

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

Chapter 11

CARDINAL HOMES, INC.,

Case No. 19-36275-KRH

Debtor.¹

**MOTION FOR ENTRY OF AN ORDER (I) ESTABLISHING
CERTAIN NOTICE AND CASE MANAGEMENT PROCEDURES,
(II) APPROVING THE FORM AND MANNER OF NOTICE OF COMMENCEMENT
OF THE CHAPTER 11 CASE AND, (III) WAIVING THE REQUIREMENT THAT THE
DEBTOR SUBMIT A FORMATTED MAILING MATRIX**

The above captioned debtor and debtor in possession (the “Debtor”), hereby move the Court (the “Motion”) for entry of an order, the proposed form of which is attached hereto as **Exhibit A** (the “Order”), pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”); Rules 1007(a), 2002 and 9007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”); and Rule 1007-1(H) of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia (the “Local Rules”) (i) establishing certain notice and case management procedures, (ii) approving the form and manner of the notice of commencement of this chapter 11 case, and (iii) waiving

¹ The Debtor in this Chapter 11 Case and the last four digits of its taxpayer identification number are as follows: Cardinal Homes, Inc. (9112). The Debtor’s headquarters are located at 525 Barnesville Highway, Wylliesburg, VA 23976.

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the requirement that the Debtor submit a formatted mailing matrix. In support of the Motion, the Debtor relies on the *Declaration of Bret A. Berneche, President and Chief Executive Officer of Cardinal Homes, Inc., In Support of Chapter 11 Petition and First Day Motions* (the “First Day Declaration”)² concurrently filed herewith. In further support of this Motion, the Debtor respectfully represents as follows:

JURISDICTION

1. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b), and the Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory and legal predicates for the relief requested herein are section 105(a) of the Bankruptcy Code, Bankruptcy Rules 1007(a), 2002, and 9007, and Local Rule 1007-1(H).

BACKGROUND

3. On November 20, 2019, Alouette Holdings, Inc., the Debtor’s parent company, filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, commencing Case No. 19-36126-KRH.

4. On December 2, 2019 (the “Petition Date”), the Debtor commenced its case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

5. The Debtor has continued in possession of its property and has continued to operate and manage its businesses as a debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

² Capitalized terms used but not defined herein shall have the meanings ascribed in the First Day Declaration.

6. No request has been made for the appointment of a trustee or an examiner in this case, and no official committee has yet been appointed by the Office of the United States Trustee.

RELIEF REQUESTED

A. Limited Service List

7. The Debtor seeks an order establishing a limited service list for the service of notices, motions, applications and other pleadings and documents filed with the Court in this chapter 11 case, but not including proofs of claim or such other notices as described in paragraph 8 below (collectively, the “Filings”) consisting of only the following: (i) the Office of the United States Trustee; (ii) the Office of the United States Attorney for the Eastern District of Virginia, (iii) Internal Revenue Service, (iv) counsel for the DIP Lender; (v) the Debtor’s twenty (20) largest unsecured creditors; (vi) the Debtor’s pre-petition secured lenders and its counsel, if known; (vii) all parties that have filed a financing statement asserting a lien in any of the Debtor’s assets; and (viii) any party that has filed a request for notice with the Court pursuant to Bankruptcy Rule 2002 (the “Limited Service List”).

8. The Debtor requests that service on the parties on the Limited Service List be deemed proper and sufficient service of all notices required to be provided in this case, except for notices provided pursuant to Bankruptcy Rule 2002(a)(1) (meeting of creditors), 2002(a)(4) (hearing on dismissal or conversion), 2002(a)(5)(proposed modifications of plan), 2002(a)(7)(time fixed for filing proofs of claim), 2002(b)(1)(objections to and hearing on disclosure statement), 2002(b)(2)(objections to and hearing on confirmation) and 6004(a) (sale motion), which notices would continue to be served in accordance with such rules.

