

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

----- X
In re: : Chapter 11
 :
NUVECTRA CORPORATION,¹ : Case No. 19-43090 (BTR)
 :
Debtor. :
 :
----- X

SUPPLEMENTAL CERTIFICATE OF SERVICE

I, YunKyung Yu, depose and say:

1. I am employed by Kurtzman Carson Consultants LLC (“KCC”), the claims and noticing agent and administrative advisor for the Debtors in the above-captioned cases. I submit this affidavit in connection with the service of solicitation materials (the “**Solicitation Packages**”) for the *Amended Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code* [Docket No. 253] (the “**Plan**”). I am over the age of 18 and not a party to this action. Except as otherwise noted, I could and would testify to the following based upon my personal knowledge.

2. On November 22, 2019, the Court entered the *Order Granting Emergency Application for an Order, Pursuant to 11 U.S.C. § 105(a) and 28 U.S.C. § 156(c), Appointing Kurtzman Carson Consultants LLC as Claims and Noticing Agent for the Debtor Effective Nunc Pro Tunc to the Petition Date* [Docket No. 60].

3. Consistent with its retention as claims and noticing agent and administrative advisor, KCC is charged with, among other things, the duty of printing and distributing Solicitation Packages to creditors and other interested parties pursuant to the instructions set forth in the Debtor’s *Amended Disclosure Statement for Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code* [Docket No. 252] (the “**Disclosure Statement**”) filed by the Debtor on March 5, 2020 and the *Order (I) Approving the Disclosure Statement, (II) Establishing a Voting Record Date, (III) Approving Solicitation Packages and Solicitation Procedures, (IV) Approving the Forms of Ballots, (V) Establishing Voting and Tabulation Procedures and (VI) Establishing Notice and Objection Procedures for the Confirmation of the Plan* [Docket No. 256] (the “**Disclosure Statement Order**”), as entered by the Court on March 6, 2020.

4. The Solicitation Packages consist of the following documents:

¹ The last four digits of the Debtor’s federal tax identification number are: 3847. The location of the Debtor’s principal place of business and the service address for the Debtor is: 5830 Granite Parkway, Suite 1100, Plano, TX 75024.



- a. the **Disclosure Statement** (together with the **Plan**);
- b. the **Disclosure Statement Order** (without exhibits);
- c. either a printed copy of the appropriate Ballot(s) and voting instructions for the voting class in which the creditor is entitled to vote:
 - i. *Class 2 – Secured Parties’ Claim Ballot* (the “**Class 2 Ballot**”) (substantially in the form attached as Exhibit 2 to the Disclosure Statement Order);
 - ii. *Class 4 – General Unsecured Claims Ballot* (the “**Class 4 Ballot**”) (substantially in the form attached as Exhibit 2 to the Disclosure Statement Order);
- d. or in lieu of a Ballot, the *Notice of Non-Voting Status with Respect to Classes Deemed to Either Accept or Reject the Plan* (the “**Notice of Non-Voting Status**”) (substantially in the form attached as Exhibit 1 to the Disclosure Statement Order), as appropriate, based on the treatment under the Plan of any Claim or Interest held by the party to whom the notice is provided;
- e. if applicable, a cover letter (the “**Solicitation Cover Letter**”) (substantially in the form attached as **Exhibit A**);
- f. if applicable, a letter from the Official Committee of Unsecured Creditors (the “**Committee Recommendation Letter**”) (substantially in the form attached as **Exhibit B**);
- g. the *Notice of Confirmation Hearing and Deadline for Objecting to Confirmation; Hearing to be Held on April 17, 2020 at 2 p.m. (CT)* [Docket No. 263] (the “**Confirmation Hearing Notice**”); and
- h. if applicable, a pre-addressed, postage prepaid return envelope (a “**Return Envelope**”).

On March 13, 2020, at my direction and under my supervision, employees of KCC caused the Disclosure Statement (together with the Plan), Disclosure Statement Order, Solicitation Cover Letter, Committee Recommendation Letter, and Confirmation Hearing Notice to be served via First Class Mail upon the service list attached hereto as **Exhibit C**.

