UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:	:	Chapter 11
EHT US1, Inc., *et al*.,	:	Case No. 21-10036 (CSS)
Debtors.[1]	:	(Jointly Administered)

NOTICE OF: (I) APPROVAL OF DISCLOSURE STATEMENT; (II) ESTABLISHMENT OF VOTING RECORD DATE; (III) PROCEDURES AND DEADLINE FOR VOTING ON PLANS; AND (IV) HEARING ON CONFIRMATION OF PLANS AND RELATED PROCEDURES FOR OBJECTIONS

PLEASE TAKE NOTICE THAT:

1. **Approval of Disclosure Statement.** On November 4, 2021, the Bankruptcy Court entered an Order (the "*Disclosure Statement Order*") approving the *Disclosure Statement for Joint Plan of Liquidation of Eagle Hospitality Real Estate Investment Trust and Certain of its Subsidiary Debtors Under Chapter 11 of the Bankruptcy Code* (as applicable, the "Disclosure Statement" and each plan of a Liquidating Debtor, a "Plan" and, collectively, the "Plans"). The proponents of the Plans (the "Plan Proponents") are the Liquidating Debtors, the official committee of unsecured creditors appointed in the Chapter 11 Cases (the "Committee"), and Bank of America, N.A., in its capacities as administrative agent and U.S. funding agent under the Prepetition Credit Agreement (the "Prepetition Agent"). Capitalized terms used in this Notice have the meanings given to them in the Plans. The Disclosure Statement Order authorizes the Liquidating Debtors to solicit votes to accept or reject the Plans.

2. **Confirmation Hearing**. The Confirmation Hearing (the "Confirmation Hearing") to consider confirmation of the Plans will be held on **December 20, 2021 at 9:00 a.m. (prevailing Eastern Time)** before the Honorable Christopher S. Sontchi, United States Bankruptcy Judge, of the United States Bankruptcy Court for the District of Delaware, Fifth Floor, Courtroom #6, 824 North Market Street, Wilmington, Delaware 19801. The Confirmation Hearing may be continued from time to time without further notice other than the announcement by the Liquidating Debtors in open court of the adjourned date(s) at the Confirmation Hearing or any continued hearing. The Plan Proponents may modify the Plans, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance with the terms of the Plans without further notice. **NOTE: Due to the COVID-19 crisis, the Confirmation Hearing may be conducted remotely. Please refer to the Bankruptcy Court's website for further instructions at https://www.deb.uscourts.gov**.

3. **Record Date for Voting Purposes**. Holders of claims in Class 4 (Prepetition Lender Claims against Debtor Propcos), Class 5 (Other General Unsecured Claims against Debtor Propcos), Class 6 (Convenience Claims against Debtor Propcos), Class 8 (Unsecured Prepetition Lender Non-Propco Claims Against Debtor Non-Propcos), and Class 9 (Other General Unsecured Claims against Debtor Non-Propcos) under the Plan of each Debtor Non-Propco (other than EH REIT) on **November 4, 2021** (the "Voting Record Date") are entitled to vote on the Plans.

[1] The Debtors in these chapter 11 cases, along with the last four digits of each debtor's tax identification number, as applicable, are as follows: EHT US1, Inc.(6703); 5151 Wiley Post Way, Salt Lake City, LLC (1455); ASAP Cayman Atlanta Hotel LLC (2088); ASAP Cayman Denver Tech LLC (7531); ASAP Cayman Salt Lake City Hotel LLC (7546); ASAP Salt Lake City Hotel, LLC (7146); Atlanta Hotel Holdings, LLC (6450); CI Hospitality Investment, LLC (7641); Eagle Hospitality Real Estate Investment Trust (7734); Eagle Hospitality Trust S1 Pte. Ltd. (7669); Eagle Hospitality Trust S2 Pte. Ltd. (7657); EHT Cayman Corp. Ltd. (7656); Sky Harbor Atlanta Northeast, LLC (6846); Sky Harbor Denver Holdco, LLC (6650); Sky Harbor Denver Tech Center, LLC (8303); UCCONT1, LLC (0463); UCF 1, LLC (6406); UCRDH, LLC (2279); UCHIDH, LLC (6497); Urban Commons 4th Street A, LLC (1768); Urban Commons Anaheim HI, LLC (9915); Urban Commons Bayshore A, LLC (2422); Urban Commons Cordova A, LLC (4152); Urban Commons Danbury A, LLC (4388); Urban Commons Highway 111 A, LLC (4497); Urban Commons Queensway, LLC (6882); Urban Commons Riverside Blvd., A, LLC (4661); and USHIL Holdco Member, LLC (4796). The Debtors' mailing address is 1166 Avenue of the Americas, 15th Floor, New York, NY 10036 c/o Alan Tantleff (solely for purposes of notices and communications).

