

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

In re:

NEWBURY COMMON
ASSOCIATES, LLC et al.,

Debtors.¹

)
) Chapter 11
)
) Case No. 15-12507 (LSS)
)
) Jointly Administered
)
) **Ref. Docket No. 1805, 1808**

**NOTICE OF (A) ENTRY OF ORDER CONFIRMING AMENDED JOINT PLAN OF
LIQUIDATION UNDER CHAPTER 11 OF THE BANKRUPTCY CODE FOR PROPCO
DEBTORS AND HOLDCO DEBTORS (WITH TECHNICAL MODIFICATIONS);
(B) OCCURRENCE OF EFFECTIVE DATE THEREUNDER;
AND (C) RELATED DEADLINES**

TO: (I) THE U.S. TRUSTEE; (II) ALL PARTIES THAT, AS OF THE FILING OF THIS NOTICE, HAVE REQUESTED NOTICE IN THE CHAPTER 11 CASES PURSUANT TO BANKRUPTCY RULE 2002; AND (III) ALL KNOWN CREDITORS AND INTEREST HOLDERS

PLEASE TAKE NOTICE that, on May 18, 2017 (the “**Confirmation Date**”), the United States Bankruptcy Court for the District of Delaware (the “**Court**”) entered its *Order Confirming Amended Joint Plan of Liquidation Under Chapter 11 of the Bankruptcy Code for PropCo Debtors and HoldCo Debtors (With Technical Modifications)* [Docket No. 1805] (the “**Confirmation Order**”). Unless otherwise defined in this Notice, capitalized terms used herein shall have the meanings ascribed to them in the *Amended Joint Plan of Liquidation Under Chapter 11 of the Bankruptcy Code for PropCo Debtors and HoldCo Debtors (With Technical Modifications)*, dated May 17, 2017 (as confirmed, a copy of which is attached to the Confirmation Order as Exhibit A, and together with all exhibits thereto, the “**Plan**”).

PLEASE TAKE FURTHER NOTICE that the provisions of the Plan, the Plan Supplement, and the Confirmation Order are binding on (a) any Holder of a Claim against, or Equity

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are: Newbury Common Associates, LLC (3783); Seaboard Realty, LLC (6291); 600 Summer Street Stamford Associates, LLC (6739); Seaboard Hotel Member Associates, LLC (8984); Seaboard Hotel LTS Member Associates, LLC (6005); Park Square West Member Associates, LLC (9223); Seaboard Residential, LLC (2990); One Atlantic Member Associates, LLC (4120); 88 Hamilton Avenue Member Associates, LLC (5539); 316 Courtland Avenue Associates, LLC (0290); 300 Main Management, Inc. (6365); 300 Main Street Member Associates, LLC (2334); PSWMA I, LLC (6291); PSWMA II, LLC (6291); Tag Forest, LLC (8974); Newbury Common Member Associates, LLC (3909); Century Plaza Investor Associates, LLC (1480); Seaboard Hotel Associates, LLC (2281); Seaboard Hotel LTS Associates, LLC (8811); Park Square West Associates, LLC (9781); Clocktower Close Associates, LLC (3154); One Atlantic Investor Associates, LLC (7075); 88 Hamilton Avenue Associates, LLC (5749); 220 Elm Street I, LLC (7540); 300 Main Street Associates, LLC (8501); and 220 Elm Street, II (7625). The Debtors’ corporate headquarters is located at, and the mailing address for each Debtor is, 1 Atlantic Street, Stamford, CT 06901.

Interest in, the Plan Debtors and such Holder's respective successors and assigns (whether or not the Claim or Equity Interests are Impaired under the Plan, whether or not such Holder has voted to accept the Plan, and whether or not such Holder is entitled to a Distribution under the Plan), (b) all Entities that are parties to or are subject to the settlements, compromises, releases, and injunctions described in the Plan, (c) each Person acquiring property under the Plan or the Confirmation Order, and (d) any and all non-Debtor parties to executory contracts and unexpired leases with the Plan Debtors.

PLEASE TAKE FURTHER NOTICE that the Effective Date of the Plan was **June 8, 2017**.

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to obtain a copy of the Confirmation Order may obtain such copy at <https://www.donlinrecano.com/Clients/nca/Index>. Copies of the Confirmation Order may also be reviewed during regular business hours at the Court, 824 North Market Street, Wilmington, Delaware 19801, or may be obtained at the Court's website at www.deb.uscourts.gov by following the directions for accessing the ECF system on such site.

PLEASE TAKE FURTHER NOTICE that any party who wishes to receive notice of pleadings filed in the Chapter 11 Cases following the occurrence of the Effective Date must request such notice under Bankruptcy Rule 2002. Unless service is required by the Bankruptcy Rules or the Local Rules, parties who previously requested notice pursuant to Bankruptcy Rule 2002 will not continue to receive such notice unless and until a renewed request for notice under Bankruptcy Rule 2002 is made.