Dated: March 25, 2020

/s/ YunKyung Yu
YunKyung Yu
KCC
222 N Pacific Coast Highway, 3rd Floor
El Segundo, CA 90245

Exhibit A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In Re:	§ Chapter 11
NUVECTRA CORPORATION, ¹	§
Debtor.	§ Case No. 19-43090
	§
	§

NOTICE OF:

- (A) DEADLINE TO VOTE TO ACCEPT OR REJECT CHAPTER 11 PLAN,
 - (B) DEADLINE TO OBJECT TO PLAN CONFIRMATION,
 - (C) HEARING TO CONSIDER CONFIRMATION OF CHAPTER 11 PLAN, AND
 - (E) RELATED MATTERS AND PROCEDURES
-
-

**TO HOLDERS OF IMPAIRED CLAIMS AGAINST THE DEBTOR ENTITLED
TO VOTE TO ACCEPT OR REJECT PLAN OF LIQUIDATION OF NUVECTRA
CORPORATION UNDER CHAPTER 11 OF THE BANKRUPTCY CODE:**

PLEASE TAKE NOTICE OF THE FOLLOWING:

WHAT IS IN THIS PACKAGE

This package contains the following:

- a. This document, which is a cover letter (i) describing the contents of the Solicitation Package, and (ii) urging the Holders of Claims in Classes 2 and 4 to Vote in Favor of the Plan (the "Solicitation Notice");
- b. A copy of:
 - i. the *Order (I) Approving the Disclosure Statement With Respect to Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code; (II) Approving Form of Ballot and Proposed Solicitation and Tabulation Procedures for the Plan of Liquidation; (III) Prescribing the Form and Manner of Notice Thereof; (IV) Establishing Procedures For (A) Voting in Connection With the Plan Confirmation Process and (B) Temporary Allowance of Claims Related Thereto; (V) Establishing Deadline For Filing Objections to the Plan of Liquidation; and (VI) Scheduling a Hearing to Consider*

¹ The last four digits of the Debtor's federal tax identification number are: 3847. The location of the Debtor's principal place of business and the service address for the Debtor is: 5830 Granite Parkway, Suite 1100, Plano, TX 75024.

Confirmation of the Plan of Liquidation of Nuvectra Corporation [Dkt. No. 256] (the “Disclosure Statement Order”);

- ii. the *Amended Disclosure Statement for Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code* [Dkt. No. 252] (the “Disclosure Statement”) (together with the *Amended Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code* [Dkt. No. 253] (the “Plan”), which is Exhibit 1 thereto and the Liquidation Analysis, which is Exhibit 2 thereto);
 - iii. the Notice of Confirmation Hearing and Deadline for Objecting to Confirmation (the “Confirmation Hearing Notice”); and
 - iv. the Letter From the Official Committee of Unsecured Creditors of Nuvectra Corporation
- c. A Ballot; and
 - d. A return envelope for the Ballot, addressed to the Balloting Agent.

IF THIS PACKAGE DOES NOT CONTAIN THE ABOVE ITEMS, PLEASE CONTACT KURTZMAN CARSON CONSULTANTS LLC (“KCC” or the “Balloting Agent”) IDENTIFIED BELOW IMMEDIATELY.

OPTION TO OBTAIN COPIES OF THE DISCLOSURE STATEMENT AND PLAN

You may also obtain a copy of the Plan, the Disclosure Statement and Disclosure Statement Order by visiting the website of the Noticing and Solicitation Agent for Nuvectra Corporation (“Nuvectra”) at <http://www.kccllc.net/nuvectra>. If you wish to have a hard copy of the Disclosure Statement and Plan mailed to you, you must do so by written request to the attorneys identified below. **Nuvectra Corporation will file a Plan Supplement containing additional information relating to the Plan seven (7) days prior to the Voting Deadline described below.** You may obtain a copy of the Plan Supplement at the website of Nuvectra’s Noticing and Solicitation Agent at <http://www.kccllc.net/nuvectra>.

