

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

In re:	) Chapter 11
	)
TRITEK INTERNATIONAL INC., <i>et al.</i> , <sup>1</sup>	) Case No. 23-10520 (TMH)
	)
Debtors.	) (Jointly Administered)
	)
	) <b>Re: Docket No. 358, 370 &amp; 380</b>

**NOTICE OF (I) APPROVAL OF FIRST AMENDED COMBINED DISCLOSURE STATEMENT AND JOINT CHAPTER 11 PLAN ON AN INTERIM BASIS FOR SOLICITATION PURPOSES ONLY, AND (II) THE HEARING TO CONSIDER (A) FINAL APPROVAL OF THE FIRST AMENDED COMBINED DISCLOSURE STATEMENT, AND (B) CONFIRMATION OF THE CHAPTER 11 PLAN OF LIQUIDATION**

**NOTICE IS HEREBY GIVEN** as follows:

On April 27, 2023 (the “Petition Date”), Debtors commenced their cases by filing petitions for relief under chapter 11 of the Bankruptcy Code (the “Chapter 11 Cases”) with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). On June 15, 2023, an official committee of unsecured creditors (the “Committee”) was appointed in these Chapter 11 Cases.

On August 18, 2023, the Bankruptcy Court entered the *Order (I) Approving the Combined Disclosure Statement and Joint Chapter 11 Plan on an Interim Basis for Solicitation Purposes Only; (II) Establishing the Solicitation and Tabulation Procedures; (III) Approving the Form of Ballots and Solicitation Materials; (IV) Establishing the Plan Confirmation Schedule; and (V) Granting Related Relief* [Docket No. 370] (the “Solicitation Procedures Order”).

On August, 23, 2023, the Debtors filed the *Notice of Filing of the Solicitation Version of the First Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Tritek International, Inc. and Its Affiliated Debtors* [Docket No. 380] (as it may be amended or modified, the “First Amended Combined Disclosure Statement and Plan”) As used herein, the term “Disclosure Statement” means the disclosure statement that is embodied in the First Amended Combined Disclosure Statement and Plan, and the term “Plan” means the plan of liquidation that is embodied in the First Amended Combined Disclosure Statement and Plan.<sup>2</sup>

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number are: Tritek International Inc. (7919); HyLife Foods Windom, LLC (5391); and Canwin Farms, LLC (3973). Debtors' mailing address is 2850 Highway 60 East, Windom, MN 56101.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Combined Disclosure Statement and Plan. The statements contained herein are summaries of the provisions contained in

The First Amended Combined Disclosure Statement and Plan, Solicitation Procedures Order and the other documents and materials included in the Solicitation Package may be obtained from Donlin, Recano & Company, Inc. (the “Voting Agent”) at no charge by (i) accessing Debtors’ restructuring website at <https://www.donlinrecano.com/tritek>; (ii) calling the Voting Agent at (800) 761-6523 or, if calling from outside the United States or Canada, at (212) 771-1128; or (iii) emailing [DRCVote@donlinrecano.com](mailto:DRCVote@donlinrecano.com). Parties can request a paper copy by contacting the Voting Agent.

### Summary of Key Dates

A table summarizing the key dates is included below for ease of reference:

<u>Event</u>	<u>Date</u>
Voting Record Date	August 18, 2023 at 11:59 p.m. (prevailing Eastern Time)
Date Solicitation Will Commence ( <i>i.e.</i> , the “ <u>Solicitation Date</u> ”)	August 25, 2023
Deadline to File 3018 Motions	September 13, 2023 at 4:00 p.m. (ET)
Deadline to File Plan Supplement	September 20, 2023
Deadline to Object to Rule 3018 Motions	September 20, 2023
Voting Deadline	September 28, 2023 at 5:00 p.m. (prevailing Eastern Time)
Deadline to Object to Final Approval of Disclosure Statement and/or Confirmation of Plan ( <i>i.e.</i> , the “ <u>Confirmation Objection Deadline</u> ”)	September 28, 2023 at 5:00 p.m. (prevailing Eastern Time)

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the Combined Disclosure Statement and Plan and do not purport to be precise or complete statements of all the terms and provisions thereof or documents referred to therein. To the extent there is a discrepancy between the terms herein and the Combined Disclosure Statement and Plan, the terms in the Combined Disclosure Statement and Plan shall govern and control.

