

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

In re:)	Chapter 11
)	
The Prospect-Woodward Home)	Case No. 21-10523-BAH
dba Hillside Village,)	
)	
Debtor. ¹)	
)	

NOTICE OF DEADLINE FOR FILING PROOFS OF CLAIM

PLEASE TAKE NOTICE OF THE FOLLOWING:

On August 30, 2021, the above-captioned debtor (the “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Hampshire (the “Court”). The Debtor has continued in possession of its property pursuant to Bankruptcy Code sections 1107(a) and 1108.

On September 27, 2021, the Court entered the *Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving Form and Manner of Notice Thereof* [Docket No. 241] (the “Bar Date Order”)² establishing **December 28, 2021 at 5:00 p.m. (prevailing Eastern Time)** (the “General Bar Date”) as the last date for any entity (including, without limitation, individuals, partnerships, corporations, joint ventures, and trusts) other than governmental units (as defined in Bankruptcy Code section 101(27)) to file a proof of Claim against the Debtor in its chapter 11 case (the “Chapter 11 Case”).

The Bar Date Order also:

- a. establishes **February 28, 2022 at 5:00 p.m. (prevailing Eastern Time)** as the last date to file Proofs of Claim for governmental units (as defined in Bankruptcy Code section 101(27) (the “Governmental Bar Date”);
- b. establishes that in the event the Debtor files an amendment to its schedules of assets and liabilities (the “Schedules”) which reduces the undisputed, noncontingent, or liquidated amounts or to change the nature or classification of a Claim reflected therein, and the claimant has not previously filed a proof of claim, then the affected claimant shall have until the later of the General Bar Date or 30 days after a claimant is served with notice that the Debtor has amended the Schedules, reducing, deleting, or changing the status of a Claim in the Schedules, to file a Proof of Claim

¹ The last four digits of the Debtor’s federal taxpayer identification are 2146. The address of the Debtor’s headquarters is 95 Wyman Road, Keene, New Hampshire 03431.

² Capitalized terms used but not defined shall have the meanings ascribed to them in the Bar Date Order.

Form with respect to such Claim (the “Amended Schedules Bar Date”); and

- c. requires for claims arising from the rejection of executory contracts or unexpired leases pursuant to Bankruptcy Code section 365, the last day to file a proof of claim is the latest of (i) the General Bar Date; (b) 30 days after the date of the entry of any order authorizing the rejection of such executory contract or unexpired lease; and (c) 30 days after the effective date of the rejection of such executory contract or unexpired lease, is the date by which a Proof of Claim Form relating to the Debtor’s rejection of such executory contract or unexpired lease must be filed (the “Rejection Claim Bar Date”).

I. Parties Required to Filed a Proof of Claim

Unless you are specifically identified in Section II, all creditors (each a “Creditor” and collectively, the “Creditors”) holding or wishing to assert unsecured or secured, priority or nonpriority claims (as defined in Bankruptcy Code section 101(5))) against the Debtor or the Debtor’s estate arising or accruing prior to the Petition Date, **including claims arising under Bankruptcy Code section 503(b)(9),³** and including claims scheduled as contingent, unliquidated, or disputed, are required to file a separate, completed, and executed proof of claim (by completing either the proof of claim form enclosed herewith or a form conforming substantially to Official Bankruptcy Form 410) (each a “Proof of Claim Form” and collectively, the “Proof of Claim Forms”) on account of each such claim, together with accompanying documentation on or before the **General Bar Date (December 28, 2021 at 5:00 p.m. (prevailing Eastern Time))**. Claims based on acts or omissions of the Debtor that occurred before the Petition Date must be filed on or before the applicable Bar Date, even if such claims are not now fixed, liquidated, or certain or did not mature or become fixed, liquidated, or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used herein, the word “claim” means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

THIS NOTICE IS BEING SENT TO ANY PERSONS AND ENTITIES THAT HAVE HAD SOME RELATIONSHIP WITH OR HAVE DONE BUSINESS WITH THE DEBTOR BUT MAY NOT HAVE AN UNPAID CLAIM AGAINST THE DEBTOR. THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM, OR THAT THE DEBTOR OR THE COURT BELIEVES THAT YOU HAVE A CLAIM AGAINST THE DEBTOR.

