

FAQ for Customers and Suppliers of Agrilight B.V., AP Nederland B.V. and Hortilux Schröder B.V.

1. What does bankruptcy mean?

Bankruptcy is a legal situation in which a company is no longer able to pay its debts. The court declares bankruptcy at the request of creditors or the company itself. A so-called “trustee” is then appointed by the court. The trustee is responsible for managing and liquidating the bankrupt estate. This includes, among other things, collecting the bankrupt company’s receivables and selling its assets. In the first few weeks following the bankruptcy, the trustee will assess whether a restart of the business is feasible.

2. What does the bankruptcy mean for me as a customer or supplier?

In the coming weeks, the trustee will investigate whether a turnaround is possible. If so, the businesses may continue, in whole or in part, and operations may proceed in a similar manner. If a turnaround is not possible, this may have consequences for existing legal relationships. For ongoing agreements, see the answer to question 3, and for outstanding invoices, see the answer to question 4.

3. Does the bankruptcy affect my current agreement?

A declaration of bankruptcy does not in itself affect ongoing agreements. These agreements remain in effect as if no bankruptcy had occurred. Both parties remain mutually bound in accordance with the terms of the agreement. If an agreement has not been fulfilled at all or has only been partially fulfilled by both the relevant company and the other party, the trustee may decide to uphold the agreement or enforce its fulfilment.

4. How can I file my claim? What happens to my outstanding invoice?

You must file outstanding claims with the trustee in the manner specified in the bankruptcy correspondence. Please include, among other things, the invoice numbers and dates, proof of payment and information regarding any security interests. Depending on the size of the estate, the bankruptcy costs and your position as a creditor, you may receive a payment on your claim at the conclusion of the bankruptcy proceedings. Please be aware that the resolution of a bankruptcy can take a long time, sometimes several years.

If you have a claim against Agrilight B.V., AP Nederland B.V. or Hortilux Schröder B.V. as of the date of bankruptcy, a claim that arose before the date of bankruptcy, or a claim arising from a legal relationship that existed prior to the date of bankruptcy, you are requested to submit your claim, together with written supporting documents by [email](#). Please select the bankruptcy case of the relevant company — Agrilight B.V., AP Nederland B.V. or Hortilux Schröder B.V. — and click the red “Submit Claim”

button. You will then be guided through the process of entering your claim and uploading the required supporting documents. Scanned copies of outstanding invoices should be uploaded as attachments, preferably combined into a single PDF document.

5. When can I expect payment of my claim?

It is not yet possible to say at this stage of the bankruptcy proceedings. The trustee is currently taking inventory of the assets and liabilities. The primary focus is currently on attempting to facilitate a turnaround of the businesses. Afterwards, the trustee will attempt to liquidate any remaining assets. Depending on the size of the estate, the bankruptcy costs and your position as a creditor, you may receive payment towards your claim at the conclusion of the bankruptcy proceedings. Please keep in mind that the resolution of a bankruptcy can take a long time, sometimes several years.

6. I have already paid for my order but have not received anything yet. What will happen to my order?

Due to the bankruptcy, the order may no longer be delivered. Paying for an order does not automatically mean that you have become the owner of the goods. In this case, you have a claim against the bankruptcy estate. You can file this claim with the trustee in accordance with the instructions in question 4. If the business undergoes a going-concern restructuring, you may be able to make new arrangements with the buyer of the business.

7. I have delivered goods that have not yet been paid for. Can I reclaim them?

Ownership of the goods depends on the terms of the agreement. Unless specific provisions were agreed upon, the relevant company became the owner of the goods when they were delivered. If you agreed to a retention of title, you may invoke this right by indicating it when filing your claim (see question 4) and providing the necessary supporting documents to the trustee.

8. What can I do with my security interest and/or mortgage on an asset of the bankrupt party?

In a bankruptcy, pledgees and mortgagees, as separate creditors, retain their rights to the asset on which the security interest is established as if there were no bankruptcy. Unlike other creditors, pledgees and mortgagees can make a direct claim to the asset on which the security interest is established. Please submit your claim to the trustee as soon as possible, specifying the relevant security interest (see question 4).

9. Where can I find information about the bankruptcy?

Information about the bankruptcies can be found in the Central Insolvency Register and on: <https://www.burenlegal.com/en/news/bankruptcy-hortilux-agrilux-and-ap-nederland-bv>. There you will find, among other things, confirmation of the bankruptcies and the trustee's contact information.

10. Is there a chance of a turnaround?

The trustee has prepared an information memorandum and shared it with various potentially interested parties. Several parties have already come forward on their own initiative. The trustee hopes to achieve a turnaround within a few weeks.

11. What happens during a turnaround?

In a turnaround, the business is taken over in whole or in part by a third party. This party will then continue to operate all or part of the business. The exact nature of the turnaround depends on the acquiring party and the negotiations with the trustee.