Deadline to File Reply to Objections to Final Approval of Disclosure Statement and/or Confirmation of the Plan and the Confirmation Brief	October 2, 2023 at 12:00 p.m. (prevailing Eastern Time)
Deadline to File Voting Report	October 2, 2023 12:00 p.m. (prevailing Eastern Time)
Confirmation Hearing	October 5, 2023 at 10:00 a.m.

### **Summary of Plan Treatment**

The following chart summarizes the treatment provided under the Plan to each class of Claims against, and Interests in, Debtors, and indicates the voting status of each class. This chart is only a summary of the classification of Claims and Interests under the Plan. You should review the entire First Amended Combined Disclosure Statement and Plan for a complete description.

<b><u>Class</u></b>	<b><u>Claim or Interest</u></b>	<b><u>Voting Rights</u></b>	<b><u>Status</u></b>
1	Priority Non-Tax Claims	Deemed to Accept Plan	Unimpaired
2	Other Secured Claims	Deemed to Accept Plan	Unimpaired
3	Prepetition Loan Claims	Entitled to Vote	Impaired
4	General Unsecured Claims	Entitled to Vote	Impaired
5	Intercompany Claims	Deemed to Reject Plan	Impaired
6	Interests	Deemed to Reject Plan	Impaired

If you hold a Claim against the Debtors as of August 18, 2023 (the “Voting Record Date”) and are entitled to vote to accept or reject the Plan, you have received with this Confirmation Hearing Notice a Ballot and voting instructions appropriate for your Claim, and a copy of the Plan and First Amended Disclosure Statement. The Plan and First Amended Disclosure Statement and all documents attendant thereto will be distributed by the Voting Agent via USB Thumb Drive. The USB Thumb Drive will be white in color and will come with a one-page sheet outlining the documents included on the USB Thumb Drive.

Any Plan Supplement must be filed with this Court no later than seven (7) days prior to the Voting Deadline and will be available at (i) Debtors’ restructuring website at <https://www.donlinrecano.com/tritek> or by emailing [DRCVote@donlinrecano.com](mailto:DRCVote@donlinrecano.com) (ii) calling the Voting Agent at (800) 761-6523 or, if calling from outside the United States or Canada, at (212) 771-1128; or (iii) emailing [DRCVote@donlinrecano.com](mailto:DRCVote@donlinrecano.com).

If any holder of a Claim seeks to challenge the allowance of its Claim for voting purposes in accordance with the Tabulation Procedures set forth in the Solicitation Procedures Order, including because a claim objection has been filed against that holder's Claim, such holder must file a motion, pursuant to Bankruptcy Rule 3018(a), for an order temporarily allowing its Claim in a different amount or classification for purposes of voting to accept or reject the Plan (a "Rule 3018 Motion") and serve the Rule 3018 Motion on the Debtors' counsel, whose contact information is on the last page of this notice, so that it is received by them no later than September 13, 2023, 4:00 p.m. (ET). The Debtors (and, with respect to filing a response, any other party in interest) shall then have seven (7) days after service of the Rule 3018 Motion to file and serve any responses to the same. If the Rule 3018 Motion is not consensually resolved, such Rule 3018 Motion will be adjudicated prior to or at Confirmation Hearing.

### **Non-Voting Status of Holders of Certain Claims and Interests**

As set forth above, certain Holders of Claims and all Holders of Interests are **not** entitled to vote on the Plan. As a result, such parties will not receive any ballots and other related solicitation materials in order to vote on the Plan. Claims in Classes 1 and 2 are Unimpaired under the Plan and, therefore, are deemed to have accepted the Plan pursuant to section 1126(f) of the Bankruptcy Code. Holders of Intercompany Claims in Class 5 and Holders of Interests in Class 6 will neither receive nor retain any property under the Plan and, accordingly, are deemed to reject the Plan pursuant to section 1126(g) of the Bankruptcy Code.

