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# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:	)	Chapter 11
21st CENTURY ONCOLOGY HOLDINGS, INC., et al.,1	)	Case No. 17-22770 (RDD)
Debtors.	)	(Jointly Administered)
	_)	

# NOTICE OF DEADLINES REQUIRING FILING OF (I) PROOFS OF CLAIM, INCLUDING CLAIMS ARISING UNDER SECTION 503(B)(9) OF THE BANKRUPTCY CODE AND (II) REJECTION DAMAGES CLAIMS

# TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST ANY OF THE FOLLOWING DEBTOR ENTITIES:

	Federal Tax	
Debtor Name	Identification Number	Case Number
21st Century Oncology Holdings, Inc.	26-1747745	Case No. 17-22770
21C East Florida, LLC	46-4710905	Case No. 17-22771
21st Century of Florida Acquisition, LLC	46-4697449	Case No. 17-22772
21st Century Oncology Management Services, Inc.	20-8087211	Case No. 17-22775
21st Century Oncology of Alabama, LLC	55-0853649	Case No. 17-22776
21st Century Oncology of Harford County,	20-4916540	Case No. 17-22777
Maryland LLC	20-4710540	
21st Century Oncology of Jacksonville, LLC	20-8754308	Case No. 17-22778
21st Century Oncology of Kentucky, LLC	56-2383667	Case No. 17-22779
21st Century Oncology of New Jersey, Inc.	20-1049875	Case No. 17-22780
21st Century Oncology of Pennsylvania, Inc.	20-5400463	Case No. 17-22781

Each of the Debtors in the above-captioned jointly administered chapter 11 cases and their respective tax identification numbers are set forth in the Order Directing Joint Administration of Chapter 11 Cases [Docket No. 30]. The location of 21st Century Oncology Holdings, Inc.'s corporate headquarters and the Debtors' service address is: 2270 Colonial Boulevard, Fort Myers, Florida 33907.



st Century Oncology of Prince Georges County, aryland, LLC st Century Oncology of South Carolina, LLC	20-8142750 20-8971654	Case No. 17-22782
aryland, LLC st Century Oncology of South Carolina, LLC		
st Century Oncology of South Carolina, LLC	20-8971654	1
0 1 0 1		Case No. 17-22783
st Century Oncology of Washington, LLC	47-1013274	Case No. 17-22784
st Century Oncology Services, LLC	45-3456866	Case No. 17-22785
st Century Oncology, Inc.	65-0768951	Case No. 17-22773
st Century Oncology, LLC	59-2485899	Case No. 17-22774
HLC, LLC	45-4859353	Case No. 17-22786
merican Consolidated Technologies, LLC	38-2924024	Case No. 17-22787
rizona Radiation Therapy Management Services, c.	20-2743876	Case No. 17-22788
sheville CC, LLC	45-4859175	Case No. 17-22789
	20-2040866	Case No. 17-22789  Case No. 17-22790
ssociates In Radiation Oncology Services, LLC	51-0570029	Case No. 17-22790
tlantic Urology Clinics, LLC	27-4405383	
urora Technology Development, LLC	20-1993712	Case No. 17-22792 Case No. 17-22793
erlin Radiation Therapy Treatment Center, LLC bynton Beach Radiation Oncology, LLC	26-1660780	Case No. 17-22794
·	20-1000780	
alifornia Radiation Therapy Management ervices, Inc.	56-2377222	Case No. 17-22795
arepoint Health Solutions, LLC	46-4187130	Case No. 17-22796
arolina Radiation and Cancer Treatment Center,	56-1805493	Case No. 17-22798
arolina Regional Cancer Center, LLC	57-0956164	Case No. 17-22799
erm-Rad Investment Company, LLC	26-3494111	Case No. 17-22800
evoto Construction of Southwest Florida, Inc.	20-1343949	Case No. 17-22801
nancial Services of Southwest Florida, LLC	65-0633717	Case No. 17-22802
ountain Valley & Anaheim Radiation Oncology enters, Inc.	33-0303999	Case No. 17-22803
ettysburg Radiation, LLC	20-2648771	Case No. 17-22804
oldsboro Radiation Therapy Services, LLC	56-1902589	Case No. 17-22805
cksonville Radiation Therapy Services, LLC	26-2326266	Case No. 17-22806
aryland Radiation Therapy Management ervices, LLC	52-2110079	Case No. 17-22807
edical Developers, LLC	20-5891261	Case No. 17-22809
D International Investments, LLC	46-1823303	Case No. 17-22808
ichigan Radiation Therapy Management		Case No. 17-22811
ervices, Inc.	20-5623965	Case 100. 17-22011
evada Radiation Therapy Management Services, corporated	86-0874204	Case No. 17-22812
ew England Radiation Therapy Management	20-2726448	Case No. 17-22813
ew York Radiation Therapy Management	4U-414U440	Case No. 17-22769
ervices, LLC	65-0768868	
orth Carolina Radiation Therapy Management ervices, LLC	56-2274741	Case No. 17-22814
nCure Holdings, Inc.	20-5211697	Case No. 17-22815
nCure Medical Corp	59-3191053	Case No. 17-22816
Ilms West Radiation Therapy, LLC	65-1084934	Case No. 17-22817

