1 **4 PAGES** Gregory C. Nuti (CSBN 151754) 2 Christopher H. Hart (CSBN 184117) Kevin W. Coleman (CSBN 168538) 3 NUTI HART LLP 6232 LaSalle Avenue, Suite D 4 Oakland, CA 94611 5 Telephone: 510-506-7152 Email: gnuti@nutihart.com 6 chart@nutihart.com kcoleman@nutihart.com 7 Attorneys for MATHESON FLIGHT EXTENDERS, INC., MATHESON POSTAL 8 SERVICES, INC. and MATHESON TRUCKING, INC. 9 UNITED STATES BANKRUPTCY COURT 10 EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION 11 In re: Case No.: 22-21148 12 MATHESON FLIGHT EXTENDERS, INC., Chapter 11 6232 LASALLE AVENUE, SUITE D OAKLAND, CA 94611 TELEPHONE: 510-506-7152 Debtor. **DCN: NH-110** In re: Case No.: 22-21149 MATHESON POSTAL SERVICES, INC. Chapter 11 Debtor. 17 Case No.: 22-21758 In re: 18 MATHESON TRUCKING, INC. Chapter 11 Debtor. NOTICE OF: (i) HEARING TO 20 CONSIDER FINAL APPROVAL OF X Affects All Debtors DISCLOSURE STATEMENT AND ☐ Affects Matheson Flight Extenders Only CONFIRMATION OF DEBTORS AND ☐ Affects Matheson Postal Services Only CREDITORS COMMITTEE'S JOINT ☐ Affects Matheson Trucking Only **CHAPTER 11 PLAN OF LIQUIDATION** AND (ii) PROCEDURES AND 23 DEADLINES FOR CASTING BALLOTS TO ACCEPT OR REJECT THE PLAN 24 Date: October 10, 2024 25 Time: 11:00 a.m. Place: United States Bankruptcy Court 26 501 I Street, 6th Flr., Crtrm. 35 Sacramento, CA 95814 27 Judge: Hon. Christopher M. Klein 28

TO: ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST AND EQUITY INTERESTS IN THE ABOVE-CAPTIONED DEBTORS

PLEASE TAKE NOTICE THAT

- 1. **Disclosure Statement.** The United States Bankruptcy Court for the Eastern District of California (the "Court") has conditionally approved the *Disclosure Statement for the Debtors and Creditors Committee's Joint Chapter 11 Plan of Liquidation* (the "Disclosure Statement") pursuant to Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code"), and directed the Debtors to solicit votes with regard to the approval or rejection of the *Joint Plan of Liquidation*, attached as Exhibit A to the Disclosure Statement (as may be amended, the "Plan").
- 2. **Confirmation Hearing.** A hearing to consider final approval of the Disclosure Statement and confirmation of the Plan (the "Confirmation Hearing") will be held before the Hon. Christopher M. Klein, United States Bankruptcy Court Judge, 501 I Street, Courtroom 35, Sacramento, CA 95814 commencing on **October 10, 2024, at 11:00 a.m** (Pacific Time). The Confirmation Hearing may be continued from time to time without further notice other than the announcement by the Court in open court of the adjourned date at the Confirmation Hearing or any continued hearing, and the Plan may be modified, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance with the terms of the Plan, without further notice to interested parties.
- 3. **Obtaining Copies of the Disclosure Statement, Plan and Ballots**. The classes of creditors listed in paragraph 4 below are entitled to vote to accept or reject the Plan. The Disclosure Statement contains important information to assist creditors in determining whether to vote to accept or reject the Plan. However, owing to the number of creditors in these cases, the Bankruptcy Court has authorized the Debtors to transmit the Disclosure Statement and Plan via a website link available at: https://www.donlinrecano.com/Clients/mfe/Static/ConfirmationDocuments. Alternatively, to request that a paper copy of these documents be mailed to you, you may send an email to the noticing agent at: drcvote@donlinrecano.com. Any party in interest wishing to view the Plan and Disclosure Statement may also view such documents through the Bankruptcy Court's Electronic Case Filing System, which can be found at www.caeb.uscourts.gov.
- 4. **Solicitation Classes**. The following holders of claims or interests are impaired by the Plan and therefore entitled to vote on the Plan:

