

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

Medley LLC,<sup>1</sup>

Debtor.

Chapter 11

Case No. 21-10526 (KBO)

**NOTICE OF DEADLINE FOR FILING  
PROOFS OF CLAIM AGAINST THE DEBTOR**

**TO: ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE ENTITY  
LISTED BELOW**

<b><u>DEBTOR</u></b>	<b><u>ADDRESS</u></b>	<b><u>CASE NO.</u></b>	<b><u>Last Four Digits of EIN</u></b>
Medley LLC	280 Park Avenue, 6 <sup>th</sup> Floor East New York, New York 10017	21-10526	7343

On March 19, 2021, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered an Order (the “Bar Date Order”) establishing: (a) that the above-captioned debtor and debtor-in-possession (the “Debtor”) shall have two (2) business days to file the form of notice of the Bar Dates (as defined below) to be sent to parties in interest (the “Bar Date Notice”) on the docket after filing its Schedules (as defined below); (b) that the Debtor’s claims and noticing agent, Kurtzman Carson Consultants LLC (the “Claims Agent”), shall have five (5) business days following the filing of the Bar Date Notice to mail the Bar Date Package (as defined below) (the “Mailing Deadline”); and (3) the general bar date as **5:00 p.m. (prevailing Eastern Time) on April 30, 2021** (the “General Bar Date”) as the deadline for each Person<sup>2</sup> or Entity (excluding any

<sup>1</sup> The last four digits of the Debtor’s taxpayer identification number are 7343. The Debtor’s principal executive office is located at 280 Park Avenue, 6<sup>th</sup> Floor East, New York, New York 10017.

<sup>2</sup> The meaning of the terms Person and Entity shall have the meanings ascribed to them in the Bankruptcy Code.



Governmental Units (as defined below)). The General Bar Date specifically excludes any claims derived from, or based upon, the 2024 Notes<sup>3</sup> and 2026 Notes<sup>4</sup>, or the Notes Indentures<sup>5</sup>. Except as otherwise provided herein, the General Bar Date will apply to all claims of any kind that arose, or are deemed to have arisen, prior to March 7, 2021 (the “Petition Date”), the date on which the Debtor commenced its case under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”), including, but not limited to administrative expense claims under section 503(b)(9) of the Bankruptcy Code and all claims of setoff or recoupment. **For the avoidance of doubt, the General Bar Date established by the Bar Date Order supersedes any prior notice of a different bar date or deadline for filing proofs of claim, whether posted on the Court’s docket or otherwise.**

The Bar Date Order also established **September 3, 2021, at 5:00 p.m. (ET)** (the “Governmental Bar Date”) the last date for all Governmental Units holding claims against the Debtor that arose or are deemed to have arisen prior to the Petition Date to file a proof of claim against the Debtor.

The Bar Dates (as defined below) and the procedures set forth below for filing proofs of claim apply to all claims against the Debtor that arose, or is deemed to have arisen, prior to the Petition Date, except for those holders of the claims listed in Section 4 below that are specifically exempted from the requirements of the Bar Date Order.

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<sup>3</sup> “2024 Notes” means the senior unsecured notes with a maturity date of January 20, 2024 issued by Medley LLC pursuant to the 2024 Notes Indenture.

<sup>4</sup> “2026 Notes” means the senior unsecured notes with a maturity date of August 15, 2026 issued by Medley LLC pursuant to the 2026 Notes Indenture.

<sup>5</sup> “Notes Indentures” includes the: (1) “2024 Notes Indenture” means that certain indenture agreement (as may be amended, restated, supplemented, or otherwise modified from time to time) dated August 9, 2016, between Medley LLC, as issuer, and U.S. Bank National Association, as trustee, that governs the 2024 Notes; and (2) “2026 Notes Indenture” means that certain indenture agreement (as may be amended, restated, supplemented, or otherwise modified from time to time) dated August 9, 2016, between Medley LLC, as issuer, and U.S. Bank National Association, as trustee, that governs the 2026 Notes.

## 1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to vote on a chapter 11 plan filed by the Debtor or to share in distributions from the Debtor's bankruptcy estate if you have a claim that arose prior to the Petition Date (**including claims under section 503(b)(9) of the Bankruptcy Code**), and it is not one of the types of claims described in Section 4 below. Claims based on acts or omissions of the Debtor that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated, or certain, or did not mature or become fixed, liquidated or certain before the Petition Date. Claims that arise from the rejection of an executory contract or unexpired lease must be filed by the later of (i) the General Bar Date or the Governmental Bar Date, as applicable, or (ii) the date that is thirty (30) calendar days following the entry of the order approving such rejection (the "Rejection Bar Date"). If the Debtor subsequently amends or supplements the schedules filed in this Chapter 11 Case (the "Schedules"), including to designate any scheduled claim as disputed, contingent or unliquidated (the "Amended Schedules"), any claim affected by the Debtor's amendment or supplement will receive notice by the Debtor and must file a proof of claim in response, in any, by the later of: (i) the General Bar Date or the Governmental Bar Date, as applicable, or (ii) thirty (30) calendar days after the date that the notice of the applicable amendment or supplement to the Schedules is served on the Person or Entity (the "Amended Schedules Bar Date," and together with, the General Bar Date, the Governmental Bar Date, and Rejection Bar Date, the "Bar Dates").

