

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

In re: § Chapter 11  
§  
A’GACI, L.L.C., § Case No. 18-50049-rbk-11  
§  
Debtor. §

**NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT;  
(II) ESTABLISHMENT OF VOTING RECORD DATE; (III) APPROVAL OF CURE  
PROCEDURES; (IV) HEARING ON CONFIRMATION OF THE CHAPTER 11 PLAN OF THE  
DEBTOR; (V) PROCEDURES FOR OBJECTING TO CONFIRMATION OF THE PLAN; AND  
(VI) PROCEDURES AND DEADLINE FOR VOTING ON THE PLAN**

TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST AND EQUITY INTERESTS IN THE  
ABOVE-CAPTIONED DEBTOR AND DEBTOR IN POSSESSION:

**PLEASE TAKE NOTICE THAT:**

1. **Approval of Disclosure Statement.** By order dated June 13, 2018 (the “Disclosure Statement Approval Order”), the United States Bankruptcy Court for the Western District of Texas, San Antonio Division (the “Court”) approved the *Second Amended Disclosure Statement in Support of the Plan of Reorganization of A’GACI, LLC Pursuant to Chapter 11 of the Bankruptcy Code* (as may be amended, the “Disclosure Statement”) filed by A’GACI, L.L.C., as debtor and debtor-in-possession (the “Debtor”), and authorized the Debtor to solicit votes with regard to the approval or rejection of the *First Amended Plan of Reorganization of A’GACI, L.L.C. Pursuant to Chapter 11 of the Bankruptcy Code*, which is attached as an exhibit to the Disclosure Statement (as may be amended, the “Plan”).<sup>1</sup> **Copies of the Disclosure Statement, Plan, and Disclosure Statement Approval Order are available online at the Debtor’s case management website <http://www.kccllc.net/agaci/document/list/4621>.**
  
2. **Confirmation Hearing.** A hearing (the “Confirmation Hearing”) to consider confirmation of the Plan shall be held before the Honorable Ronald B. King at the Hipolito F. Garcia Federal Building and United States Courthouse, 615 East Houston Street, Courtroom 1, San Antonio, Texas 78205, or before any other judge who may be sitting in his place and stead, on **July 26, 2018 at 2:00 p.m. (prevailing Central Time)**. The Confirmation Hearing may be continued from time to time by announcing such continuance in open court without further notice to parties in interest, and the Plan may be modified, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance with the terms of the Plan, without further notice to interested parties.
  
3. **Record Date for Voting Purposes.** All creditors who hold claims on **June 12, 2018** (the “Voting Record Date”) shall be entitled to vote on the Plan, as described in the Disclosure Statement Approval Order.

<sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Plan.