As explained above, the Voting Agent will provide to you, free of charge, a copy of the Combined First Amended Disclosure Statement and Plan, upon request to the Voting Agent. Copies of the Combined First Amended Disclosure Statement and Plan are also available for free on the Voting Agent's website at <https://www.donlinrecano.com/tritek> and are on file with the Clerk of the Bankruptcy Court for the District of Delaware and may be reviewed during the regular hours of the Bankruptcy Court or online through the Bankruptcy Court's website at <http://www.deb.uscourts.gov>.

### **Exculpation, Releases and Injunctions**<sup>3</sup>

**PLEASE BE ADVISED THAT ARTICLE XIV OF THE COMBINED DISCLOSURE STATEMENT AND PLAN CONTAINS CERTAIN EXCULPATION, RELEASE AND INJUNCTION PROVISIONS, WHICH ARE RESTATED BELOW.**

#### **Section 14.1(a): Exculpation and Limitation of Liability.**

**(a) Exculpation and Limitation of Liability. Notwithstanding any other provision of the Plan, the Exculpated Parties shall not have or incur any liability to, or be subject to any right of action by, any Holder of a Claim or an Interest, or any other party in interest, or any of their respective agents, employees, representatives, financial advisors, attorneys, or agents acting in such capacity, or Affiliates, or any of**

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<sup>3</sup> The Plan provisions referenced herein are for summary purposes only and do not include all provisions of the Plan that may affect your rights. Defined terms used in this summary have the meanings ascribed in the Plan. If there is an inconsistency between the provisions set forth herein and the Plan, the Plan governs.

their successors or assigns, for any act or omission relating to, in any way, or arising from (i) the Chapter 11 Cases, (ii) formulating, negotiating or implementing the combined Disclosure Statement and Plan or any contract, instrument, release or other agreement or document created or entered into in connection with the combined Disclosure Statement and Plan; (iii) the Sales; (iv) any other postpetition act taken or omitted to be taken in connection with or in contemplation of the restructuring, sale or liquidation of Debtors; (v) the solicitation of acceptances of the Plan, the pursuit of Confirmation of the Plan, the Confirmation of the Plan, the Consummation of the Plan or (vi) the administration of the Plan or the property to be distributed under the Plan, except for their gross negligence or willful misconduct as determined by a Final Order, and in all respects shall be entitled to reasonably rely upon the advice of counsel with respect to their duties and responsibilities under the Plan. This exculpation shall be in addition to, and not in limitation of, all other releases, indemnities, exculpations and any other applicable law or rules protecting the Exculpated Parties from liability. The Confirmation Order shall serve as a permanent injunction against any Entity seeking to enforce any claim or cause of action against the Exculpated Parties that has been exculpated pursuant to Section 14.1(a) of the Plan.

In the event the Court determines that applicable law does not permit a person or Entity to be an Exculpated Party, the First Amended Combined Disclosure Statement and Plan shall be deemed modified to exclude such person or Entity from the definition of Exculpated Party. For avoidance of doubt, such exclusion shall not affect the exculpations contained in the Combined Disclosure Statement and Plan with respect to the other Exculpated Parties.

**Section 14.1(b): Releases by Debtors.**

(b) **Releases by Debtors.** Except as otherwise expressly provided in the Plan or the Confirmation Order, on the Effective Date, for good and valuable consideration, each of the Debtors, on their own behalf and as a representative of their respective Estates, shall, and shall be deemed to, completely and forever release, waive, void, extinguish and discharge unconditionally, each and all of the Released Parties of and from any and all Claims, Causes of Action, obligations, suits, judgments, damages, debts, rights, remedies and liabilities of any nature whatsoever, whether liquidated or unliquidated, fixed or Contingent, matured or unmatured, known or unknown, foreseen or unforeseen, then existing or thereafter arising, in law, equity or otherwise, that are or may be based in whole or part on any act, omission, transaction, event or other circumstance taking place or existing on or prior to the Effective Date (including prior to the Petition Date) in connection with or related to any of the Debtors, their respective Assets, the Estates, or the Chapter 11 Cases, that may be asserted by or on behalf of any of the Debtors or their respective Estates, against any of the Released Parties.

