

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

<b>In re:</b>	§	<b>Case No. 05-21207</b>
	§	
<b>ASARCO LLC, et al.</b>	§	<b>Chapter 11</b>
	§	
<u><b>Debtors.</b></u>	§	<b>(Jointly Administered)</b>

**NOTICE OF DEADLINE FOR FILING  
NON-ASBESTOS-RELATED PROOFS OF CLAIM**

TO ALL PERSONS OR ENTITIES WITH CLAIMS AGAINST ASARCO LLC F/K/A ASARCO INCORPORATED OR ASARCO INC. AND/OR ANY OF ITS SUBSIDIARY DEBTORS LISTED HEREIN (COLLECTIVELY, THE “DEBTORS”). PLEASE READ THIS NOTICE CAREFULLY (AND CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS) BECAUSE IT CONTAINS DEADLINES AND PROCEDURES THAT WILL IMPACT YOUR RIGHTS IF NOT FOLLOWED.

On April 28, 2006, the United States Bankruptcy Court for the Southern District of Texas entered an order (i) establishing **August 1, 2006, at 5:00 p.m. (Central Time)** (the “General Bar Date”) as the last date for each person or entity (including individuals, partnerships, corporations, joint ventures, trusts and governmental units) who asserts a pre-bankruptcy non-asbestos-related claim to file a proof of claim against ASARCO LLC or any of its affiliated debtors (listed in Part II below); and (ii) establishing miscellaneous other bar dates for claims not subject to the General Bar Date (the “Miscellaneous Bar Dates”) (Docket #2076). Together, the General Bar Date and the Miscellaneous Bar Dates are referred to as the “Non-Asbestos Bar Dates.”

The Debtors have prepared two notices of bar dates, respectively addressing asbestos-related and non-asbestos-related claims, as well as two different proof of claim forms. **This notice addresses non-asbestos deadlines and the related form. If your claim against a Debtor is related to asbestos, you may obtain the proper notice and proof of claim form by visiting [www.asarcoreorg.com](http://www.asarcoreorg.com) or contacting The Trumbull Group, LLC (“Trumbull”)**

(contact information in Section II below). If your claim against a Debtor is related to asbestos, you must use the Asbestos-Related Proof of Claim form which is not included here.

The Non-Asbestos Bar Dates and claims-filing procedures set forth below apply to all non-asbestos claims against the Debtors that arose before the Debtors filed for bankruptcy. Certain claims, referred to as “Excluded Claims” (described in Section V below), are not subject to a Bar Date.<sup>1</sup> Accordingly, holders of Excluded Claims are not required to file proofs of claim at this time.

This notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against any Debtor. The fact that you have received this notice does not necessarily mean that you have a claim or that the Debtors or the Court believe that you have a claim against the Debtors.

#### I. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a proof of claim to vote on any plan of reorganization filed in these cases or to share in any distributions from any of the Debtors’ estates if you have a claim (as defined in § 101(5) of the Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.*) that arose before a Debtor’s respective bankruptcy filing date and your claim is not an Excluded Claim or a Miscellaneous Claim.

Under § 101(5) of the Bankruptcy Code and as used in this notice, the word “claim” means (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured or (b) a right to an equitable remedy for breach of performance

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed in ASARCO’s Bar Date Motion filed on March 28, 2006 (Docket #1895), available at [www.asarcoreorg.com](http://www.asarcoreorg.com).

if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

Without limiting the foregoing definition of a claim, prepetition claims must be filed on or before the applicable Bar Date, even if those claims are not now fixed, liquidated, or certain and did not mature or become fixed, liquidated or certain before the Debtor filed bankruptcy. The Debtor believes that claims based on acts or omissions of the Debtors that occurred prior to the date a Debtor filed bankruptcy (see below for filing dates) are prepetition claims. If you believe any of the Debtors may owe you money now or may owe you money in the future, you should consider filing a claim before the applicable Bar Date and consult an attorney if you have questions.

As permitted by Bankruptcy Rule 3003(c)(5), an indenture trustee may file an “omnibus” Proof of Claim on behalf of all known or unknown holders of securities issued pursuant to the trust instrument under which it is trustee. If you are an individual bondholder, you need not file a Proof of Claim.