	Federal Tax	
Debtor Name	Identification Number	Case Number
Phoenix Management Company, LLC	38-3488644	Case No. 17-22818
Radiation Therapy School For Radiation Therapy	65-0377840	Case No. 17-22819
Technology, Inc.	03-0377840	
Radiation Therapy Services International, Inc.	26-0257575	Case No. 17-22820
RVCC, LLC	46-4043578	Case No. 17-22821
Sampson Accelerator, LLC	45-5272724	Case No. 17-22822
Sampson Simulator, LLC	45-5272250	Case No. 17-22823
SFRO Holdings, LLC	80-0916927	Case No. 17-22824
South Florida Medicine, LLC	27-0186002	Case No. 17-22825
South Florida Radiation Oncology, LLC	20-1997256	Case No. 17-22826
Treasure Coast Medicine, LLC	27-2570975	Case No. 17-22827
U.S. Cancer Care, Inc.	65-0793730	Case No. 17-22828
USCC Florida Acquisition LLC	94-3310485	Case No. 17-22829
West Virginia Radiation Therapy Services, Inc.	26-1818069	Case No. 17-22830
21st Century Oncology Investments, LLC	26-1813960	Case No. 17-22839

#### PLEASE TAKE NOTICE THAT:

On May 25, 2017 (the "*Petition Date*"), 21st Century Oncology Holdings, Inc. and certain of its affiliates and subsidiaries (collectively, the "*Debtors*") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "*Bankruptcy Code*") in the United States Bankruptcy Court for the Southern District of New York (the "*Court*").

On July 24, 2017, the United States Bankruptcy Court for the Southern District of New York entered an order [Docket. No. 253] the ("Bar Date Order")<sup>2</sup> establishing certain dates by which persons and entities holding prepetition claims against the Debtors (including individuals, partnerships, corporations, joint ventures, trusts and governmental units) must file proofs of claim ("Proofs of Claim"), including, without limitation, claims arising under section 503(b)(9) of the Bankruptcy Code, and claims for damages stemming from rejection of executory contracts or unexpired leases. For your convenience, enclosed with this notice (this "Notice") is a Proof of Claim form.

The Bar Date Order and the procedures set forth below for filing Proofs of Claim apply to all claims against the Debtors that arose prior to the Petition Date, except for those holders of claims described below that are specifically excluded from the Bar Date filing requirement.

You MUST file a Proof of Claim to vote on a chapter 11 plan filed by the debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose prior to the Petition Date, and it is not one of the types of claim described as specifically excluded from the Bar date filing requirement. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even is such claims are not now fixed, liquidated or certain before the Petition Date.

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Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Bar Date Order.

As used in this Notice, the term "entity" has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons, estates, trusts, and governmental units. The terms "persons" and "governmental units" are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

Under section 101(5) and as used in this Notice, the word "claim" means: (a) any 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 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.

The Debtors note that a private litigant has filed a claim on behalf of the United States government as a relator alleging that Debtor 21st Century Oncology, LLC ("21C LLC"), non-Debtor Florida Cancer Specialists, P.L. ("FCS") and certain individuals caused damages by entering into "a gentleman's agreement" pursuant to which 21C LLC did not offer medical oncology services to patients in southwest Florida in return for FCS not offering radiation oncology services in the same geographical area. The government declined to intervene in this case and 21C LLC has not been served with the complaint. Despite these facts, the Debtors will include in the Schedules a contingent, unliquidated, and disputed claim with respect to this alleged anticompetitive conduct. Furthermore, the Department of Justice has an inquiry related to certain potential criminal antitrust violations regarding the market in Florida. The Debtors are not aware of any claims that have been asserted by any other persons with respect to alleged anticompetitive conduct.