**Section 14.1(c): Consensual Third-Party Releases by Holders of Claims.**

(c) **Consensual Third-Party Releases by Certain Parties.** As of the Effective Date, for good and valuable consideration, the adequacy of which is hereby confirmed, the Releasing Parties shall be deemed to forever release, waive and discharge the Released Parties of all claims, obligations, suits, judgments, damages, demands, debts, rights, remedies, causes of action and liabilities of any nature whatsoever in connection with or related to Debtors, the Chapter 11 Cases, or the combined Disclosure Statement and Plan, whether liquidated or unliquidated, fixed or contingent, matured or unmatured, known or unknown, foreseen or unforeseen, then existing or hereafter arising, in law, equity, or otherwise that are or may be based in whole or in part upon any act, omission, transaction, event, or other occurrence taking place or existing on or prior to the Effective Date (including prior to the Petition Date), other than the rights of Holders of Allowed Claims to enforce the obligations under the Confirmation Order and the Plan; provided, however, that nothing in this section shall operate as a release, waiver or discharge of any causes of action or liabilities unknown to such Entity as of the Petition Date arising out of gross negligence, willful misconduct, fraud, or criminal acts of any such Released Party as determined by a Final Order.

**Section 14.1(d): Non-Discharge of Debtors; Injunction.**

(d) **Non-Discharge of the Debtors; Injunction.** In accordance with Bankruptcy Code section 1141(d)(3), the Plan does not discharge Debtors. Bankruptcy Code section 1141(c) nevertheless provides, among other things, that the property dealt with by the Plan is free and clear of all Claims and Interests against Debtors. As such, no Entity holding a Claim against Debtors may receive any payment from, or seek recourse against, any assets that are to be distributed under the Plan other than assets required to be distributed to that Entity under the Plan. All parties are precluded from asserting against any property to be distributed under the Plan any Claims, rights, Causes of Action, liabilities, or Interests based upon any act, omission, transaction, or other activity that occurred before the Effective Date except as expressly provided in the Plan or the Confirmation Order.

Except as otherwise expressly provided for in the Plan or in obligations issued pursuant to the Plan, all Entities are permanently enjoined, on and after the Effective Date, on account of any Claim or Interest, from:

- (1) commencing or continuing in any manner any action or other proceeding of any kind against any of the Estates, the Liquidating Trust, their successors and assigns, and any of their assets and properties;
- (2) enforcing, attaching, collecting or recovering by any manner or means any judgment, award, decree or order against any Estate, the Liquidating Trust, their successors and assigns, and any of their assets and properties;

- (3) creating, perfecting or enforcing any encumbrance of any kind against any Estate, the Liquidating Trust, their successors and assigns, and any of their assets and properties;
- (4) asserting any right of setoff or subrogation of any kind against any obligation due from any Estate, the Liquidating Trust or their successors and assigns, or against any of their assets and properties, except to the extent a right to setoff or subrogation is asserted with respect to a timely Filed proof of Claim; or
- (5) commencing or continuing in any manner any action or other proceeding of any kind in respect of any Claim or Interest or Cause of Action released under Article XIV of the Plan.

Any Entity injured by any willful violation of such injunction may seek actual damages and, in appropriate circumstances, may seek punitive damages from the willful violator.

**Section 14.2: Term of Bankruptcy Injunction or Stays.** All injunctions or stays provided for in the Chapter 11 Cases under Bankruptcy Code sections 105 or 362, or otherwise, and in existence on the Confirmation Date, shall remain in full force and effect until the closing of the Chapter 11 Cases.