9. Bankruptcy Rule 2002(m) expressly authorizes the Court to enter orders designating the matters in respect to which, the entity to whom, and the form and manner of the notices to be sent. Furthermore, Bankruptcy Rule 2002(i) expressly authorizes the Court to limit service of the notices required by Bankruptcy Rules 2002(a)(2), 2002(a)(3) and 2002(a)(6) to statutory committees, the Office of the United States Trustee and parties who have filed a notice of appearance and request for service of papers. Accordingly, the Court has the power and authority to grant the relief requested herein.

10. The size of the Debtor's chapter 11 case justifies the limitation on service of notices requested herein. The Debtor has approximately 1,000 creditors, employees and other parties in interest. Providing notice to each such party would result in the Debtor expending a substantial amount of money in mailing and handling costs without generating a commensurate benefit for the Debtor or its bankruptcy estate. Limiting service of notices as provided in the Order, in contrast, will provide due and sufficient notice to parties in interest while minimizing administrative expense to the Debtor. To be entitled to receive notice of all such matters contemplated by the Motion, a creditor or party in interest need only file a notice of appearance and request for service of papers.

B. Notice of Commencement of Case

11. The Debtor³ proposes to serve on all known creditors by first class U.S. mail, postage prepaid, a combined notice of the commencement of the chapter 11 case and meeting of creditors pursuant to section 341 of the Bankruptcy Code (to the extent a meeting date has been set) substantially in the form of Exhibit 1 annexed to the Order (the "Notice of Commencement").

³ The Debtor intends to file a motion with this Court to retain and employ a notice, claims and balloting agent in this Chapter 11 Case to handle service for the Debtor.

12. The Debtor further proposes to serve the Notice of Commencement within ten (10) business days following the date of entry of the Order granting the relief requested herein.

C. Waiver of Requirement to File Formatted Creditor Matrix

13. Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9007 authorize the Court to approve the form, manner and sufficiency of notices provided under the Bankruptcy Rules. See 11 U.S.C. § 105(a); Fed. R. Bankr. P. 9007.

14. Pursuant to Bankruptcy Code section 521(a)(1), Bankruptcy Rule 1007(a)(1), and Local Bankruptcy Rule 1007-1(H), a chapter 11 petition must be accompanied by a list of creditors including the name and address of each entity included or to be included on a debtor's schedules of assets and liabilities (the "Creditor Matrix").³ Local Bankruptcy Rule 1007-1(H)(1) further requires that a debtor submit this list of creditors either on a diskette in a computer readable format specified by the Office of the Clerk of the Court (the "Clerk") or via the Electronic Case Files System. Exhibit 5 to the Local Bankruptcy Rules specifies the format in which a debtor must submit mailing matrices. Pursuant to Local Bankruptcy Rule 1007-1(H)(3), however, the Court may waive the requirement to submit creditor information on a diskette under certain circumstances.

15. The Debtor was not able to prepare its schedules of assets and liabilities for filing on the Petition Date. Further, the Debtor intends to handle service of the Notice of Commencement and all major notices to be given to all creditors in this case. Accordingly, the filing of the Creditor Matrix with this Court serves no practical purpose. Thus, the Debtor respectfully requests that the Court waive the requirement to file a Creditor Matrix with the Court.

16. This Court has granted the relief requested herein relating to the waiver of the requirement to file a Creditor Matrix with the Court. See In re LeClairRyan PLLC, Case No. 19-34574 (KRH) (Bankr. E.D. Va. Sept. 4, 2019).

NOTICE

17. Notice of this Motion will be given to: (i) the Office of the United States Trustee; (ii) the Office of the United States Attorney for the Eastern District of Virginia, (iii) Internal Revenue Service, (iv) counsel for DIP Lender; (v) the Debtor's twenty (20) largest unsecured creditors; (vi) the Debtor's pre-petition secured lenders and its counsel, if known; (vii) all parties that have filed a financing statement asserting a lien in any of the Debtor's assets; and (viii) any party that has filed a request for notice with the Court. The Debtor submits that, under the circumstances, no other or further notice of the Motion is required.