### I. The Bar Dates

The Bar Date Order establishes the following bar dates for filing Proofs of Claim in these chapter 11 cases (the "*Bar Dates*").

- (a) The Claims Bar Date. Except as provided for herein, each person or entity that asserts a claim against the Debtors that arose on or before May 25, 2017 (the "Petition Date"), including claims arising under section 503(b)(9) of the Bankruptcy Code, are required to file Proofs of Claim so that such Proofs of Claim are received by the Claims and Noticing Agent by the Claims Bar Date (i.e., on or before September 5, 2017, at 5:00 p.m., prevailing Eastern Time). The Claims Bar Date applies to all types of claims against any Debtor that arose prior to the Petition Date, including, without limitation, secured claims, unsecured priority claims, unsecured non-priority claims, and claims arising under section 503(b)(9) of the Bankruptcy Code.
- (b) The Governmental Bar Date. Notwithstanding any other provision hereof, all governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases on the Petition Date are required to file proofs of claim so that such Proofs of Claim are received by the Claims and Noticing Agent by the Governmental Bar Date (i.e., by November 21, 2017, at 5:00 p.m., prevailing Eastern Time). The Governmental Bar Date

applies to all governmental units holding claims against the Debtors (whether secured, unsecured priority, or unsecured non-priority) that arose prior to the Petition Date, including, without limitation, governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax years or periods or prepetition transactions to which the Debtors were a party.

- (c) The Amended Schedules Bar Date. Except as provided for herein, all persons or entities asserting claims against the Debtors' estates that are affected by a previously unfiled Schedule or amendment or supplement to the Schedules are required to file Proofs of Claim so that such Proofs of Claim are received by the Claims and Noticing Agent by the Amended Schedules Bar Date (i.e., by the later of (a) the Claims Bar Date or the Governmental Bar Date, as applicable depending on the claimant, or (b) 5:00 p.m., prevailing Eastern Time, on the date that is 30 days from the date on which the Debtors provide notice of such filing, amendment or supplement).
- (d) The Rejection Damages Bar Date. Unless otherwise ordered, all persons or entities asserting claims against the Debtors' estates arising from the Debtors' rejection of an executory contract or unexpired lease are required to file Proofs of Claim with respect to such rejection so that such Proofs of Claim are received by the Claims and Noticing Agent by the Rejection Damages Bar Date (i.e., by the later of (a) the Claims Bar Date or the Governmental Bar Date, as applicable, or (b) 5:00 p.m., prevailing Eastern Time, on the date that is 30 days following entry of an order approving such rejection).

### II. Who Must File a Proof of Claim

Except as otherwise set forth herein, to share in distributions from the Debtors' bankruptcy estates, the following entities holding claims against the Debtors that arose (or that are deemed to have arisen) prior to the Petition Date *must* file Proofs of Claim on or before the applicable Bar Date:

- (a) any person or entity whose claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as "contingent," "unliquidated," or "disputed" and if such entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
- (b) any person or entity that believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;
- (c) any person or entity that believes that any claim listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a different Debtor; and
- (d) any person or entity that believes that its claim against a Debtor is or may be entitled to priority under section 503(b)(9) of the Bankruptcy Code.

### III. Who Need Not File a Proof of Claim

Certain persons or entities are not required to file Proofs of Claim or Administrative Claims arising prior to the Administrative Claim Deadline. The Court may, however, enter one or more separate orders at a later time requiring creditors to file Proofs of Claim or Administrative Claims for some kinds of the following claims and setting related deadlines. If the Court does enter such an order, you will receive notice of it. The following entities holding claims that would otherwise be subject to the Bar Dates need *not* file Proofs of Claims or Administrative Claims:

- (a) any person or entity that already has filed a signed Proof of Claim against the respective Debtor(s) with the Clerk of the Court or with the Claims and Noticing Agent in a form substantially similar to Official Form 410;
- (b) any person or entity whose claim is listed on the Schedules if: (i) the claim is *not* scheduled as "disputed," "contingent," or "unliquidated;" (ii) such entity does not disagree with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- (c) any person or entity whose claim previously has been allowed by order of the Court;
- (d) any person or entity whose claim has been paid in full by any of the Debtors in accordance with an order of the Court;
- (e) any Debtor having a claim against another Debtor or any non-Debtor subsidiary having a claim against any of the Debtors;
- (f) any person or entity whose claim is solely against any of the Debtors' non-Debtor affiliates;
- (g) any holder of an equity interest in a Debtor need not file a proof of interest with respect to the ownership of such equity interest at this time; *provided*, *however*, that any holder of an equity interest who wishes to assert a claim against a Debtor, including a claim relating to such equity interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the Claims Bar Date pursuant to procedures set forth herein;
- (h) a current employee of any Debtor holding a claim for wages, commissions, or benefits if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business; *provided*, *however*, that a current employee must submit a Proof of Claim by the Claims Bar Date for all other claims arising before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;
- (i) any current director as of the Petition Date for claims based on indemnification, contribution, or reimbursement;

- (j) (i) the DIP Parties, on account of claims arising under the DIP Documents, (ii) the Prepetition 21C Secured Parties, on account of claims arising under the Prepetition 21C Documents, (iii) the Prepetition MDL Secured Parties, on account of claims arising under the Prepetition MDL Documents, and (iv) the Prepetition 21C Note Parties, on account of claims arising under the Prepetition 21C Note Documents;<sup>3</sup>
- (k) any person or entity holding a claim for which a separate deadline is fixed by the Court;
- (l) administrative expense claims for post-petition fees and expenses incurred by any professional allowable under sections 330, 331, and 503(b) of the Bankruptcy Code; and
- (m) claims asserting administrative priority and arising in the ordinary course of business (but not, for the avoidance of doubt, claims asserting priority pursuant to section 503(b)(9) of the Bankruptcy Code).

## IV. Instructions for Filing Proof of Claim

The following requirements shall apply with respect to filing and preparing each Proof of Claim:

- (a) <u>Contents</u>. Each Proof of Claim must: (i) be written in English; (ii) include a claim amount denominated in United States dollars (using the Petition Date rate of conversion, if applicable); (iii) conform substantially with the Proof of Claim Form or Official Form 410; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant. Your Proof of Claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor's initials) or a financial account number (only the last four digits of such financial account).
- (b) Section 503(b)(9) Claim. Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).

Capitalized terms used but not defined in this Paragraph 15(j) shall have the meanings set forth in the Final DIP Order. The "Final DIP Order" means that certain Final Order: (I) Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 Authorizing the Debtors to (A) Obtain Senior Secured Priming Superpriority Postpetition Financing, (B) Grant Liens and Superpriority Administrative Expenses Status, (C) Use Cash Collateral of Prepetition Secured Parties and (D) Grant Adequate Protection to Prepetition Secured Parties; and (II) Granting Related Relief [Docket No. 134].

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- (c) <u>Identification of the Debtor Entity</u>. Each Proof of Claim must clearly identify the Debtor against which the claim is being asserted, including such Debtor's individual case number. A Proof of Claim filed under the joint administration case number (No. 17-22770) or otherwise without identifying a specific Debtor, will be deemed filed only against Debtor 21st Century Oncology Holdings, Inc.
- (d) <u>Claim Against Multiple Debtors</u>. Each Proof of Claim must state a claim against *only one* Debtor. If a creditor has a claim against multiple Debtors, it must file a separate Proof of Claim against each such Debtor. If more than one Debtor is listed on a single Proof of Claim, the asserted claim will be deemed filed only against the first-listed Debtor. If the claimant has claims against different Debtors, a separate Proof of Claim must be filed with respect to each Debtor.
- (e) <u>Supporting Documentation</u>. Each Proof of Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, such Proof of Claim may include a summary of such documentation or an explanation as to why such documentation is not available.
- (f) <u>Timely Filing</u>. Each Proof of Claim (including supporting documentation) must be filed so as to be *received*, on or before the applicable Bar Date by either: (i) electronically using the interface available on the Notice and Claims Agent's website at https://epoc.kccllc.net/21co; or (ii) first-class U.S. Mail, overnight mail, or other hand-delivery system, at the following address:

21st Century Oncology Holdings, Inc. Claims Processing Center c/o Kurtzman Carson Consultants LLC 2335 Alaska Avenue El Segundo, California 90245

### IF DELIVERED BY HAND:

United States Bankruptcy Court Southern District of New York 300 Quarropas Street, Room 248 White Plains, NY 10601

Proofs of Claim will be deemed filed only when <u>received</u> at the addresses listed above or filed electronically on or before the applicable Bar Date. Proofs of claim submitted by facsimile or electronic mail will *not* be accepted and will *not* be deemed timely **FILED**.