**THE FOLLOWING PARTIES ARE “RELEASING PARTIES” AND WILL BE DEEMED TO HAVE CONSENTED TO AND GRANTED THE THIRD-PARTY RELEASES OF THE “RELEASED PARTIES” AS SET FORTH IN SECTION 14.1(c) OF THE FIRST AMENDED COMBINED DISCLOSURE STATEMENT AND PLAN (WHICH IS THE SECTION RESTATED ABOVE ENTITLED “CONSENSUAL THIRD-PARTY RELEASES BY HOLDERS OF CLAIMS”):** (a) all Holders of Claims or Interests who are Unimpaired unless they (i) select the option set forth on the Non-Voting Status Notice to not grant the releases set forth in Section 14.1(c) of the Plan or (ii) File a written objection to the releases set forth in Section 14.1(c) of this Plan by the objection deadline established by the Solicitation Procedures Order, (b) the DIP Lenders, (c) the Prepetition Lenders, (d) the Prepetition Agent, (e) all Holders of Claims or Interests in a Voting Class unless they (i) submit a Ballot by the Voting Deadline that does not vote to accept the Plan; (ii) submit a Ballot by the Voting Deadline that accepts the Plan but select the option set forth on the Ballot to not grant the releases set forth in Section 14.1(c) of this Plan, or (iii) File a written objection to the releases set forth in Section 14.1(c) of this Plan by the objection deadline established by the Solicitation Procedures Order, and (g) with respect to each of the foregoing, their Related Parties; provided, however, any Person whose solicitation package is returned as undeliverable and for whom the Debtors are not able to identify and complete service on a new mailing address shall not be a Releasing Party.

In the Plan, “**Exculpated Parties**” include, in each of their capacities as such, (a) Debtors, (b) the Committee and each of its members, and (c) with respect to (a) and (b), each of their respective Related Parties.

In the Plan, the “**Released Parties**” include (a) Debtors and the Estates, (b) the Prepetition Agent, (c) the Prepetition Lenders, (d) the DIP Lenders, (e) the Committee and each of its members, (f)

Liquidating Trustee, and (g) with respect to each of the foregoing, their Related Parties, provided, however, that Released Parties shall exclude any of the foregoing parties who are not Releasing Parties.

The term **“Related Parties”** means, with respect to any Person or Entity, (w) such Person’s or Entity’s current and former direct or indirect subsidiaries, affiliates, parents, predecessors, successors, and assigns; (x) with respect to each of the foregoing in clause (w), their current and former directors, managers, officers, partners (general and limited), equity holders (regardless of whether such interests are held directly or indirectly), predecessors, participants, successors, and assigns; (y) with respect to each of the foregoing in clause (w) and (x), each of their respective current and former equity holders, officers, directors, managers, principals, shareholders, members, management companies, fund advisors, employees, agents, designees, trustees, advisory board members, financial advisors, partners, attorneys, accountants, investment bankers, consultants, representatives, and other professionals or representatives, and any other fiduciaries to such Person or Entity with any involvement related to the Debtors; and (z) with respect to each of the foregoing in clauses (w) through (y), such Person’s or Entity’s respective heirs, executors, estates, servants, and nominees, each of (w) through (z) in their capacity as such to the extent such Releasing Party is legally entitled to bind such Related Party to the releases contained in the Plan under applicable non-bankruptcy law.

In the Plan, **“Releasing Parties”** means (a) all Holders of Claims or Interests who are Unimpaired unless they (i) select the option set forth on the Non-Voting Status Notice to not grant the releases set forth in Section 14.1(c) of the Plan or (ii) File a written objection to the releases set forth in Section 14.1(c) of this Plan by the objection deadline established by the Solicitation Procedures Order, (b) the DIP Lenders, (c) the Prepetition Lenders, (d) the Prepetition Agent, (e) all Holders of Claims or Interests in a Voting Class unless they (i) submit a Ballot by the Voting Deadline that does not vote to accept the Plan; (ii) submit a Ballot by the Voting Deadline that accepts the Plan but select the option set forth on the Ballot to not grant the releases set forth in Section 14.1(c) of this Plan, or (iii) File a written objection to the releases set forth in Section 14.1(c) of this Plan by the objection deadline established by the Solicitation Procedures Order, and (g) with respect to each of the foregoing, their Related Parties; provided, however, any Person whose solicitation package is returned as undeliverable and for whom the Debtors are not able identify and complete service on a new mailing address shall not be a Releasing Party.