³ Parties asserting a claim pursuant to Bankruptcy Code section 503(b)(9) must comply with Bankruptcy Code section 503(a).

II. Parties NOT Required to File a Proof of Claim

YOU DO NOT NEED TO FILE A PROOF OF CLAIM IF YOU ARE:

- a. Any Entity (i) that agrees with the nature, classification, and amount of his, her, or its Claim as set forth in the Schedules, and (ii) whose Claim against the Debtor is not listed as “disputed,” “contingent,” or “unliquidated” in the Schedules;
- b. Any Entity that has already properly filed a proof of claim against the Debtor;
- c. Any Entity whose Claim against the Debtor previously has been allowed by, or paid pursuant to, an order of the Court;
- d. Any holder of claims for repayment of principal, interest, or other applicable fees and/or charges on or under the New Hampshire Health and Education Facilities Authority Revenue Bonds, Hillside Village Issue, Series 2017 (the “Bonds”) issued by the New Hampshire Health and Education Facilities Authority (the “Issuer”) pursuant to that certain Bond Indenture, dated as of June 1, 2017 between the Issuer and the Bond Trustee (the “Indenture”) (any such claim under the Bonds, a “Bond Payment Claim”); *provided, however*, that in the event that the holder of the above-referenced bonds seeks to assert a claim other than a Bond Payment Claim, such holder shall be required to file a Proof of Claim on or before the General Bar Date, unless another exception applies;
- e. The trustee for the Bonds (including any successors, the “Bond Trustee”), with respect to any Bond Payment Claim; and
- f. Current or former Residents who hold claims against the Debtor arising under a Residency Agreement,⁴ *provided, however*, that if any such Resident disputes the scheduled amount of their claim or asserts a claim other than a claim arising under a Residency Agreement, such Resident shall be required to file a Proof of Claim on or before the General Bar Date, *unless another exception applies*.

III. Executory Contracts and Unexpired Leases

In the event that a Claim arises with respect to the Debtor’s rejection of an executory contract or unexpired lease, and except as otherwise set forth in any order authorizing rejection of an executory contract or unexpired lease, the holder of such Claim will be afforded the latest of (a) the General Bar Date, (b) 30 days after the date of the entry of any order authorizing the rejection of such executory contract or unexpired lease, or (c) 30 days after the effective date of

⁴ “Residency Agreements” include any all and related agreements a Resident signed with the Debtor governing the Resident’s right to reside at the Community.

any order authorizing the rejection of the executory contract or unexpired to file a Proof of Claim Form or forever be barred from doing so.

IV. Submitting Proofs of Claim

For any Proof of Claim Form to be validly and properly filed, a signed original of the completed Proof of Claim Form, together with accompanying documentation, must be submitted to the Debtor's noticing and claims agent, Donlin, Recano & Company, Inc. ("DRC").

If you file a Proof of Claim, it must be (i) completed in the form of the Official Bankruptcy Form 410; (ii) signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant; (iii) include supporting documentation (if voluminous, attach a summary) or explanation as to why documentation is not available; (iv) be in English language; and (v) be denominated in United States currency.

A request for payment pursuant to Bankruptcy Code section 503(a) for a Claim asserting a 503(b)(9) Claim must also: (i) include the value of the goods delivered to and received by the applicable Debtor within twenty (20) days prior to the Petition Date, (ii) attach any documentation identifying the particular invoices corresponding to the asserted 503(b)(9) Claim and delivery address, and (iii) attach documentation evidencing delivery of the goods delivered to and received by the applicable Debtor within twenty (20) days prior to the Petition Date.