DEADLINE TO VOTE AND VOTING PROCEDURES

Enclosed you will find a Ballot with which you must use to cast your vote to accept or reject the Plan, if you desire to vote on the Plan. In order for your vote on the Plan to count, the signed Ballot must be actually received by the Balloting Agent no later than **April 13, 2020 at 5:00 p.m. United States Central Time** (the “Voting Deadline”). Any Ballot received by KCC after the Voting Deadline shall not be counted, unless the Court orders otherwise. The Balloting Agent is KCC, and Ballots should be sent to the following:

By regular US mail to:

Nuvectra Ballot Processing Center
c/o KCC
222 N. Pacific Coast Highway Suite 300
El Segundo, CA 90245

By messenger or overnight delivery:

El Paso Children’s Hospital Corporation
Or Nuvectra Ballot Processing Center
c/o KCC
222 N. Pacific Coast Highway Suite 300
El Segundo, CA 90245

Or by email to: NuvectorInfo@kccllc.com.

PLAN CONFIRMATION HEARING

A hearing on confirmation of the Plan is set for **April 17, 2020 at 2:00 p.m.**, United States **Central Time** before the Honorable Brenda T. Rhoades, United States Bankruptcy Court, Eastern District of Texas, 660 North Central Expressway, Suite 300B, Plano, TX 75074. Objections to confirmation of the Plan must be filed no later than **April 8, 2020 at 5:00 p.m.** United States **Central Time** (the "Objection Deadline").

NORTON ROSE FULBRIGHT US LLP

By: /s/ Ryan E. Manns

Ryan E. Manns (Texas Bar No. 24041391)

Toby L. Gerber (Texas Bar No. 07813700)

Laura L. Smith (Texas Bar No. 24066039)

Shivani P. Shah (Texas Bar No. 24102710)

2200 Ross Avenue, Suite 3600

Dallas, Texas 75201

Telephone: (214) 855-8000

Facsimile: (214) 855-8200

Email: ryan.manns@nortonrosefulbright.com

toby.gerber@nortonrosefulbright.com

laura.smith@nortonrosefulbright.com

shivani.shah@nortonrosefulbright.com

Counsel for the Debtor and Debtor in Possession

Exhibit B

IN RE NUVECTRA CORPORATION, CASE NO. 19-43090 (BANKR. E.D. TEXAS)

March 5, 2020

TO: ALL HOLDERS OF CLASS 4 GENERAL UNSECURED CLAIMS

FROM: THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF NUVECTRA CORPORATION

RE: RECOMMENDATION TO VOTE AGAINST THE PLAN OF LIQUIDATION AND OPT OUT OF THE RELEASES CONTAINED THEREIN

We are writing to you on behalf of the Official Committee (the “Committee”) of Unsecured Creditors of Nuvectra Corporation (the “Debtor”) in connection with the solicitation of your vote as the holder of a Class 4 General Unsecured Claim against the Debtor as identified and described in the *Amended Disclosure Statement for Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code* [Dkt. No. 252] (the “Disclosure Statement”) and *Amended Plan of Liquidation of Nuvectra Corporation Under Chapter 11 of the Bankruptcy Code* [Dkt. No. 253] (the “Plan”). All capitalized terms not defined in this letter are as defined in the Plan.

The Committee, which has a duty to protect the interests of unsecured creditors, believes that, among other things, the Plan is unconfirmable, would provide a double recovery to Class 2 Secured Parties at the expense of Class 4 General Unsecured Claims, and contains inappropriate releases. In particular, the Plan would release various potentially valuable claims and causes of action that could otherwise provide a recovery to holders of Class 4 General Unsecured Claims if the bankruptcy case was converted to a case under chapter 7 of the Bankruptcy Code, and therefore the Plan is not in the best interests of holders of Class 4 General Unsecured Claims. This letter is contained within a solicitation package that includes, among other things, a copy of the Disclosure Statement, a copy of the Plan, a ballot for casting a vote for or against the Plan, and an opt-out form to opt out of the releases contained in the Plan.

