

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

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: Chapter 11
In re: :
: Case No. 14-11550 (CSS)
MACKEYSER HOLDINGS, LLC, et al., :
: Jointly Administered
Debtors.¹ :
: **Related to Docket No. 1009**
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**ORDER AND FINAL DECREE (I) CLOSING REMAINING
CHAPTER 11 CASE, (II) APPROVING FINAL REPORT AND ACCOUNTING,
(III) TERMINATING ENGAGEMENT OF AMERICAN LEGAL CLAIM
SERVICES, LLC AND (IV) GRANTING RELATED RELIEF**

Upon the motion (the "Motion")² of the MacKeyser Liquidating Trust (the "Liquidating Trust") for an order and final decree pursuant to sections 350(a) and 105(a) of the Bankruptcy Code, Bankruptcy Rule 3022 and Local Rules 2002-1(f) and 3022-1 (i) closing the remaining chapter 11 case, (ii) approving the Liquidating Trustee's final report and accounting, (iii) terminating the engagement of the Court-approved claims, noticing and balloting agent, American Legal Claim Services, LLC ("ALCS"), and (iv) granting related relief; and the Court having reviewed the Motion; and the Court finding that (a) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and (c) notice of the Motion was due and proper under the

¹ The debtors in the above-captioned chapter 11 cases (the "Debtors"), along with the last four digits of each entity's federal tax identification number, were: MacKeyser Holdings, LLC (5620); American Optical Services, Inc. (5707); Exela Hearing Services, LLC (2110); Optical Management Systems, Inc. (8300); Riverfront Hearing, Inc. (9220); AOS-OMS, LLC (4445); American Optical Services, LLC (4879); EHS-Riverfront, LLC (4530); 926 N. Wilcrest, LLC (2497); Epic Management Group, LLC (3385); Eyeglasses Etc., Inc. (7753); Eyes On You Eyecare, Inc. (2091); Genesis Billing Systems, LLC (1548); Genesis Eye Center, PLLC (8427); J. Richard Susi, D.O., P.A. (1936); Joseph D. Udvari, Jr., O.D., P.C. (0856); Joseph Kurstin, M.D., P.A. (7339); Lakewood Eye Clinic, P.C. (2251); Larry R. Moorman, M.D., P.C. (5458); Philip H. Clark, O.D., P.A. (6411); Steven T. Olkowski, M.D., P.C. (1813); Thomas Retinal Eye Specialists, P.C. (0492); and Thomas G. Abell, M.D., P.S.C. (1810).

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

circumstances and in accordance with Local Rule 2002-1(b); and it appearing that the above-captioned Chapter 11 Cases are fully administered within the meaning of section 350(a) of the Bankruptcy Code and Bankruptcy Rule 3022; and the relief requested in the Motion being in the best interests of the Liquidating Trust and all creditors and other parties in interest; and after due deliberation, and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The relief requested in the Motion is GRANTED.
2. The chapter 11 case of MacKeyser Holdings, LLC, Case No. 14-11550 (CSS), is hereby closed effective as of the entry of this Order.
3. Entry of this Order is without prejudice to (a) the rights of the Liquidating Trust or any party in interest to seek to reopen any of the Chapter 11 Cases for cause pursuant to section 350(b) of the Bankruptcy Code, and (b) the rights of the Liquidating Trust to dispute, in an appropriate non-bankruptcy forum, all claims that were filed in the Chapter 11 Cases as contemplated by the Plan and the Confirmation Order.
4. The Liquidating Trust shall, on or before 30 days after entry of this Order: (a) pay all fees due and payable pursuant to 28 U.S.C. § 1930(a)(6); and (b) serve copies of all required post-confirmation reports on the U.S. Trustee. Entry of this Order is without prejudice to the rights of the U.S. Trustee to reopen the Chapter 11 Cases to seek appropriate relief in the event of an unresolved dispute over the payment of fees pursuant to 28 U.S.C. § 1930(a)(6) or the post-confirmation reports.
5. The Liquidating Trustee's final report and accounting under Local Bankruptcy Rule 3022-1 has been properly filed with this Court and served on all parties entitled to notice under Del. Bankr. L.R. 2002-1(b).

6. Pursuant to Section 11.2 of the Liquidating Trust Agreement, the Liquidating Trust shall be deemed terminated, and the Liquidating Trustee, the members of the Liquidating Trust Committee, and the professionals of the Liquidating Trust shall have no further duties or obligations under the Plan, the Confirmation Order or the Liquidating Trust Agreement; provided, however, that pursuant to Section 11.3 of the Liquidating Trust Agreement, and for the purpose of liquidating and winding up the affairs of the Liquidating Trust, the Liquidating Trustee may continue to act as such until the Liquidating Trustee's duties have been fully performed.

7. Upon entry of this Order, ALCS shall have no further obligations to the Court, the Liquidating Trust or any party in interest with respect to the Chapter 11 Cases.

8. Pursuant to Local Rule 2002-1(f)(ix) and in accordance with the Protocol for the Employment of Claims and Noticing Agents Under 28 U.S.C. § 156(c), within thirty (30) days after entry of this Order, ALCS shall:

- (i) forward to the Clerk of the Court an electronic version of all imaged claims,
- (ii) upload the creditor mailing list into CM/ECF,
- (iii) docket a final claims register in the chapter 11 case of MacKeyser Holdings, LLC, Case No. 14-11550 (CSS), containing the claims filed in all of the Chapter 11 Cases, and
- (iv) box and transport all original claims to the Philadelphia Federal Records Center, 14470 Townsend Road, Philadelphia, PA 19154 and docket a completed SF-135 Form indicating the accession and location numbers of the archived claims.

9. Upon entry of this Order, ALCS shall reduce the public case administration website to a static homepage reflecting that the cases have been closed, and in its discretion may opt to deactivate the website altogether.

10. ALCS shall retain the original ballots and all other original paper correspondence received in these cases for a period of one (1) year following the entry of this Order, after which ALCS may destroy the ballots and original paper correspondence.

11. ALCS shall retain all pertinent email, facsimiles and other electronic transmissions received by ALCS in these cases for a period of one (1) year following the entry of this Order, after which ALCS may delete such email, facsimiles and other electronic transmissions.

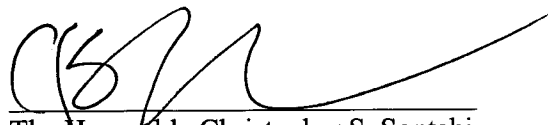
12. Upon entry of the Proposed Order, ALCS may destroy (A) all excess copies of notices, pleadings, plan solicitation documents, customized envelopes and other printed materials, and (B) all undeliverable and/or returned mail not previously destroyed.

13. The Liquidating Trust is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

14. Notwithstanding anything to the contrary, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

15. The Court shall retain jurisdiction over any and all matters arising from or related to the interpretation or implementation of this Order.

Dated: 9/26, 2017
Wilmington, Delaware


The Honorable Christopher S. Sontchi
United States Bankruptcy Judge