arise from or relate to the January 9, 2014 spill incident.
- You are a Class 4 creditor if your claim is \$3,000 or less and arises from or relates to the January 9, 2014 spill incident.
- You are a Class 5 creditor if your claim is greater than \$3,000 and arises from or relates to the January 9, 2014 spill incident.

If your ballot is not received by Susan Harding, McGuireWoods LLP, 625 Liberty Avenue, 23<sup>rd</sup> Floor, Pittsburgh, PA 15222, **on or before 5:00 p.m. Prevailing Eastern Time on September 28, 2015**, and such deadline is not extended in writing, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE PLAN

The undersigned, the holder of a Class \_\_\_\_\_ claim against the Debtor in the unpaid amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_):

(Check one box only)

☐ ACCEPTS THE PLAN

☐ REJECTS THE PLAN

Dated: \_\_\_\_\_

Print or type name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title (if corporation or partnership): \_\_\_\_\_

Address: \_\_\_\_\_

**RETURN THIS BALLOT NO LATER THAN 5:00 P.M. PREVAILING EASTERN TIME ON SEPTEMBER 28, 2015 TO:**

Susan Harding  
McGuireWoods LLP  
625 Liberty Avenue, 23<sup>rd</sup> Floor  
Pittsburgh, PA 15222  
(412) 667-6075