

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re:

NEIGHBORS LEGACY HOLDINGS, INC.,  
*et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-33836 (MI)

Jointly Administered

**SUPPLEMENT TO EMERGENCY MOTION OF UNSECURED CREDITOR TRUSTEE  
TO CORRECT SCRIVENER'S ERROR IN THE TERMS OF THE CONFIRMED  
FIRST AMENDED JOINT PLAN OF LIQUIDATION OF NEIGHBORS  
LEGACY HOLDINGS, INC. AND ITS DEBTOR AFFILIATES UNDER  
CHAPTER 11 OF THE BANKRUPTCY CODE OR, ALTERNATIVELY,  
TO EXTEND THE DEADLINE TO FILE CLAIM OBJECTIONS**

**TO THE HONORABLE MARVIN ISGUR,  
UNITED STATES BANKRUPTCY JUDGE:**

Mark Shapiro, Unsecured Creditor Trustee (the "**Unsecured Creditor Trustee**") of the Unsecured Creditor Trust, hereby files this *Supplement to Motion to Correct Scrivener's Error in the Terms of the Confirmed First Amended Joint Plan of Liquidation of Neighbors Legacy Holdings, Inc. and its Debtor Affiliates Under Chapter 11 of the Bankruptcy Code, or Alternatively, to Extend the Deadline to File Claim Objections* [Docket No. 996] (the "**Creditor Trustee Motion**"). In further support of the Motion, the Unsecured Creditor Trustee respectfully states as follows:

<sup>1</sup> Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtors and the last four digits of their tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' proposed claims and noticing agent at [www.kccllc.net/neighbors](http://www.kccllc.net/neighbors). The location of Debtors' principal place of business and the Debtors' service address is: 10800 Richmond Avenue, Houston, Texas 77042.



1. On October 15, 2019, the Unsecured Creditor Trustee filed his Motion seeking this Court's Order to either correct a Scrivener Error in the terms of the Confirmed Plan, or alternatively, extend the time for the Unsecured Creditor Trustee to file Objections to Claims.<sup>2</sup> The Creditor Trustee Motion is scheduled for hearing on October 21, 2019, at 2:00 p.m.

2. On September 13, 2019, the Liquidating Trustee<sup>3</sup>, filed the *Liquidating Trustee's Motion to Extend the Deadline to File Claims Objections* (the "**Extension Motion**") [Docket No. 984], and on October 7, 2019, this Court entered its *Order Extending Deadline to File Claims Objections* (the "**Extension Order**") [Docket No. 987]. While the Creditor Trustee was fully aware of the Extension Motion and the Extension Order, it was assumed that an extension of the deadline to file objections to claims was unnecessary due to language of the Plan, *to wit*: the Committee Addition addressed in the Creditor Trustee Motion.

3. Nevertheless, a reasonable reading of the Extension Order clearly confirms that the extension of time to file objections to claims applies equally to the Liquidating Trustee and the Unsecured Creditor Trustee, as the Extension Motion seeks one simple relief, and the Extension Order has one single provision, *to wit*:

**Extension Motion, Paragraph 6:**

*The Plan sets the deadline to file objections to claims for 180 days after the Effective Date. See Plan, Art. VIII.C. The Effective Date occurred on April 8, 2019. ... Accordingly, the current deadline to object to claims is October 5, 2019 (the "Claims Objection Deadline").*

---

<sup>2</sup> Capitalized terms used in this Supplement and not defined herein, are as defined in the Creditor Trustee Motion.

<sup>3</sup> Pursuant to the Plan, two Trusts were created (the Unsecured Creditor Trust, and the Liquidating Trust), each with separate Trustees.

**Extension Order, Paragraph 1:**

*The Claims Objection Deadline is extended December 31, 2019.*

4. Further, the referenced Plan provision in the Extension Motion, Art. VIII.C., confirms that either Trustee can move for an extension of time to file objections to claims.

*Unless otherwise ordered by the Bankruptcy Court, the Plan Trustees shall file all objections to Claims by no later than 180 days after the Effective Date, ... Notwithstanding the foregoing, if either Plan Trustee determines that an extension of time is warranted, the Plan Trustee may seek the Bankruptcy Courts' approval to extend such time by a period of an additional 90 days ... .*

5. The Unsecured Creditor Trustee asserts that as an additional alternative to the relief requested in the Creditor Trustee Motion, that the Court confirm and Order that the Extension Order is applicable to the claims objections to be filed by the Creditor Trust and the Unsecured Creditor Trustee.

WHEREFORE, the Unsecured Creditor Trustee respectfully requests that the Court grant the relief requested – either in the Creditor Trustee Motion, or in this Supplement, and such other and further relief as the Court deems just and proper.

Dated: October 16, 2019

Respectfully submitted,

By: /s/ Michael D. Warner  
Michael D. Warner (TX Bar No. 00792304)  
COLE SCHOTZ P.C.  
301 Commerce Street, Suite 1700  
Ft. Worth, TX 76102  
(817) 810-5250  
(817) 810-5255 (fax)  
mwarner@coleschotz.com

*Counsel for Mark Shapiro, Unsecured Creditor Trustee*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of October, 2019, a true and correct copy of the above and foregoing was caused to be served by this Court's CM/ECF noticing system in the above cases.

/s/ Michael D. Warner

Michael D. Warner