NO PRIOR REQUEST

18. No previous motion for the relief sought herein has been made to this or any other court.

19. The Debtor respectfully requests that this Court treat this Motion as a written memorandum of points and authorities or waive any requirement that this Motion be accompanied by a written memorandum of points and authorities as described in Local Bankruptcy Rule 9013-1(G).

WHEREFORE, for the reasons set forth herein and in the First Day Declaration, the Debtor respectfully requests that this Court enter an order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested in the Motion and such other and further relief as is just and proper.

Dated: December 2, 2019

CARDINAL HOMES, INC.

/s/ Michael E. Hastings

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Debtor in Possession*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re: Chapter 11
CARDINAL HOMES, INC., Case No. 19-36275-KRH
Debtor.¹

**ORDER (I) ESTABLISHING CERTAIN NOTICE AND CASE MANAGEMENT
PROCEDURES, (II) APPROVING THE FORM AND NOTICE OF COMMENCEMENT
OF THE CHAPTER 11 CASE, AND (III) WAIVING THE REQUIREMENT
THAT THE DEBTOR SUBMIT A FORMATTED MAILING MATRIX**

Upon the Motion (the “Motion”)² of the above-captioned debtor and debtor-in-possession (the “Debtor”) for, among other things, entry of an order pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”); Rules 1007(a), 2002 and 9007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”); and Rule 1007-1(H) of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia (the “Local Rules”) (i) establishing certain notice and case management procedures, (ii) approving the form and manner of the notice of commencement of this chapter

¹ The Debtor in this Chapter 11 Case and the last four digits of its taxpayer identification number are as follows: Cardinal Homes, Inc. (9112). The Debtor’s headquarters are located at 525 Barnesville Highway, Wylliesburg, VA 23976.

² Capitalized terms not otherwise defined herein shall have the meanings set forth in the Motion.

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11 case, and (iii) waiving the requirement that the Debtor submit a formatted mailing matrix; and notice of the Motion having been given to: (i) the Office of the United States Trustee; (ii) the Office of the United States Attorney for the Eastern District of Virginia, (iii) Internal Revenue Service, (iv) counsel for the DIP Lender; (v) the Debtor's twenty (20) largest unsecured creditors; (vi) the Debtor's pre-petition secured lenders and its counsel, if known; (vii) all parties that have filed a financing statement asserting a lien in any of the Debtor's assets; and (viii) any party that has filed a request for notice with the Court; and the Court having conducted a hearing on December 3, 2019, to consider the relief requested in the Motion; and it appearing that granting the relief requested in the Motion is fair and reasonable and in the best interest of the Debtor, its estate and its creditors; and all objections, if any, to the entry of this Order having been withdrawn, resolved or overruled by the Court; and upon the entire record of this case, including any evidence presented or statements of counsel at the hearing; and after due deliberation thereon; and good and sufficient cause appearing therefor;

It is accordingly hereby **ORDERED, ADJUDGED, AND DECREED** that:

1. The Motion is **GRANTED**.
2. Except for notices supplied by the Debtor pursuant to Bankruptcy Rule 2002, and unless otherwise provided by this Order or another order of this Court, every motion, application, complaint, objection, notice, brief, memorandum, affidavit, declaration, or other writing filed in this case, including notices and orders by the Court, but not including proofs of claim (collectively, the "Filings"), shall only be served upon the following parties: (i) the Office of the United States Trustee; (ii) the Office of the United States Attorney for the Eastern District of Virginia, (iii) Internal Revenue Service, (iv) counsel for the DIP Lender; (v) the Debtor's twenty (20) largest unsecured creditors; (vi) the Debtor's pre-petition secured lenders and its counsel, if known; (vii) all parties that have filed a financing statement asserting a lien in any of the Debtor's

assets; and (viii) any party that has filed a request for notice with the Court pursuant to Bankruptcy Rule 2002 (the “Limited Service List”). The Debtor shall provide a copy of the most up-to-date version of the Limited Service List to any party requesting a copy of the same.

