

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

In re:

Medley LLC,¹

Debtor.

Chapter 11

Case No. 21-10526 (KBO)

D.I. 255, 284

NOTICE OF (I) INTERIM APPROVAL OF DISCLOSURE STATEMENT, (II) ESTABLISHMENT OF VOTING RECORD DATE, (III) PROCEDURES AND DEADLINE FOR VOTING ON PLAN, AND (IV) HEARING ON FINAL APPROVAL OF DISCLOSURE STATEMENT AND CONFIRMATION OF PLAN AND RELATED PROCEDURES FOR OBJECTIONS

PLEASE TAKE NOTICE THAT on August 16, 2021, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered an order (the “Solicitation Order”) granting the Motion of the Debtor (i) Approving on an Interim Basis the Adequacy of Disclosures in the Third Amended Combined Plan and Disclosure Statement (as may be modified, amended, or supplemented from time to time, the “Plan”), (ii) Scheduling the Confirmation Hearing and Deadline for Filing Objections, (iii) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, and Approving the Form of Ballot and Solicitation Package, and (iv) Approving the Notice Provisions (the “Solicitation Procedures Order”). A free copy of the Solicitation Procedures Order is available on the Debtor’s website at <https://www.kccllc.net/medley>.

PLEASE TAKE FURTHER NOTICE THAT the deadline for filing objections to the Plan is **on or before September 28, 2021 at 4:00 p.m. (prevailing Eastern Time)** (the “Plan Objection Deadline”). Any objection to the Plan must: (a) be in writing; (b) conform to the Bankruptcy Rules, the Local Rules, and any orders of the Court; (c) state with particularity the basis and nature of any objection to the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection; and (d) be filed with the Court (contemporaneously with a proof of service) and served upon the following parties so as to be actually received prior to the Plan Objection Deadline: (a) counsel to the Debtor: Jeffrey R. Waxman, Esquire and Eric J. Monzo, Esquire of Morris James LLP at jwaxman@morrisjames.com and emonzo@morrisjames.com, respectively, (b) counsel to the Committee: James S. Carr, Esquire and Benjamin D. Feder, Esquire of Kelley Drye & Warren LLP, at jcarr@kelleydrye.com and bfeder@kelleydrye.com, respectively, and Christopher M. Samis, Esquire and D. Ryan Slaugh, Esquire of Potter Anderson & Corroon LLP at csamis@potteranderson.com and rslauch@potteranderson.com, respectively, (c) counsel to Medley Capital LLC: Justin Rawlins, Esquire, Matthew Micheli, Esquire, and Brendan M. Gage, Esquire of Paul Hastings LLP at justinrawlins@paulhastings.com, mattmicheli@paulhastings.com and brendangage@paulhastings.com, respectively, and Gregory A. Taylor, Esquire of Ashby & Geddes, P.A. at gtaylor@ashby-geddes.com, and (d) counsel to the Office of the United States Trustee, Jane M. Leamy, Esquire at Jane.M.Leamy@usdoj.gov.

PLEASE TAKE FURTHER NOTICE THAT the hearing at which the Court will consider Confirmation of the Plan (the “Confirmation Hearing”) will commence on **October 5, 2021 at 1:00 p.m. (prevailing Eastern Time)**, before the Honorable Karen B. Owens, in the United States Bankruptcy Court for the District of Delaware. **PLEASE NOTE THAT**, due to COVID-19, it is unclear at this time whether the Confirmation Hearing will be held in person or through telephonic and/or video appearance. All parties should contact the

¹ 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, 6th Floor East, New York, New York 10017.

Debtor's counsel or check with the Debtor's website at <https://www.kccllc.net/medley> on or prior to **September 28, 2021** to check whether the hearing will go forward in person or by remote means.

PLEASE BE ADVISED: THE CONFIRMATION HEARING MAY BE CONTINUED FROM TIME TO TIME BY THE COURT OR THE DEBTOR WITHOUT FURTHER NOTICE OTHER THAN BY SUCH ADJOURNMENT BEING ANNOUNCED IN OPEN COURT OR BY A NOTICE OF ADJOURNMENT FILED WITH THE COURT AND SERVED ON ALL PARTIES ENTITLED TO NOTICE.

CRITICAL INFORMATION REGARDING VOTING ON THE PLAN

Voting Record Date. The voting record date is **August 12, 2021** (the "Voting Record Date"), which is the date for determining which Holders of Claims in Classes 3, and 4 are entitled to vote on the Plan.

Voting Deadline. The deadline for voting on the Plan is on **September 24, 2021, at 4:00 p.m. (prevailing Eastern Time)** (the "Voting Deadline"). If you received a Solicitation Package, including a Ballot, and intend to vote on the Plan you must: (a) follow the instructions carefully; (b) complete all of the required information on the ballot; and (c) execute and return your completed Ballot according to and as set forth in detail in the voting instructions so that it is actually received by the Debtor's voting agent on or before the Voting Deadline. A failure to follow such instructions may disqualify your vote. Alternatively, Ballots may be submitted through the Voting Agent's online electronic Ballot submission portal at <https://www.kccllc.net/medley> no later than the Voting Deadline.

CRITICAL INFORMATION REGARDING RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS IS IN ARTICLE XI OF THE PLAN. **THE DEBTOR STRONGLY RECOMMENDS THAT YOU REVIEW ALL OF THE PROVISIONS OF ARTICLE XI OF THE PLAN, A COPY OF WHICH IS AVAILABLE WITHOUT CHARGE AT <https://www.kccllc.net/medley>.**

ADDITIONAL INFORMATION

The materials in the Solicitation Package are intended to be self-explanatory. If you would like copies of any of the documents filed in these cases, you should contact counsel for the Debtor in writing, or visit the Debtor's restructuring website at <https://www.kccllc.net/medley>. You may also obtain copies of any pleadings filed in these chapter 11 cases for a fee via PACER at: <http://www.deb.uscourts.gov>.

The Debtor may file the Plan Supplement (as defined in the Plan) on or before **September 17, 2021** and will serve notice on all Holders of Claims or Interests entitled to vote on the Plan, which will: (a) inform parties that the Debtor filed the Plan Supplement; (b) list the information contained in the Plan Supplement; and (c) explain how parties may obtain copies of the Plan Supplement.

BINDING NATURE OF THE PLAN: IF CONFIRMED, THE PLAN SHALL BIND ALL HOLDERS OF CLAIMS AND INTERESTS TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, WHETHER OR NOT SUCH HOLDER WILL RECEIVE OR RETAIN ANY PROPERTY OR INTEREST IN PROPERTY UNDER THE PLAN, HAS FILED A PROOF OF CLAIM IN THESE CHAPTER 11 CASES, OR FAILED TO VOTE TO ACCEPT OR REJECT THE PLAN OR VOTED TO REJECT THE PLAN.

AMENDMENTS TO THE PLAN AND SOLICITATION AND VOTING PROCEDURES.

The Debtor reserves the right to make non-substantive or immaterial changes to the Disclosure Statement, Disclosure Statement Hearing Notice, Plan, Confirmation Hearing Notice, Solicitation Packages, Non-Voting Status Notices, Ballots, Publication Notice, Cover Letter, Solicitation and Voting Procedures, Plan Supplement Notice, Assumption and Rejection Notices, Voting and Tabulation Procedures, and related documents without further order of the Court, including changes to correct typographical and grammatical errors, if any, and to make conforming changes to the Disclosure Statement, the Plan, and any other materials in the Solicitation Packages before distribution.

Dated: August 16, 2021

MORRIS JAMES LLP

/s/ Jeffrey R. Waxman

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