(g) Receipt of Service. Claimants wishing to receive acknowledgment that their Proofs of Claim were timely received by the Claims and Noticing Agent must submit (i) a copy of the Proof of Claim (in addition to the original Proof of Claim) and (ii) a self-addressed, stamped envelope.

# V. Consequences of Failing to Timely File Your Proof of Claim

Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you are required, but fail, to file a Proof of Claim in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that:

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THIS ORDER, AS SET FORTH IN HEREIN, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

### VI. Amendment to the Debtors' Schedules

If, subsequent to the date of this Notice, the Debtors file a previously unfiled Schedule or amend or supplement their Schedules to reduce the amount of your claim previously listed in the Schedules as undisputed, noncontingent, and liquidated, or to change the nature or classification of your claim reflected in the Schedules, you are required to file a Proof of Claim or amend any previously filed Proof of Claim in respect of the additional or amended scheduled claim on or before the later of (a) the Claims Bar Date or the Governmental Bar Date, as applicable to such claim, or (b) 5:00 p.m. prevailing Eastern Time on the date that is 30 days after the date that on which the Debtors provide notice of the filing, amendment, or supplement to the Schedules (or another time period as may be fixed by the Court) (the "Amended Schedules Bar Date").

### VII. The Rejection Damages Bar Date

If you have a claim arising from the rejection of an executory contract or unexpired lease, you must submit your Proof of Claim based on such rejection on or before the later of (a) the Claims Bar Date or the Governmental Bar Date, as applicable, or (b) 5:00 p.m., prevailing Eastern Time, on the date that is 30 days following entry of an order approving such rejection, unless the order approving such rejection provides for a different date (the "*Rejection Damages Bar Date*").

### VIII. The Debtors' Schedules and Access Thereto

You may be listed as the holder of a claim against one or more of the Debtors on the Debtors' Schedules of Assets and Liabilities and/or Schedules of Executory Contracts and

Unexpired Leases (collectively, the "Schedules"). It is your responsibility to determine that your claim is accurately listed in the Schedules.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim is only against the Debtor specified by the Debtors, and if 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 applicable Bar Date in accordance with the procedures set forth in this Notice.

#### IX. Additional Information

Copies of the Debtors' Schedules, the Bar Date Order, and other information regarding these chapter 11 cases are available for inspection free of charge on the Claims and Noticing Agent's website at <a href="http://www.kccllc.net/21co">http://www.kccllc.net/21co</a>. The Schedules and other filings in these chapter 11 cases also are available for a fee at the Court's Internet website at <a href="http://www.nysb.uscourts.gov">http://www.nysb.uscourts.gov</a>. A login and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <a href="http://www.pacer.gov">http://www.pacer.gov</a>.

If you require additional information regarding the filing of a proof of claim, you may contact the Claims and Noticing Agent directly by writing to: 21st Century Oncology Holdings, Inc., Claims Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, California 90245, or contact the Debtors' restructuring hotline at: (888) 251-2679 (US toll-free) and (310) 751-2609 (international).

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 THE DEBTORS. THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM OR THAT THE DEBTORS OR THIS COURT BELIEVE THAT YOU HAVE A CLAIM AGAINST THE DEBTORS. A HOLDER OF A POSSIBLE CLAIM AGAINST 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.

### **Reservation of Rights**

Nothing contained in this Bar Date Notice is intended, or should be construed, as a waiver of the rights of the Debtors or any party in interest to: (a) dispute, or assert offsets or defenses against, any claim asserted by a Proof of Claim or listed on the Schedules; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

New York, New York

Dated: July 24, 2017

/s/ Christopher Marcus, P.C.

Christopher Marcus, P.C.

John T. Weber

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Counsel to the Debtors and Debtors in Possession

If you have any questions related to this notice, please call (888) 251-2679, or (310) 751-2609 for international calls. You may also visit http://www.kccllc.net/21co.