3. All filings for which notices to all parties in interest or other particularized notices are required pursuant to Bankruptcy Rules 2002(a)(2), 2002(a)(3), 2002(a)(6), or 4001 shall be served on the parties identified on the Limited Service List and in accordance with the following procedures:

- (i) Filings relating to the use, sale, lease, or abandonment of property shall be served on each entity having an ownership interest in the property or a lien or encumbrance on the property;
- (ii) Filings relating to relief from the automatic stay under section 362 of the Bankruptcy Code or other automatic stay matter shall be served, as applicable, on each entity having a lien or encumbrance on any affected property and the parties to any underlying lawsuit or administrative proceeding and their counsel;
- (iii) Filings relating to the use of cash collateral or obtaining credit shall be served on each entity with an interest in the cash collateral or each entity with a lien or other interest in property on which a lien is proposed to be granted;
- (iv) Filings relating to approval of a proposed compromise or settlement shall be served on each entity that is a party to the compromise or settlement; and
- (v) Filings relating to rights under section 365 of the Bankruptcy Code shall be served on each party to the executory contract(s) or unexpired lease(s) ought to be affected

4. The notice of electronic filing that is generated by the Court's Electronic Filing System shall constitute service of the filed document on all Filing Users of the Court's Electronic Filing System that have filed notices of appearance or other pleadings in these cases. Service on entities that are not Filing Users, as well as entities that are Filing Users, may be made by electronic service, regular United States mail (postage prepaid), facsimile, overnight delivery, priority delivery, or special courier or hand delivery.

5. Nothing herein shall affect the Debtor's obligation to give notice to all creditors and parties in interest of (a) the meeting of creditors, (b) the dismissal or conversion of the Debtor's chapter 11 case to another chapter, (c) the time fixed to accept or reject a proposed modification of a chapter 11 plan, (d) the time fixed for filing proofs of claim, (e) the hearing to approve bidding procedures in connection with the sale of the Debtor's assets, (f) the hearing to approve the sale of the Debtor's assets, (g) the time fixed for filing objections to and the hearing on a disclosure statement and the confirmation of a chapter 11 plan or (h) entry of an order confirming a chapter 11 plan. In addition, the Debtor shall be required to comply with the notice requirements of Bankruptcy Rules 4006 and 4007.

6. Notice and service accomplished in accordance with the provisions set forth in this Order shall be deemed adequate in all respects pursuant to the Bankruptcy Code, the Bankruptcy Rules and the Local Bankruptcy Rules.

7. The combined form of the notice of commencement of this chapter 11 case and the meeting of creditors pursuant to section 341 of the Bankruptcy Code, annexed hereto as Exhibit 1 (the "Notice of Commencement") is approved.

8. The requirement that the Debtor file a Creditor Matrix with the Court on the Petition Date pursuant to section 521(a)(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1), and Local Rule 1007-1(H) is hereby waived.

9. The Debtor, or any notice, claims and balloting agent retained and employed by the Debtor in the Chapter 11 Case, is authorized, but not directed, to undertake all mailings directed by the Court, or the U.S. Trustee, or in accordance with the Bankruptcy Code, including the Notice of Commencement, and any other correspondence that the Debtor may wish to send to parties in interest.

10. The Notice of Commencement shall be served by the Debtor on all known creditors by first-class U.S. mail, postage prepaid, no later than ten business days after the date of entry of this Order.

11. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order.

12. Notwithstanding any Bankruptcy Rule or Local Bankruptcy Rule that might otherwise delay the effectiveness of this Order, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

13. All forms of notice provided by this Motion are reasonably calculated to inform interested parties in this chapter 11 case.

14. The requirement under Local Bankruptcy Rule 9013-1(G) to file a memorandum of law in connection with the Motion is waived.