4. **Voting Procedures.** If you are entitled to vote you will receive a solicitation package which shall include a copy of (a) the Disclosure Statement Order, (b) this Notice, (c) the Disclosure Statement and the Plans, and (d) a ballot (the "Ballot"). Please review the Ballot of specific instructions as to how to vote. Failure to follow the voting instructions may disqualify your vote.

5. **Voting Deadline.** The deadline to vote on the Plans is **4:00 p.m. (prevailing Eastern Time) on December 9, 2021** (the "Voting Deadline"). The Liquidating Debtors' voting agent, Donlin Recano & Company, Inc. (the "Voting Agent"), must receive your ballot by the Voting Deadline otherwise your vote will not be counted.

6. **Parties in Interest Not Entitled to Vote.** Holders of claims in Class 1 (Priority Non-Tax Claims), Class 2 (Secured Tax Claims), Class 3 (Other Secured Claims), Class 7 (Secured Prepetition Lender Non-Propco Claims), Class 9 (Other General Unsecured Claims against Debtor Non-Propcos) under the Plan of EH REIT, Class 10 (Intercompany Claims), Class 11 (Liquidating Debtor Intercompany Equity Interests), Class 12 (EH REIT Equity Interests), and Class 13 (EH REIT Section 510(b) Claims) are not entitled to vote on the Plans. Such holders will receive an appropriate Notice of Non-Voting Status instead of a Ballot. If you have timely filed a proof of claim and disagree with the Debtors' classification of, objection to, or request for estimation of, your claim and believe that you should be entitled to vote on the Plan, then you must serve the Liquidating Debtors and Committee, and file with the Court a motion (a "Rule 3018(a) Motion") for an order pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") temporarily allowing your claim in a different amount or in a different class for purposes of voting to accept or reject the Plan. All Rule 3018(a) Motions must be filed on or before the 7th day before the Voting Deadline. As to any creditor filing a Rule 3018(a) Motion, such creditor's Ballot will not be counted except as may be otherwise ordered by the Court. Creditors may contact Donlin Recano & Company at (800) 416-3743 (or outside of the U.S. at (212) 771-1128) to receive an appropriate Ballot for any claim for which a proof of claim has been timely filed and a Rule 3018(a) Motion has been granted. Rule 3018(a) Motions that are not timely filed and served in the manner set forth above shall not be considered.

7. **Plan Supplement.** The Liquidating Debtors plan to file the Plan Supplement as soon as practicable (but in no event later than ten (10) days prior to the Voting Deadline). The Plan Proponents will not serve the Plan Supplement. However, parties may obtain a copy of the Plan Supplement at no charge from the Voting Agent by: (a) visiting the Liquidating Debtors' restructuring website at https://donlinrecano.com/clients/eagle/Index; or (b) calling the Liquidating Debtors' Voting Agent, Donlin Recano & Company, Inc., at (800) 416-3743 (or outside of the U.S. at (212) 771-1128).

8. **Objections to Plan Confirmation.** Objections or responses to confirmation of the Plans, if any, must (i) be in writing, (ii) state the name and address of the objecting party and the amount and nature of the claim or interest of such party, (iii) state with particularity the basis and nature of any objection or proposed modification to the Disclosure Statement or Plans, and (iv) be filed, together with proof of service, with the Court and served so as to be actually received by the following parties no later than **4:00 p.m. (prevailing Eastern Time), on December 9, 2021**: (a) counsel for the Debtors, (i) Cole Schotz P.C. 500 Delaware Avenue, Suite 1410, Wilmington, DE 19801, Attn: Seth Van Aalten, G. David Dean and Justin R. Alberto and (ii) Paul Hastings LLP, 200 Park Avenue, New York, NY 10166, Attn: Luc A. Despins, Esq. and G. Alexander Bongartz, Esq., (b) counsel for the Committee, (i) Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801, Attn: Jeffrey R. Waxman, Eric J. Monzo and Brya M. Keilson, and (ii) Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the America, New York, NY 10036, Attn: Adam C. Rogoff, Robert T. Schmidt, and Douglas Buckley (c) counsel for the Prepetition Agent, (i) Morgan, Lewis & Bockius LLP, 101 Park Avenue, New York, NY 10178-0060, Attn: Jennifer Feldsher, (ii) Morgan, Lewis & Bockius LLP, One Federal Street, Boston, MA 02110, Attn: Jonathan K. Bernstein and Christopher L. Carter, and (iii) Richards, Layton & Finger, P.A. One Rodney Square 920 North King Street, Wilmington, DE 19801, Attn: Mark D. Collins and Brendan J. Schlauch, and (d) the Office of the United States Trustee for the District of Delaware, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 1980, Attn: Richard L. Schepacarter.