THE COMMITTEE RECOMMENDS THAT YOU VOTE AGAINST THE PLAN AND OPT OUT OF THE RELEASES CONTAINED THEREIN.

If you have questions about how to properly complete your ballot, please contact Kurtzman Carson Consultants LLC at (888) 201-2205 (U.S./Canada) or (310) 751-1839 (International). Copies of the documents filed in this case can be found at <http://www.kccllc.net/nuvectra/document/list/5044>.

THE FOREGOING IS NOT INTENDED AS A SUBSTITUTE FOR THE PLAN AND DISCLOSURE STATEMENT. ALL UNSECURED CREDITORS SHOULD READ THE PLAN AND THE DISCLOSURE STATEMENT IN THEIR ENTIRETY AND, IN CONSULTATION WITH THEIR ADVISORS, MAKE AN INDEPENDENT JUDGMENT REGARDING WHETHER TO ACCEPT OR REJECT THE PLAN.

Exhibit C

Exhibit C
Class 4 Notice Parties
Served via First Class Mail

CreditorName	CreditorNoticeName	Address1	Address2	Address3	City	State	Zip
BDO USA, LLP	BDO USA, LLP	Attn Laurence W. Goldberg	1435 Mendenhall Oaks Parkway, Suite 140		High Point	NC	27265
CenturyLink Communications, LLC f/k/a Qwest Communications Company, LLC	Centurylink Communications-Bankruptcy		220 N 5th St		Bismarck	ND	58501
Computer Science Corporation Tribridge Holdings, LLC aka DXC Technology	DXC Technology	Sofia Kolb, AMS Collections Manager	1775 Tysons Boulevard		Tysons	VA	22102
Concur Technologies, Inc.	Concur Technologies, Inc.		62157 Collections Center Drive		Chicago	IL	60693
Department of the Treasury - Internal Revenue Service	Internal Revenue Service		1100 Commerce St	M/S MC5027DAL	Dallas	TX	75242
IEC Electronics Corp.	Nicholas Gatto		50 Fountain Plaza, 10th Floor		Buffalo	NY	14202
JAbbs Inc. d/b/a BRIGHT Research Partners	Fox Rothschild LLP	Attn David Galle	222 South 9th Street		Minneapolis	MN	55402
John C. Neal	Sharon L. Stolte		4600 Madison Ave., Suite 1000		Kansas City	MO	64112
Landauer, Inc.	US Bank		PO Box 809051		Chicago	IL	60680
Medical Equipment Compliance Associates, LLC	Medical Equipment Compliance Associates, LLC		5060 Ashland Way		Franklin	WI	53132
Minnetrnix, Inc.	Fox Rothschild LLP	David Galle	222 South 9th Street, Suite 2000		Minneapolis	MN	55402
Ohio Department of Taxation	Attorney General of Ohio		150 E. Gay Street, 21st Floor		Columbus	OH	43215
Sharon L. Stolte	John C. Neal		71 West Hubbard St., Suite 3308		Chicago	IL	60654
The General Hospital Corporation d/b/a Massachusetts General Hospital	The General Hospital Corporation dba Massachusetts General Hospital	David Duarte, Grant Administrator	101 Merrimac Street, Suite 720		Boston	MA	02114
The General Hospital Corporation d/b/a Massachusetts General Hospital	Massachusetts General Hospital	Research Finance - #2019A007730	c/o the Bank of America	PO Box 414876	Boston	MA	02241-4876
The General Hospital Corporation d/b/a Massachusetts General Hospital	Massachusetts General Hospital	David Duarte, Grant Administrator	Department of Anesthesia, Critical Care and Pain Medicine	55 Fruit Street, 101-720	Boston	MA	02114-2696
VitaMed Research, LLC.	VitaMedResearch	Heather McDonald	3857 Birch St Suite 605		Newport Beach	CA	92660
VWR International, LLC.	VWR International, LLC.		PO Box 640169		Pittsburgh	PA	15264

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