4. **Voting Deadline.** All votes to accept or reject the Plan must be received by the Claims and Balloting Agent, A’GACI Ballot Processing Center, c/o KCC, 2335 Alaska Avenue, El Segundo, CA 90245 on or before **July 16, 2018** (the “Voting Deadline”). Any failure to follow the voting instructions contained in the Disclosure Statement Approval Order and on the Ballots that will be included in the Solicitation Materials that will be sent to creditors entitled to vote on the Plan may disqualify your Ballot and your vote.
5. **Bar Date.** Any person or entity (excluding governmental units) holding a claim or interest against the Debtor that arose or is deemed to have arisen prior to **January 9, 2018** (the “Petition Date”), must have filed a proof of claim or interest on or before **May 14, 2018** (the “Bar Date”).
6. **Parties in Interest Not Entitled to Vote.** Holders of interests who will receive no distribution under the Plan are not entitled to vote on the Plan. Such holders shall receive a Non-Voting Status Notice rather than a Ballot.
7. **Objections to Confirmation.** Objections, if any, to the confirmation of the Plan must (a) be in writing; (b) be in the English language; (c) state the name and address of the objecting party and the amount and nature of the claim or interest of such party; (d) state with particularity the basis and nature of any objection to the Plan; and (e) be filed, together with proof of service, with the Court and served so that they are received by the following parties (the “Confirmation Service List”), no later than **July 16, 2018 at 4:00 p.m. (prevailing Central Time)**: (i) counsel for the Debtor, Ian T. Peck and David L. Staab, Haynes and Boone LLP, 2323 Victory Ave, Suite 700, Dallas, TX 75219, ian.peck@haynesboone.com, david.staab@haynesboone.com; (ii) counsel for JPMorgan Chase Bank, N.A., W. Steven Bryant, Locke Lord LLP, 600 Congress Avenue, Ste. 2200, Austin, TX 78701, sbryant@lockelord.com; (iii) counsel to the Committee, Richard Lauter and Emily S. Chou, Lewis Brisbois Bisgaard & Smith LLP, 2100 Ross Ave., Suite 2000, Dallas, TX 75201, richard.lauter@lewisbrisbois.com, emily.chou@lewisbrisbois.com; (iv) counsel to Bank of America, N.A., Steve A. Peirce, Norton Rose Fulbright, (US) LLP, 300 Convent, Suite 2100, San Antonio, Texas 78205, steve.peirce@nortonrosefulbright.com; and (v) counsel for the Office of the United States Trustee for the Western District of Texas, Kevin Epstein, 615 E. Houston Street, Suite 533, San Antonio, Texas 78205.
8. **Executory Contracts and Unexpired Leases.** Pursuant to the Plan, unless otherwise provided in the Plan, all Executory Contracts or Unexpired Leases, not previously assumed or rejected pursuant to an order of the Bankruptcy Court, will be deemed rejected, in accordance with the provisions and requirements of sections 365 and 1123 of the Bankruptcy Code, other than those Executory Contracts or Unexpired Leases that: (1) previously were assumed or rejected by the Debtor; (2) are specifically designated on the Schedule of Assumed Contracts and Leases Filed and served prior to commencement of the Confirmation Hearing; (3) are subject to a motion to assume Executory Contracts or Unexpired Leases that is pending on the Confirmation Date; (4) are subject to a motion to reject an Executory Contract or Unexpired Lease pursuant to which the requested effective date of such rejection is after the Effective Date; or (5) are the subject of Article IV.M or Article V.F. of the Plan. Unless otherwise specified, the assumed executory contracts and unexpired leases include all exhibits, schedules, riders, modifications, amendments, supplements, attachments, restatements, or other agreements made directly or indirectly by an agreement, instrument, or other document that in any manner affects such agreement. Pursuant to the Cure Procedures, and as detailed in the Cure Notice provided to all counterparties of the Debtor’s executory contracts and unexpired leases (the “Contracts”), all objections to the assumption of any Contract, including without limitation any objection to the Debtor’s proposed Cure Amount (the “Cure Amount”) or the provision of adequate assurance of future performance under any Contract pursuant to Section 365 of the Bankruptcy Code (“Adequate Assurance”)

must: (a) be in writing; (b) be in the English language; (c) state the name and address of the objecting Contract Counterparty; (d) be filed, together with proof of service, with the Court and served so that they are received by the parties to the Confirmation Service List, no later than **July 16, 2018 at 4:00 p.m. (prevailing Central Time)** (the “Cure Objection Bar Date”); (e) identify the Contract to which the objector is party; (f) describe with particularity any dispute the Contract Counterparty has under Section 365 of the Bankruptcy Code with the Cure Amount and identify the bases of the dispute under the Contract; (g) attach all supporting documents; and (h) if the response contains an objection to Adequate Assurance, state with specificity what the objecting party believes is required to provide Adequate Assurance.

9. **Additional Information.** Any party wishing to view the Plan, Plan Supplement, Disclosure Statement or the Disclosure Statement Approval Order may view such documents at <http://www.kccllc.net/agaci>. Any party in interest wishing to obtain information about the solicitation procedures or balloting, or wishing to obtain physical copies of the Plan, Disclosure Statement, or Disclosure Statement Approval Order should contact the Debtor’s Claims and Balloting Agent - Kurtzman Carson Consultants LLC, (i) by toll-free telephone (888) 251-3076 (U.S./Canada) or (310) 751-2617 (International), (ii) online at the Debtor’s case management website: <http://www.kccllc.net/agaci/inquiry>, or (iii) via written request at A’GACI Ballot Processing Center, c/o KCC, 2335 Alaska Avenue, El Segundo, CA 90245.

**Dated: June 14, 2018**

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**ATTORNEYS FOR THE DEBTOR**