### **Third-Party Releases Granted by Holders of Claims**

**If you are a (1) Holder of an Unimpaired Claim you will be deemed to have consented to the third-party releases set forth in Section 14.1(c) of the Plan and restated above, unless you (i) select the option set forth on the Non-Voting Status Notice to not grant the releases set forth in Section 14.1(c) of the Plan or (ii) File a written objection to the releases set forth in Section 14.1(c) of this Plan by September 28, 2023 at 5:00 p.m. and (2) If you are a Holder of Claims or Interests in a Voting Class, unless you (i) submit a Ballot by September 28, 2023 that does not vote to accept the Plan; (ii) submit a Ballot by September 28, 2023 that accepts the Plan but select the option set forth on the Ballot to not grant the releases set forth in Section 14.1(c) of this Plan, or (iii) File a written objection to the releases set forth in Section 14.1(c) of this Plan by September 28, 2023 at 5:00 p.m.**



**Challenging your Claim for Voting Purposes Only**

If you wish to challenge Debtors' classification or amount of your Claim, you must file a motion (a "Rule 3018 Motion") for an order temporarily allowing your Claim in a different classification or amount for purposes of voting to accept or reject the Combined Disclosure Statement and Plan and serve such motion on Debtors so that it is received by **September 13, 2023 at 4:00 p.m. (prevailing Eastern Time)**. Such creditor's ballot will not be counted unless temporarily allowed by the Bankruptcy Court for voting purposes, after notice and a hearing prior to or at the Confirmation Hearing (as defined below).

**Hearing on Confirmation of the Plan and the Final Approval of the First Amended Disclosure Statement**

The hearing (the "Confirmation Hearing") to consider final approval of the Disclosure Statement and confirmation of the Plan, any objections thereto, and any other matter that may properly come before the Bankruptcy Court, will be held before the Honorable Thomas M. Horan, United States Bankruptcy Judge of the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, Wilmington, DE 19801, on **October 5, 2023 at 10:00 a.m.** prevailing Eastern time. The Confirmation Hearing may be continued from time to time by the Bankruptcy Court or 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 parties entitled to notice.

**Objections to Final Approval of the First Amended Disclosure Statement and/or Confirmation of the Plan**

The deadline for filing objections to final approval of the First Amended Disclosure Statement and/or confirmation of the Plan (a "Confirmation Objection") is **September 28 at 5:00 p.m., prevailing Eastern Time**, (the "Confirmation Objection Deadline"). Any Confirmation Objection must: (i) be in writing; (ii) conform to the Bankruptcy Rules and the Local Rules; (iii) state the name, address, phone number, and email address of the objecting party and the amount and nature of the Claim or Interest of such entity, if any; (iv) state with particularity the legal and factual bases and nature of any objection to the Combined Disclosure Statement and Plan, and, if practicable, a modification to the Plan that would resolve such objection; and (v) be filed with the Court and served on (a) counsel for Debtors, 50 Rockefeller Plaza, New York, NY 10020, Attn: Jerry L. Hall (jerry.hall@katten.com) and Michael E. Comerford (michael.comerford@katten.com); (b) Delaware counsel to Debtors, Potter Anderson & Corroon LLP, Hercules Plaza, 1313 North Market Street, 6th Floor, Wilmington DE, 19801, Attn: Jeremy Ryan (jryan@potteranderson.com) and L. Katherine Good (kgood@potteranderson.com); (c) counsel for the agent under Debtors' prepetition credit facility, Stinson LLP, 50 South Sixth Street, Suite 2600, Minneapolis, MN 55402, Attn: Adam Nathe (adam.nathe@stinson.com) and Edwin H. Caldie (ed.caldie@stinson.com); (d) counsel to Debtors' equity investors and postpetition lenders, Squire Patton Boggs, 2550 M Street, NW, Washington, DC 20037, Attn: Christopher J. Giaimo (christopher.giaimo@squirepb.com) and Latham & Watkins LLP, 555 Eleventh Street, NW, Suite 1000, Washington, D.C., 20004, Attn: Andrew Sorkin (andrew.sorkin@lw.com); (e) counsel to the Committee, Dechert LLP, Three Bryant Park, 1095 Avenue of the Americas, New York, NY 10036-6797, Attn: Allan S. Brilliant, Douglas Mannal, and Isaac D. Stevens (allan.brilliant@dechert.com, douglas.mannal@dechert.com, and isaac.stevens@dechert.com)

