## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

In re:

JEFFERSON COUNTY, ALABAMA, a political subdivision of the State of Alabama,

Debtor.

Case No. 11-05736-TBB

**Chapter 9** 

## NOTICE OF (A) ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER CONFIRMING THE CHAPTER 9 PLAN OF ADJUSTMENT OF JEFFERSON COUNTY, ALABAMA (DATED NOVEMBER 6, 2013); (B) OCCURRENCE OF THE EFFECTIVE DATE; AND (C) CERTAIN DEADLINES UNDER THE COUNTY'S CONFIRMED PLAN

## TO ALL CREDITORS AND OTHER PARTIES IN INTEREST:

PLEASE TAKE NOTICE that by order dated November 22, 2013 [Docket No. 2248] (the "Confirmation Order"), the United States Bankruptcy Court for the Northern District of Alabama, Southern Division (the "Bankruptcy Court") approved and confirmed the Chapter 9 Plan of Adjustment for Jefferson County, Alabama (Dated November 6, 2013) [Docket No. 2182] (as subsequently further supplemented, amended, or modified, including by the Plan Supplement, the "Plan"<sup>1</sup>), proposed by Jefferson County, Alabama, a political subdivision of the state of Alabama and the debtor in the abovecaptioned chapter 9 bankruptcy case (the "County").

PLEASE TAKE FURTHER NOTICE that the Effective Date of the Plan occurred on December 3, 2013, and the Plan was substantially consummated. Each of the conditions precedent to consummation of the Plan enumerated in Section 4.18(a) of the Plan has been satisfied or waived in accordance with the Plan and the Confirmation Order.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Confirmation Order, the release and injunction provisions in Article VI of the Plan and as requested by the Plan Settlements Motion are now in force and effect.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 2.2(a) of the Plan and paragraph 10 of the Confirmation Order, motions for payment of Administrative Claims, except with respect to Professional Fee Claims or as otherwise agreed in writing by the County, must be Filed with the Bankruptcy Court and served on the County no later than January 31, 2014 (the "Administrative Claims Bar Date"). The County or any other party in interest may File an objection to any such motion for payment of Administrative Claims within sixty (60) calendar days after the expiration of the Administrative Claims Bar Date, unless such time period for filing such objection is extended by the Bankruptcy Court.

PLEASE TAKE FURTHER NOTICE that, except with respect to Professional Fee Claims or as otherwise agreed in writing by the County, the failure to File a motion requesting allowance of an Administrative Claim on or before the Administrative Claims Bar Date, or the failure to serve

Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Plan or in the Confirmation Order.



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such motion timely and properly, shall result in the purported Administrative Claim being forever barred and disallowed without further order of the Bankruptcy Court. If for any reason any such Administrative Claim is incapable of being forever barred and disallowed, then the holder of such Claim shall in no event have recourse to any property distributed pursuant to the Plan.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 3.1(a) of the Plan and paragraph 12 of the Confirmation Order, all executory contracts and unexpired leases that are listed on the Schedule of Assumed Agreements included as Exhibit B to the Plan (as the same may have been amended from time to time), have been assumed on and as of the Effective Date.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 3.2(a) of the Plan and paragraph 13 of the Confirmation Order, all executory contracts and unexpired leases that the County entered into on or before the Petition Date that (i) have not been previously assumed or rejected by the County and (ii) are not set forth on the Schedule of Assumed Agreements, have been rejected on and as of the Effective Date.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 3.2(b) of the Plan and paragraph 13 of the Confirmation Order, any Rejection Damage Claim or other Claim for damages solely arising from the rejection under the Plan of an executory contract or unexpired lease must be Filed and served on the County no later than **January 2, 2014** (the "<u>Rejection Bar Date</u>"); *provided, however*, that with respect to any other Rejection Damage Claim not arising from a rejection under the Plan, the Rejection Bar Date is the latest of (a) the first Business Day that is at least thirty (30) calendar days after the later of either (i) the date on which a Rejection Order is entered by the Bankruptcy Court or (ii) the effective date of such Rejection Order; and (b) either (i) the General Bar Date or (ii) if the claimant is a governmental unit, the Governmental Unit Bar Date.

PLEASE TAKE FURTHER NOTICE that any such Rejection Damage Claims that are not timely Filed and served will be forever barred and unenforceable against the County and its property, and Persons holding such Claims will not receive and be barred from receiving any Distributions on account of such untimely Claims.

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to obtain copies of the Plan, the Plan Supplement, the Confirmation Order, the Schedule of Assumed Agreements (and any amendments thereof), or any other document filed in this chapter 9 case, should contact the County's Claims and Noticing Agent and Ballot Tabulator, Kurtzman Carson Consultants LLC ("<u>KCC</u>"), at <u>http://www.jeffersoncountyrestructuring.com</u>. In addition, copies of the Plan, the Plan Supplement, the Confirmation Order, and the Schedule of Assumed Agreements (and any amendments thereof) are available upon request by contacting KCC at Jefferson County Ballot Processing, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245 or by telephone at (866) 967-0677. Copies of the Plan, the Plan Supplement, the Confirmation Order, and the Schedule of Assumed Agreements (and any amendments thereof) are also available for review and download at the Bankruptcy Court's website, <u>www.alnb.uscourts.gov</u>. Alternatively, these documents may be accessed through the Bankruptcy Court's "PACER" website, <u>https://ecf.alnb.uscourts.gov</u>. A PACER password and login are needed to access documents on the Court's "PACER" website. A PACER password can be obtained at <u>http://www.pacer.gov</u>.

PLEASE TAKE FURTHER NOTICE that the Confirmation Order, the Plan, and the Plan's provisions are binding on the County, all Creditors, all special tax payers (as such term is defined in Bankruptcy Code section 902(3)), all past, current, and future ratepayers and users of the Sewer System, all parties in interest, and all other Persons.

DATED: December 3, 2013