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

16. Notice of this Motion as provided therein shall be deemed good and sufficient notice of such Motion.

Dated: _____

UNITED STATES BANKRUPTCY JUDGE

Entered on Docket _____

WE ASK FOR THIS:

/s/ Michael E. Hastings

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Proposed Counsel for the Debtor and Debtor in Possession

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Michael E. Hastings

Michael E. Hastings

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

Chapter 11

CARDINAL HOMES, INC.,

Case No. 19-36275-KRH

Debtor¹

**NOTICE OF COMMENCEMENT OF
CHAPTER 11 CASE AND MEETING OF CREDITORS**

Commencement of the Chapter 11 Case. On December 2, 2019, the above-captioned debtor and debtor-in-possession (the “Debtor”), filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (as amended, the “Bankruptcy Code”) in the United States Bankruptcy Court for the Eastern District of Virginia (the “Court”).

Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the Bankruptcy Court. You may be sent a copy of a plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the Debtor will remain in possession of its property and may continue to operate its business.

Meeting of Creditors. Pursuant to section 341 of the Bankruptcy Code, the Office of the United States Trustee of the Eastern District of Virginia (the “U.S. Trustee”) has scheduled a meeting of creditors on _____, 2019, at __:__ (prevailing Eastern Time), at the office of the U.S. Trustee, 701 East Broad Street, Suite 4300, Richmond, Virginia 23219. The Debtor’s representatives will be present at the meeting to be examined under oath by the U.S. Trustee and by creditors. Creditors are welcome to attend the meeting but are not required to do so. The meeting may be continued and concluded at a later date without further notice.

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Creditors May Not Take Certain Actions. The filing of the bankruptcy petition automatically stays certain collection and other actions against the Debtor and the Debtor's property. Prohibited actions are listed in section 362(a) of the Bankruptcy Code. For example, creditors are prohibited from: (a) contacting the Debtor to demand repayment; (b) taking action against the Debtor to collect money owed to creditors; (c) starting or continuing lawsuits against the Debtor; and (d) taking certain actions against property of the Debtor's estates. *See* 11 U.S.C. § 362(a). If unauthorized actions are taken by a creditor against the Debtor, the Court may penalize that creditor. A creditor who is considering taking action against the Debtor or their property should review, among other things, section 362(a) of the Bankruptcy Code and seek legal advice.

Proof of Claim Deadline. Pursuant to Local Bankruptcy Rule 3003-1 the deadline set by the Court under Federal Rule of Bankruptcy Procedure 3003(C) for filing proofs of claim and interest is _____ (the "Bar Date"). Claims not filed by the Bar Date will not be allowed and will be forever barred. All entities with claims against the Debtor not listed in the Debtor's Schedules of Assets and Liabilities (collectively, the "Schedules"), or with claims scheduled as disputed, contingent or unliquidated, or with claims in amounts different from those listed in the Debtor's Schedules, must file a Proof of Claim (Official Form No. B 410), a copy of which is attached, and proper supporting documentation so as to be received by American Legal Claims Services, LLC ("ALCS"), at the following address on or before the Bar Date.

If via mail:

Cardinal Homes Claims
c/o ALCS
P.O. Box 23650
Jacksonville, FL 32231-3650

If via courier or overnight service:

Cardinal Homes Claims
c/o ALCS
8021 Philips HWY, STE 1
Jacksonville, FL 32256

In accordance with 11 U.S.C. § 502(b)(9), all governmental units, as defined in 11 U.S.C. § 101(27), with claims against the Debtor, must file a Proof of Claim (Official Form No. 10) and proper supporting documentation so as to be received by ALCS at the address provided above on or before _____ (the "Governmental Bar Date").

Definition of Claim. For purposes of this Bar Date Notice, "Claim" shall mean as to or against the Debtor: (1) any 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 (2) any 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.

Any Entity whose prepetition Claim against the Debtor is not listed in the Debtor's Schedules or is listed as "disputed," "contingent" or "unliquidated" and that desires to participate in this chapter 11 case or share in any distribution in this chapter 11 case, and any Entity whose prepetition Claim is improperly classified in the Schedules is listed in an incorrect amount and that desires to have its Claim allowed in a classification or amount other than that set forth in the Schedules, must file a Proof of Claim on or before the Bar Date. An indenture trustee may file a Claim on behalf of all known or unknown holders of bonds or securities issued pursuant to the

trust instrument under which it is trustee and no individual bondholder or securities holder shall be required to file its own independent Proof of Claim.