## II. WHAT TO FILE

If your claim is not related to asbestos, you must use the general proof of claim form that is attached to this notice. Additional proof of claim forms may be downloaded at [www.asarcoreorg.com](http://www.asarcoreorg.com) or may be requested from Trumbull by calling (860) 687-3174 or by writing to the following address:

Asarco, LLC  
c/o The Trumbull Group, LLC  
P.O. Box 721  
Windsor, CT 06095-0721

All proofs of claim must be **SIGNED** by the creditor or, if the creditor is not an individual, by an authorized agent of the creditor. Proofs of claim must be written in English and be denominated in United States currency. You should attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

If you hold a claim against more than one Debtor you must file a separate claim with respect to each such Debtor, and you must identify on your proof of claim the particular Debtor against which your claim is asserted and the case number of that Debtor's chapter 11 case. The Debtors and their respective case numbers and petition dates are listed below.

<b><u>Debtor</u></b>	<b><u>Case Number</u></b>	<b><u>Petition Date</u></b>
ASARCO LLC f/k/a ASARCO Incorporated or ASARCO Inc.	05-21207	August 9, 2005
Lac d'Amiante du Québec Ltée (f/k/a Lake Asbestos of Quebec, Ltd.)	05-20521	April 11, 2005
Lake Asbestos of Quebec, Ltd	05-20524	April 11, 2005
LAQ Canada, Ltd.	05-20525	April 11, 2005
CAPCO Pipe Company, Inc. (f/k/a Cement Asbestos Products Company)	05-20522	April 11, 2005
Cement Asbestos Products Company	05-20523	April 11, 2005
Encycle, Inc.	05-21305	August 26, 2005
Asarco Consulting, Inc.	05-21346	September 1, 2005
ALC, Inc.	05-21888	October 13, 2005
American Smelting and Refining Company	05-21894	October 13, 2005
AR Mexican Explorations Inc.	05-21893	October 13, 2005
AR Sacaton, LLC, an Arizona Limited Liability Company	05-21890	October 13, 2005
ASARCO Master Inc. (f/k/a Asarco (Delaware) Inc.) The following entities have been merged into ASARCO Master Inc.: AR Montana Corporation; Asarco Arizona, Inc.; Asarco Exploration Holdings Company, Inc.; Asarco Aginskoe, Inc.; Asarco de Mexico (Delaware) Inc.; Asarco Mexicana (Delaware) Inc.; Asarco Peruvian Exploration Company; GH Holdings Inc.; GHH, LLC; Northern Peru Mining Corporation; NPMC, Incorporated; Domestic Realty Company, Inc.; Midland Coal Company Incorporated; Biotrace Laboratories, Incorporated; Federated Metals Corporation; LSLC Corp.	05-21883	October 13, 2005
Asarco Oil and Gas Company, Inc.	05-21886	October 13, 2005

Bridgeview Management Company, Inc.	05-21884	October 13, 2005
Covington Land Company	05-21892	October 13, 2005
Government Gulch Mining Company, Limited	05-21887	October 13, 2005
Salero Ranch, Unit III, Community Association, Inc.	05-21891	October 13, 2005

III. WHEN AND WHERE TO FILE

Except as provided herein, all proofs of claim must be filed so as to be

**RECEIVED** on or before **August 1, 2006 at 5:00 p.m.** at the following address:

If sent by U.S. Mail:  
ASARCO LLC  
c/o The Trumbull Group, L.L.C.  
P.O. Box 721  
Windsor, CT 06095-0721

If sent by Overnight Carrier:  
ASARCO LLC  
c/o The Trumbull Group, L.L.C.  
4 Griffin Rd. North  
Windsor, CT 06095-1511

Proofs of claim will be deemed filed only when **received** by Trumbull, ASARCO's claims and noticing agent. Proofs of claim may not be delivered by facsimile, telecopy or electronic mail transmission unless express permission is first obtained from Trumbull.