Class	Description
Class 1	Bank of America, N.A.
Class 2	Banc of America Leasing & Capital LLC
Class 3	PACCAR Financial Corp.
Class 4	BMO Harris Bank, N.A.
Class 6	Tort Claims
Class 7	General Unsecured Claims
Class 8	United States Postal Service Claim
Class 9	Insider Claims
Class 10	XTRA Lease

1

2

3

4

5

6

7

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

5. **Non-Voting Classes.** The following holders of claims are unimpaired by the Plan and therefore are not entitled to vote on the Plan:

Class	Description
Class 5	Workers Compensation Claims

- 6. Voting Deadline. All votes to accept or reject the Plan must be <u>received</u> by 5:00 p.m. (PST) on September 26, 2024, in order to be counted.
- 7. **Voting Procedures.** Creditors entitled to vote should review the instructions for how to vote in the Disclosure Statement, and the order conditionally approving the Disclosure Statement. A failure to follow the voting instructions may disqualify your ballot and your vote.

All ballots must be completed and executed by a person authorized to act on behalf of the claim holder. Creditors are permitted to return their Ballots by mail, via email, or using an online portal.

If Voting By First Class Mail, Return a hard copy of the completed and signed Ballot to:

Matheson Flight Extenders, Inc., et al.

c/o Donlin Recano & Company, Inc.

Attn: Voting Department

P.O. Box 2053

New York, NY 10272-2042

If Voting By Overnight Mail of Hand Delivery, Return a hard copy of the completed and signed Ballot to:

Matheson Flight Extenders, Inc. et al.

c/o Donlin Recano & Company, Inc.

Attn: Voting Department

48 Wall Street 22nd Floor

New York, NY 10005

If Voting Via Email, Scan the completed and signed Ballot into a Portable Document Format (pdf) file using Adobe Acrobat and return it via email to DRCVote@DonlinRecano.com.

If Voting Online, Visit https://www.donlinrecano.com/mfevote and follow the instructions to submit the completed and signed Ballot through the online portal maintained by the Voting Agent.

8. **Objections to Final Approval of Disclosure Statement and Plan Confirmation.** Objections, if any, to final approval of the Disclosure Statement and confirmation of the Plan must be filed, together with proof of service, with the Bankruptcy Court and served by no later than September 26, 2024. The failure to timely file an objection to confirmation of the Plan may be deemed a waiver and result in the striking of such untimely written opposition. Replies to such objections and proposed modifications must be served by no later than October 3, 2024.

27

//

28

9. Objections to Assumption or Rejection of Executory Contracts and
Unexpired Leases. The Plan proposes to assume the executory contracts listed on Schedule 6.1
to the Plan. Schedule 6.1 also sets forth what the Debtors believe may be required to "cure"
defaults under each assumed contract or lease. If you are the counter-party in a contract listed or
Schedule 6.1 and you disagree with the Debtors' calculation of the amount necessary to cure
defaults under the agreement or otherwise object to assumption of your lease/contract, you must
file an objection with the Bankruptcy Court and serve that objection by no later than September
26, 2024. If you fail to object to a cure amount, the amount listed in Schedule 6.1 will be
deemed correct, and all of your rights to assert additional defaults and/or seek a larger sum to
satisfy any such defaults will be forever barred. Replies to such objections and proposed
modifications must be served by no later than October 3, 2024.
•

10. Other Requirements for Objections. All parties who wish to object to final approval of the Disclosure Statement, confirmation of the Plan or the assumption/rejection of an executory contract or lease should consult Local Rule 9014-1(f)(1)(B) which explains other requirements for such objections. Parties can also determine whether the matter has been resolved without oral argument or whether the court has issued a tentative ruling and view any pre-hearing disposition of the by checking the Court's website at: www.caeb.uscourts.gov after 4:00 p.m. the day before the hearing. All parties appearing telephonically must view the pre-hearing dispositions prior to the hearing.

Dated: August 29, 2024

NUTI HART LLP

By: /s/ Kevin W. Coleman

Kevin W. Coleman Attorneys for Matheson Flight Extenders, Inc., Matheson Postal Services, Inc. and Matheson Trucking, Inc.