Under section 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 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. A "claim" shall include, but shall not be limited to, all claims of setoff or recoupment and claims arising under section 503(b)(9) of the Bankruptcy Code. Examples of claims for which one must

file a proof of claim shall include, but shall not be limited to, those arising from or related to: breaches of contract, tort-based causes of action, unpaid goods and services, warranties, defective product, chargebacks or credits.

## 2. WHAT TO FILE

Your filed proof of claim must conform substantially to Official Bankruptcy Form No. 410. Official Bankruptcy Form No. 410, along with coinciding instructions, may be obtained at: <http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>.

The Debtor is enclosing a proof of claim form (the “Proof of Claim Form”) that conforms substantially to Official Bankruptcy Form No. 410 and has been approved by the Court for use in the Debtor’s Chapter 11 Case. You may utilize the enclosed Proof of Claim Form or a photocopy of it to file your claim. Though the Proof of Claim Form is enclosed, the Proof of Claim Form may also be obtained by requesting a copy from the Claims Agent by: 877-634-7181 (toll-free) or if calling from outside the United States or Canada at 424-236-7226; (ii) by e-mail: [MedleyInfo@kccllc.com](mailto:MedleyInfo@kccllc.com); or (iii) on the Claims Agent’s website at [www.kccllc.net/medley](http://www.kccllc.net/medley).

All proofs of claim must be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. All 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 such documents are not available.

## 3. WHEN AND WHERE TO FILE

Proofs of claim will be deemed timely filed only if **actually received** by the Claims Agent on or before the applicable Bar Dates. Proofs of claim may be delivered to the Claims Agent by mail, hand delivery, or overnight courier to the address below:

Medley Claims Processing Center  
c/o Kurtzman Carson Consultants LLC  
222 N. Pacific Coast Highway, Ste 300  
El Segundo, California 90245

Proofs of claim may also be filed electronically using the interface available on the Claims Agent's website at [www.kccllc.net/medley](http://www.kccllc.net/medley). A working e-mail address is required for online submission of proofs of claim.

**PROOFS OF CLAIM MAY NOT BE DELIVERED BY FACSIMILE, TELECOPY, OR ELECTRONIC MAIL (OTHER THAN ELECTRONICALLY FILING USING THE INTERFACE DESCRIBED IN THE PARAGRAPH ABOVE).**

**4. WHO NEED NOT FILE A PROOF OF CLAIM**

You do not need to file a proof of claim on or prior to the applicable Bar Date if you are:

- a. any Person or Entity that already has filed a signed proof of claim against the Debtor in a form substantially similar to Official Bankruptcy Form No. 410 with the Debtor's Claims Agent;
- b. any Person or Entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as "disputed," "contingent," and/or "unliquidated;" and (ii) such Person or Entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules;
- c. any Person or Entity whose claim: (i) has previously been allowed by order of the Court; (ii) has been paid in full by the Debtor pursuant to the Bankruptcy Code or in accordance with an order of the Court; or (iii) is subject to a separate deadline pursuant to an order of the Court;
- d. any Person or Entity whose claim is derived from, or based upon, the 2024 Notes and 2026 Notes, or the Notes Indentures.

**This Notice is being sent to many Persons and Entities that have had some relationship with or have done business with the Debtor but may not have an unpaid claim against the Debtor. The fact that you have received this Notice does not mean that you have a claim against the Debtor or that the Debtor or the Court believe that you have a claim against the Debtor.**

**5. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPT FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM SHALL BE

BARRED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTOR AND ITS CHAPTER 11 ESTATE, FROM VOTING WITH RESPECT TO SUCH CLAIM ON ANY CHAPTER 11 PLAN FILED IN THE DEBTOR'S CHAPTER 11 CASE, AND FROM PARTICIPATING IN ANY PAYMENT OR DISTRIBUTION TO CREDITORS IN THE DEBTOR'S CHAPTER 11 CASE ON ACCOUNT OF SUCH CLAIM, UNLESS OTHERWISE ORDERED BY THE COURT.

**6. THE DEBTOR'S SCHEDULES AND ACCESS THERETO**

You may be listed as the holder of a claim against the Debtor in the Debtor's Schedules, which were filed with the Bankruptcy Court on March 25, 2021.

If you rely on the Debtor's Schedules, it is your responsibility to determine that your claim is accurately listed in the Schedules. If (a) you agree with the nature, amount and status of your claim as listed in the Debtor's Schedules, and (b) your claim is not described as "disputed," "contingent" or "unliquidated" in the Schedules, 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 Dates in accordance with the procedures set forth in this Notice.

Copies of the Debtor's Schedules are available for inspection at <http://ecf.deb.uscourts.gov>. A login and password to the Court's Public Access to Electronic Court Records (PACER) system are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.gov>. In addition, copies of the Schedules may be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, at the Office of the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. Finally, copies of the Debtor's Schedules are also available for free on the Claims Agent's website: at [www.kccllc.net/medley](http://www.kccllc.net/medley).

**A holder of a claim against the Debtor should consult an attorney regarding any matters not covered by this Notice, such as whether the holder should file a proof of claim.**

**BY ORDER OF THE COURT**

Dated: March 26, 2021

**MORRIS JAMES LLP**

/s/ Eric J. Monzo

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