IV. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE BAR DATE

**ANY HOLDER OF A CLAIM WHO IS REQUIRED, BUT FAILS, TO FILE A PROOF OF CLAIM IN ACCORDANCE WITH THE BAR DATE ORDER ON OR BEFORE THE APPLICABLE BAR DATE SHALL FOREVER BE BARRED, ESTOPPED AND ENJOINED TO THE FULLEST EXTENT ALLOWED BY APPLICABLE LAW FROM ASSERTING SUCH CLAIM AGAINST THE DEBTORS AND THEIR ESTATES, AND EACH DEBTOR AND ITS ESTATE AND PROPERTY SHALL BE FOREVER DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO SUCH CLAIM, AND SUCH HOLDER SHALL NOT BE PERMITTED TO VOTE TO ACCEPT OR REJECT ANY PLAN OF REORGANIZATION FILED IN THESE CASES OR PARTICIPATE IN ANY**

**DISTRIBUTION IN THESE CASES ON ACCOUNT OF SUCH CLAIM OR TO RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM OR WITH RESPECT TO THE DEBTORS' CHAPTER 11 CASES.**

**V. WHO DOES NOT NEED TO FILE A PROOF OF CLAIM AT THIS TIME**

If you are the holder of an Excluded Claim, you are NOT required to file a claim at this time. The Excluded Claims are listed below:

- Current Employee Wage and Benefit Claims. If you are a current salaried or non-union hourly employee of a Debtor, and your claim had arisen as of the petition date of your employer, and your claim relates to wages, salaries, commissions, vacation, benefits, pension or retirement, then you do NOT have to file a proof of claim at this time. To the extent that your claim is not a Current Employee Wage and Benefit Claim of the type listed herein, then you must file a proof of claim by the General Bar Date. Further, a former employee or retiree shall NOT be required to file a proof of claim concerning any claims they have against a fully vested benefit plan, as the dispute resolution mechanisms of the relevant plan document shall apply.
- Previously Filed Claims. You do NOT have to file a proof of claim if you have already properly filed prior to entry of the Bar Date Order, with the Clerk of the United States Bankruptcy Court for the Southern District of Texas or with Trumbull, a proof of claim (for a claim other than an asbestos-related claim) against the Debtors which substantially conforms to Official Form No. 10.
- Administrative Claims. You do NOT have to file a proof of claim at this time if you have a claim for payment of administrative expenses arising in the Debtors' cases under sections 503, 507(a)(1), 507(b), 330(a), 331 or 364 of the Bankruptcy Code.
- Individual Bond Claims. You do NOT have to file a proof of claim if you are a bondholder. The Indenture Trustee for your series of bonds should file an omnibus proof of claim for the series of bonds you hold.

If you are the holder of a Miscellaneous Claim, you may not be required to file a claim at this time, but your claim IS subject to a Bar Date. Miscellaneous Claims and their applicable Bar Dates are listed below:

- Rejection Claims. If you have a claim relating to a rejected executory contract or unexpired lease, then you must file a claim by the later of either (i) the General Bar Date or (ii) the first business day that is at least 30 calendar days after the entry of an order approving the rejection of an executory contract or lease.
- Avoidance Claims. If you have a claim relating to a voidable transfer, then you must file a claim by the later of either (i) the General Bar Date or (ii) the first business day that is at least 30 calendar days after entry of any order approving the avoidance of the transfer.

- Amended Schedules Claims. If an amendment to the Debtors' schedules reduces the liquidated amount of your scheduled claim, or reclassifies your scheduled, undisputed, liquidated, non-contingent claim as disputed, unliquidated, or contingent, you must file a proof of claim on the later of (i) the General Bar Date or (ii) the first business day that is at least 30 calendar days after the mailing of the notice of such amendment in accordance with Bankruptcy Rule 1009.

## VI. DEBTORS' SCHEDULES

You may be listed as a holder of a prepetition claim against the Debtors in their Schedules of Assets and Liabilities and/or Schedules of Executory Contracts and Unexpired Leases (as they have been or may be amended or supplemented from time to time) (collectively, the "Schedules"). This Bar Date Notice serves as the notice required under Bankruptcy Rule 1009 notifying affected parties of any amendments to the schedules that were filed with the Court prior to the date of the Bar Date Notice.

If you intend to rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. If you agree with the nature, amount and status of your claim as listed in the Debtors' Schedules, and your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the General Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Debtors' Schedules are on file with the Clerk of the Bankruptcy Court and may be obtained electronically at <https://ecf.txsb.uscourts.gov> or at [www.asarc.org](http://www.asarc.org).

A holder of a possible claim against one or more of the Debtors should consult an attorney regarding any matters not covered by this notice, such as whether the holder should file a proof of claim.

Dated: April 28, 2006

**BAKER BOTTS L.L.P.**

*/s/ Jack L. Kinzie*

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