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

9. **Additional Information.** For more information about the solicitation procedures, or for copies of the Disclosure Statement and the Plans, parties should contact the Liquidating Debtors' Voting Agent, Donlin Recano & Company, Inc., at (800) 416-3743 (or outside of the U.S. at (212) 771-1128). The Disclosure

Statement and the Plans may be examined free of charge at https://donlinrecano.com/clients/eagle/Index. The Disclosure Statement and the Plans are also on file with the Court and may be viewed by accessing the Court's website at www.deb.uscourts.gov. To access documents on the Court's website, you will need a PACER password and login, which you can be obtained at www.pacer.psc.uscourts.gov.

NOTICE TO HOLDERS OF EQUITY INTERESTS IN EH REIT REGARDING CONTINGENT LITIGATION TRUST INTERESTS

- **Pursuant to the Plan of EH REIT, holders of EH REIT Equity Interests will receive contingent Liquidating Trust Interests (Non-Propco) that will entitle them to a Distribution only if all Holders of Allowed Claims against EH REIT have been paid in full.**

- **The Plan Proponents do not believe, at this time, that Holders of EH REIT Equity Interests will receive a Distribution on account of such Liquidating Trust Interests (Non-Propco). However, whether any such Distributions can ultimately be made will depend on, among other things, whether (and the extent to which) additional funds can be realized from pursuing the EH REIT Causes of Action or other Causes of Action of the Liquidating Debtors (to the extent any net proceeds remain after all creditors of the Liquidating Debtors have been paid in full).**

- **No assurance can be provided as to (i) whether there are any such meritorious Causes of Action, (ii) whether such Causes of Action will ever be prosecuted, and (iii) whether, if successfully prosecuted, there will be any actual collection of material recoveries from defendants. Therefore, no assurance can be provided as to whether sufficient funds will ever be realized so as to allow for Distributions to Holders of EH REIT Equity Interests.**

- **Separately, Claims for the dividend declared by EH REIT on February 17, 2020 may receive a Distribution on account of Other General Unsecured Claims against EH REIT (i.e., Class 9 under the EH REIT Plan), to the extent such Claims are ultimately Allowed. In that case, such Claims would be entitled to a Distribution on account of the Liquidating Trust Interests (Non-Propco) to the extent that net proceeds from the Liquidating Trust Non-Propco Assets at the EH REIT level or from EH REIT Causes of Action become available for Distributions to Holders of Allowed Other General Unsecured Claims against EH REIT. Such Claims would have priority over EH REIT Equity Interests, *i.e.*, no Distributions could be made to Holders of EH REIT Equity Interests unless all creditors of EH REIT have been paid in full. To be clear, at this time, the Plan Proponents do not believe that there are any funds available at the EH REIT level to make any Distributions to holders of such Claims.**

Dated: November 4, 2021
Wilmington, Delaware

Seth Van Aalten (admitted *pro hac vice*)
G. David Dean
COLE SCHOTZ P.C.
500 Delaware Avenue, Suite 1410
Wilmington, Delaware 19801
Telephone: (302) 652-3131

Facsimile: (302) 652-3117
Email: svanaalten@coleschotz.com
ddean@coleschotz.com

- and -

Luc A. Despins (admitted *pro hac vice*)
G. Alexander Bongartz (admitted *pro hac vice*)
PAUL HASTINGS LLP
200 Park Avenue
New York, New York 10166
Telephone: (212) 318-6000
Facsimile: (212) 319-4090
Email: lucdespins@paulhastings.com
alexbongartz@paulhastings.com