Administrative Claims Bar Date

PLEASE TAKE FURTHER NOTICE that, subject to the exceptions set forth in Section 4.1(b) of the Plan, holders of Administrative Claims (other than Professional Claims) against the Plan Debtors arising during the period from September 1, 2016 through the Effective Date must file requests for payment of Administrative Claims so as to be actually received by the Claims Agent **on or before 4:00 p.m. (prevailing Eastern Time) on July 10, 2017 (the "Supplemental Administrative Claims Bar Date")** at the following address: (a) if by first-class mail, to Donlin, Recano & Company, Inc., Re: Newbury Common Associates, LLC, et al., P.O. Box 192328, Blythebourne Station, Brooklyn, NY 11219, or (b) if by overnight courier or hand delivery, Donlin, Recano & Company, Inc., Re: Newbury Common Associates, LLC, et al., 6201 15th Avenue, Brooklyn, NY 11219.

PLEASE TAKE FURTHER NOTICE that all requests for payment of such Administrative Claims must: (i) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant; (ii) be written in the English language; (iii) denominate the claim in lawful currency of the United States as of the Supplemental Administrative Claims Bar Date; (iv) indicate the particular Debtor against which the claim is asserted; and (v) include supporting documentation (or, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available.

PLEASE TAKE FURTHER NOTICE that any Person that is required to File a request for payment of an Administrative Claim (other than Professional Claims) under the Plan and fails to do so by the Supplemental Administrative Claims Bar Date shall be forever barred, estopped, and enjoined from asserting such Administrative Claim, and such Administrative Claim shall not be enforceable against the Investor Trust, the Investor Trustee, the Plan Debtors, the Estates, and their respective properties, and the Investor Trust, the Investor Trustee, the Plan Debtors, the Estates, and shall not be entitled to any Distribution under the Plan with respect to such Administrative Claim, unless otherwise ordered by the Court or as otherwise provided in the Plan. For the avoidance of doubt, the establishment of the Supplemental Administrative Claims Bar Date does not extend the time for parties to file any Administrative Claim (other than Professional Claims) arising prior to September 1, 2016, and any Administrative Claim related to such period shall be subject to the Bar Dates or other orders of the Court establishing the time period within which parties may file such claims.

Professional Claim Bar Date

PLEASE TAKE FURTHER NOTICE that any Professional seeking allowance by the Court of a Professional Claim shall file its respective final application for allowance of compensation for services rendered and reimbursement of expenses incurred **no later than 4:00 p.m. (prevailing Eastern Time) on July 10, 2017**. Objections to such Professional Claims, if any, must be filed and served within twenty (20) calendar days of the filing of the final fee application.

Rejection Damages Bar Date

PLEASE TAKE FURTHER NOTICE that, on the Effective Date, all of the Plan Debtors' executory contracts and unexpired leases will be deemed rejected as of the Effective Date in accordance with, and subject to, the provisions and requirements of sections 365 and 1123 of the Bankruptcy Code, except to the extent that (a) the Plan Debtors previously have assumed, assumed and assigned, or rejected such executory contract or unexpired lease, (b) prior to the Effective Date, the Plan Debtors have Filed a motion to assume, assume and assign, or reject an executory contract or unexpired lease on which the Court has not ruled, or (c) an executory contract and unexpired lease is specifically identified in the Plan Supplement as an executory contract or unexpired lease to be assumed pursuant to the Plan, in which case such executory contract or unexpired lease shall be assumed by the applicable Plan Debtor(s) and assigned to the Investor Trust.

PLEASE TAKE FURTHER NOTICE that if the rejection by the Plan Debtors of an executory contract or an unexpired lease pursuant to Section 10.1 of the Plan results in damages to the other party or parties to such executory contract or unexpired lease, a Proof of Claim asserting those damages that arise from such rejection (a "**Rejection Claim**") must be submitted to the Claims Agent, Donlin, Recano & Company, Inc., so as to actually be received **no later than 4:00 p.m. (prevailing Eastern Time) on July 10, 2017** at the address set forth above under the heading "Administrative Claims Bar Date." Nothing set forth in the Plan shall extend the deadline to file a Rejection Claim if an earlier deadline was established under the Bar Date Order.

PLEASE TAKE FURTHER NOTICE that any Person that is required to file a Proof of Claim for a Rejection Claim and that fails to timely do so shall be forever barred, estopped, and enjoined from asserting such Claim, and such Claim shall not be enforceable against the Investor Trust, the Investor Trustee, the Plan Debtors, the Estates, the Investor Trust Assets and the Distribution Escrow Account and funds therein unless otherwise ordered by the Court or as otherwise provided in the Plan.

Dated: June 8, 2017
Wilmington, Delaware

Respectfully submitted,

By: /s/ Ryan M. Bartley
YOUNG CONAWAY STARGATT & TAYLOR, LLP
Robert S. Brady (No. 2847)
Sean T. Greecher (No. 4484)
Ryan M. Bartley (No. 4985)
Ashley E. Jacobs (No. 5635)
1000 North King Street
Wilmington, DE 19801
Telephone: (302) 571-6600
Facsimile: (302) 571-1253
rbrady@ycst.com
sgreecher@ycst.com
rbartley@ycst.com
ajacobs@ycst.com

*Attorneys for the Debtors and
Debtors in Possession*