and Saul Ewing LLP, 1201 N. Market Street, Suite 2300, Wilmington, DE 19899-1266 Attn: Lucian B. Murley (luke.murley@saul.com); and (f) the Office of the United States Trustee for the District of Delaware, J. Caleb Boggs Federal Building, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801, Attn: Richard Schepacarter (richard.schepacarter@usdoj.gov) (collectively, the “Objection Recipients”); in each case, so that such Confirmation Objection is **actually received by each of the Objection Recipients before the Confirmation Objection Deadline.**

**UNLESS AN OBJECTION IS TIMELY SERVED AND FILED IN ACCORDANCE WITH THIS NOTICE, IT MAY NOT BE CONSIDERED BY THE BANKRUPTCY COURT. AS DESCRIBED BELOW, YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE COMBINED DISCLOSURE STATEMENT AND PLAN, INCLUDING THE EXCULPATION, RELEASE AND INJUNCTION PROVISIONS, AS YOUR RIGHTS MIGHT BE AFFECTED.**

Dated: August 25, 2023  
Wilmington, Delaware

Jerry L. Hall (admitted *pro hac vice*)  
Michael E. Comerford (admitted *pro hac vice*)  
Jesse A. Kitnick (admitted *pro hac vice*)  
**KATTEN MUCHIN ROSENMAN LLP**  
50 Rockefeller Plaza  
New York, NY 10020  
Telephone: (212) 940-8800  
Facsimile: (212) 940-8776  
Email: jerry.hall@katten.com  
michael.comerford@katten.com  
jesse.kitnick@katten.com

Allison E. Yager (admitted *pro hac vice*)  
Kenneth N. Hebeisen (admitted *pro hac vice*)  
**KATTEN MUCHIN ROSENMAN LLP**  
525 W. Monroe Street  
Chicago, IL 60661  
Telephone: (312) 902-5200  
Facsimile: (312) 902-1061  
Email: allison.yager@katten.com  
ken.hebeisen@katten.com

Respectfully submitted,

/s /Maria Kotsiras  
Jeremy W. Ryan (No. 4057)  
L. Katherine Good (No. 5101)  
R. Stephen McNeill (No. 5210)  
Maria Kotsiras (No. 6840)  
**POTTER ANDERSON & CORROON LLP**  
1313 N. Market Street, 6th Floor  
Wilmington, DE 19801  
Telephone: (302) 984-6000  
Facsimile: (302) 658-1192  
Email: jryan@potteranderson.com  
kgood@potteranderson.com  
rmcneill@potteranderson.com  
mkotsiras@potteranderson.com

Yelena E. Archiyan (admitted *pro hac vice*)  
**KATTEN MUCHIN ROSENMAN LLP**  
2121 N. Pearl Street, Suite 1100  
Dallas, TX 75201  
Telephone: (214) 765-3600  
Facsimile: (214) 765-3602  
Email: yelena.archiyan@katten.com

*Counsel to Debtors  
and Debtors in Possession*