Each Proof of Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, upon prior written consent of the Debtor's counsel, such Proof of Claim may include a summary of such documentation or an explanation as to why such documentation is not available; provided, that any creditor that received such written consent shall be required to transmit such writings to Debtor's counsel upon request no later than ten days from the date of such request.

Proof of Claim Forms may be submitted by **December 28, 2021 at 5:00 p.m. (prevailing Eastern Time)**:

- a. electronically through DRC's website at:
<https://www.donlinrecano.com/Clients/hvk/FileClaim>;
- b. by U.S. Mail at: Donlin, Recano & Company, Inc., Re: The Prospect-Woodward Home, P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219; or
- c. by hand delivery at Donlin, Recano & Company, Inc., Re: The Prospect-Woodward Home, 6201 15th Avenue, Brooklyn, NY 11219.

Proof of Claim Forms shall be deemed filed when **actually received** by DRC (not the date of the postmark). Any entity that files a Proof of Claim by mail and wishes to receive a clocked-in copy by return mail must include an additional copy of the proof of claim and a self-addressed, postage-paid envelope.

V. Current, Former, and Prospective Residents of the Debtor

The Debtor is subject to privacy requirements which protect the privacy of individually identifiable health care information. To protect the confidentiality of current, former, and prospective residents' individually identifiable health care information, and to guard against the public dissemination or inadvertent disclosure of such information, DRC will, upon request, make available only a summary of the total number and amount of claims filed by Residents against the Debtor, which summary will exclude individually identifiable health care information.

VI. Consequences of Failure to File a Proof of Claim On or Before the Applicable Bar Date

ANY HOLDER OF A CLAIM AGAINST THE DEBTOR THAT IS NOT EXCEPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH HEREIN, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN ACCORDANCE WITH THE TERMS OF THE BAR DATE ORDER ON OR BEFORE THE APPLICABLE BAR DATE SHALL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTOR (OR FILING A PROOF OF CLAIM WITH RESPECT THERETO), AND THE DEBTOR, ITS ESTATE, ITS SUCCESSORS AND ASSIGNS, AND ITS PROPERTY SHALL BE FOREVER DISCHARGED FROM ANY AND ALL INDEBTEDNESS OR LIABILITY WITH RESPECT TO SUCH CLAIM, AND SUCH HOLDER SHALL NOT BE PERMITTED TO VOTE TO ACCEPT OR REJECT ANY CHAPTER 11 PLAN OR PARTICIPATE IN ANY DISTRIBUTION IN THE DEBTOR'S CHAPTER 11 CASE ON ACCOUNT OF SUCH CLAIM OR TO RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.

VII. The Debtor's Schedules and Chapter 11 Case Information

The Debtor's Schedules, the Bar Date Order, and other information regarding the Chapter 11 Case may be obtained (a) upon request to Donlin, Recano & Company, Inc. (the notice and claims agent retained in the Chapter 11 Case) by calling (877) 739-9997; (b) by visiting the website maintained in the Chapter 11 Case at <https://www.donlinrecano.com/hvk> or (c) for a fee via PACER by visiting <https://ecf.nhb.uscourts.gov/>.

VIII. Miscellaneous

CREDITORS WISHING TO RELY ON THE SCHEDULES ARE RESPONSIBLE FOR DETERMINING WHETHER THEIR CLAIMS ARE ACCURATELY LISTED THEREIN.

THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM AGAINST THE DEBTOR. YOU SHOULD CONSULT WITH YOUR OWN ADVISORS TO DETERMINE WHETHER YOU HOLD A CLAIM AGAINST THE DEBTOR. YOU SHOULD NOT FILE A PROOF OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST A DEBTOR. QUESTIONS CONCERNING THIS NOTICE MAY BE DIRECTED TO THE DEBTOR'S COUNSEL BELOW.

Dated: October 4, 2021

/s/ *Stephen J. Astringer*

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