The following entities are not required to file a Proof of Claim on or before the Bar Date:

- a. any person or entity that has already properly filed with the Clerk of the Bankruptcy Court, a Proof of Claim against the Debtor using Official Form No. 10; and
- b. any person or entity (i) whose claim is listed on the Debtor's Schedules, (ii) whose claim is not described as disputed, contingent or unliquidated, and (iii) who does not dispute the amount or nature of the claim for such person or entity as set forth in the Schedules.

Executory Contract and Lease Rejection Claims. Any Entity whose Claims arise out of the rejection of an unexpired lease or executory contract of the Debtor (a "Rejected Contract") pursuant to section 365 of the Bankruptcy Code during the Debtor's bankruptcy case, must file a proof of claim on or before the latest of: (1) thirty (30) days after entry of an Order of this Court authorizing the rejection of such Rejected Contract; or (2) the Bar Date. Proofs of claim for any other claims that arose before to the Petition Date with respect to a Rejected Contract must be filed on or before the Bar Date.

Consequences of Failure to File Proof of Claim. Any creditor that is required to file but fails to file a proof of claim for its Claim in accordance with the procedures set forth herein on or before the Bar Date, or such other date established hereby (as applicable) shall be forever barred, estopped, and enjoined from: (a) asserting any Claim against the Debtor that (i) is in an amount that exceeds the amount, if any, that is set forth in the Schedules as undisputed, noncontingent, and unliquidated or (ii) is of a different nature or in a different classification (any such claim referred to as an "Unscheduled Claim") and (b) voting upon, or receiving distributions under, any plan of reorganization in this chapter 11 case in respect of an Unscheduled Claim; and the Debtor and its property shall be forever discharged from any and all indebtedness or liability with respect to such Unscheduled Claim. If it is unclear from the Schedules whether your Claim is disputed, contingent or unliquidated as to amount or is otherwise properly listed and classified, you must file a proof of claim on or before the Bar Date. Any Entity that relies on the Schedules bears responsibility for determining that its Claim is accurately listed therein.

Reservation of Rights. The Debtor reserves the right to: (1) dispute, or to assert offsets against or defenses to, any filed Claim or any Claim listed or reflected in the Schedules as to nature, amount, liability, classification, or otherwise; or (2) subsequently designate any Claim as disputed, contingent or unliquidated. Nothing set forth in this Notice shall preclude the Debtor from objecting to any Claim, whether scheduled or filed, on any grounds.

Creditors with a Foreign Address. If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the Court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

Attorneys for Debtor. The attorneys representing the Debtor are Michael E. Hastings and Brandy M. Rapp, WHITEFORD, TAYLOR & PRESTON LLP, Two James Center, 1021 E. Cary St., Suite 1700, Richmond, Virginia 23219, Telephone: (804) 799-7859, Facsimile: (804) 977-3295.

How to Obtain Documents. All documents filed with the Bankruptcy Court, including the Debtor's schedules of assets and liabilities and statements of financial affairs, will be available for inspection at the Bankruptcy Court Clerk's office or by (a) accessing the Bankruptcy Court's web site, www.vaeb.uscourts.gov (a PACER login and password are required and can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov) or (b) from the ALCS's website, free of charge, at <http://www.americanlegal.com/cardinalhomes> (under the Documents menu).

Discharge of Debts and Deadline to File a Complaint to Determine Dischargeability of Certain Debts. Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. *See* Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under § 1141(d)(6)(A) of the Bankruptcy Code, you must start a lawsuit by filing a complaint in the Court by _____, 2019. The Court Clerk's Office must receive the complaint and any required filing fee by such deadline.

Local Rule Dismissal Warning. Chapter 11 cases may be dismissed for failure to timely file lists, schedules, and statements. *See* Local Bankruptcy Rule 1007-1

Legal Advice. Neither the Debtor's counsel nor the Court Clerk's Office can give you legal advice. You may wish to consult an attorney to protect your rights.

Dated: December __, 2019

Clerk of the U.S. Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, Virginia 23219