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

Towns	) Chartan 11
In re:	) Chapter 11
WESTWIND MANOR RESORT ASSOCIATION, INC., et al.,1	Case No. 19-50026 (DRJ)
Debtors.	) Jointly Administered
	)

NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT, (II) ESTABLISHMENT OF VOTING RECORD DATE, (III) HEARING ON CONFIRMATION OF THE PLAN, (IV) PROCEDURES AND DEADLINE FOR OBJECTING TO THE PLAN, AND (V) PROCEDURES AND DEADLINE FOR VOTING ON THE PLAN

## **NOTICE IS HEREBY GIVEN** as follows:

- 1. Between March 4, 2019 and May 30, 2019, the above-captioned debtors and debtors in possession (the "<u>Debtors</u>") each filed a petition in the United States Bankruptcy Court for the Southern District of Texas (the "<u>Bankruptcy Court</u>") seeking relief under chapter 11 of the Bankruptcy Code (the "<u>Chapter 11 Cases</u>")
- 2. On March 18, 2020, the Bankruptcy Court held a hearing (the "<u>Disclosure Statement Hearing</u>") at which it approved the Debtors' First Amended Disclosure Statement for the First Amended Joint Plan of Reorganization Proposed by the Debtors and the Committee Pursuant to Section 1125 of the Bankruptcy Code filed on March 17, 2020 (Docket No. 786) (as may be amended, modified, or supplemented from time to time, the "<u>Disclosure</u>

<sup>&</sup>lt;sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Westwind Manor Resort Association, Inc. (7533); Warrior ATV Golf, LLC (3420); Warrior Acquisitions, LLC (9919); Warrior Golf Development, LLC (5741); Warrior Golf Management, LLC (7882); Warrior Golf Assets, LLC (1639); Warrior Golf Venture, LLC (7752); Warrior Premium Properties, LLC (0220); Warrior Golf, LLC (4207); Warrior Custom Golf, Inc. (2941); Warrior Golf Equities, LLC (9803); Warrior Golf Capital, LLC (5713); Warrior Golf Resources, LLC (6619); Warrior Golf Legends, LLC (3099); Warrior Golf Holdings, LLC (2892); and Warrior Capital Management, LLC (8233). The address of the Debtors' corporate headquarters is 15 Mason, Suite A, Irvine, California 92618.

**Statement**") and thereafter the Bankruptcy Court entered an order with respect thereto (Docket No. 783) (the "**Disclosure Statement Order**"). The Disclosure Statement Order authorizes the Debtors to, among other things, solicit votes to accept the Debtors' and Committee's First Amended Joint Plan of Reorganization (Docket No. 787) (as amended, modified, or supplemented from time to time, the "**Plan**").<sup>2</sup>

3. <u>Confirmation Hearing</u>. A hearing to consider confirmation of the Plan (the "<u>Confirmation Hearing</u>") will be held before the Honorable Judge David R. Jones at the Bankruptcy Court, Courtroom 400, 515 Rusk Street, Houston, Texas 77002, on **June 15, 2020** at 2:00 p.m. (Central Time), or as soon thereafter as counsel can be heard.

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

## <u>CRITICAL INFORMATION REGARDING VOTING ON THE PLAN</u>

- 4. Record Date. Holders of Claims against the Debtors in Class 3C (Secured Claims Cimarron), Class 4 (General Unsecured Claims), Class 5 (Investment Claims), and Class 6 (Convertible Note Claims) as of March 18, 2020 (the "Record Date") are eligible to vote on the Plan.
- 5. <u>Voting Deadline</u>. All votes to accept or reject the Plan must be actually received by the Debtors' voting agent, Donlin, Recano & Company, Inc. (the "<u>Voting Agent</u>") by 5:00
  p.m. (CT) on June 2, 2020 (the "<u>Voting Deadline</u>"). Failure to follow the voting instructions included with the ballot may disqualify both the ballot and the vote.

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<sup>&</sup>lt;sup>2</sup> Capitalized terms used but not otherwise herein defined shall have the meanings ascribed to such terms in the Plan.

6. Parties Not Entitled to Vote. Holders of unimpaired Claims under the Plan are not entitled to vote and will not receive a Ballot. Holders of Claims and Interests that are not entitled to receive a distribution under the Plan on account of their Claims or Interests are also not entitled to vote and will not receive a Ballot.

## CRITICAL INFORMATION REGARDING OBJECTING TO THE PLAN

7. Plan Objection Deadline. The deadline to object to confirmation of the Plan is 5:00 p.m. (CT) on June 5, 2020 (the "Plan Objection Deadline"). Any objection to the Plan must: (i) be in writing; (ii) conform to the applicable Federal Rules of Bankruptcy Procedure and the Bankruptcy Local Rules for the Southern District of Texas; (iii) set forth the name of the objecting party, the basis for the objection, and the specific grounds thereof; and (iv) be filed with the Bankruptcy Court and served on the Debtors on or before the Plan Objection Deadline.

IF AN OBJECTION TO THE PLAN IS NOT FILED AND SERVED STRICTLY AS PRESCRIBED HEREIN, THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO THE PLAN OR CONFIRMATION THEREOF AND MAY NOT BE HEARD AT THE CONFIRMATION HEARING.

8. Additional Documents. Copies of the Plan and the Disclosure Statement may be obtained free of charge by visiting the website maintained by the Voting Agent at https://www.donlinrecano.com/Clients/warrior/Dockets. Copies of the Plan and Disclosure Statement may also be obtained free of charge by contacting the Voting Agent at 1-866-745-0270, or through electronic mail to warriorinfo@donlinrecano.com with "Warrior Golf" in the subject line.

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9. **Plan Supplement.** The Debtors will file and serve a supplement to the Plan on or before **May 8, 2020.** 

Dated: March 23, 2020 Respectfully submitted,

By: /s/ Michael D. Warner

Michael D. Warner (TX Bar No. 00792304) Benjamin L. Wallen (TX Bar No. 24102623)

COLE SCHOTZ P.C.

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