

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
CLARE OAKS,) Case No. 19-16708
)
Debtor.) Hon. Pamela S. Hollis
)
_____)

**NOTICE OF BAR DATE FOR FILING OF PROOFS OF CLAIM
GENERAL BAR DATE IS DECEMBER 2, 2019
AT 4:00 P.M. (PREVAILING CENTRAL TIME)**

TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST THE DEBTOR:

PLEASE TAKE NOTICE that on June 11, 2019 (the “**Petition Date**”), 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 Northern District of Illinois (the “**Court**”). The Debtor has continued in possession of its property pursuant to Bankruptcy Code sections 1107(a) and 1108.

Pursuant to the order of the Court dated September 26, 2019 (the “**Bar Date Order**”),¹ 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)** (each, a “**Claim**” and collectively, the “**Claims**”), are required to mail or file, pursuant to the instructions set forth below, 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 **December 2, 2019 at 4:00 p.m. (Prevailing Central Time)** (the “**General Bar Date**”). Solely with respect to government units as defined by Bankruptcy Code section 101(27), the proofs of claim must be submitted on or before the later of the General Bar Date or December 9, 2019, at 4:00 p.m. (Prevailing Central Time) (the “**Governmental Bar Date**”).

Pursuant to the Bar Date Order, the filing of a Proof of Claim Form shall be deemed to satisfy the procedural requirements for the assertion of administrative priority claims under Bankruptcy Code section 503(b)(9). All other administrative claims under Bankruptcy Code section 503(b) must be made by separate requests for payment in accordance with Bankruptcy Code section 503(a) and will not be deemed proper if made by a proof of claim. No deadline has been established for the filing of administrative Claims other than Claims under Bankruptcy Code

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Motion.

section 503(b)(9). **Claims under Bankruptcy Code section 503(b)(9) must be filed by the General Bar Date.**

It is your responsibility to determine whether your Claim is listed on the Debtor's schedules of assets and liabilities and statements of financial affairs filed in this case (collectively, the "Schedules").

AT THIS TIME, Proof of Claim Forms ARE NOT REQUIRED to be filed by Creditors holding or wishing to assert Claims against the Debtor for the following types of claims (collectively, the "Excluded Claims"):

- (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 asserting a Claim allowable under Bankruptcy Code sections 503(b) and 507(a)(2) as an administrative expense of the Chapter 11 Case (other than any claim allowable under Bankruptcy Code section 503(b)(9));**
- (d) **Any Entity whose Claim against the Debtor previously has been allowed by, or paid pursuant to, an order of the Court;**
- (e) **Any holder of a contingent Claim for the repayment of resident entrance fees from the Debtor who agrees with the nature, classification and amount of such Claim as set forth in the Schedules; and**
- (f) **Any claim for repayment of principal, interest, or other applicable fees and/or charges on or under the: (i) \$14,000,000 Revenue Bonds, Series 2012A (Clare Oaks) (consisting of the subseries Series 2012A-1 Bonds through the Series 2012A-3 Bonds); (ii) \$39,991,094 Subordinated Revenue Refunding Bonds, Series 2012B (Clare Oaks); or (iii) \$35,008,974 Subordinated Revenue Refunding Bonds, Series 2012C (Clare Oaks) (consisting of the subseries Series 2012C-1 Bonds through the Series 2012C-3 Bonds).**

Should the Court fix a date in the future after the General Bar Date by which time any of the Excluded Claims must be filed, you will be so notified.

For any Proof of Claim Form to be validly and properly filed, a signed and completed Proof of Claim Form, together with accompanying documentation, must be submitted to the Debtor's noticing and claims agent, Stretto, Inc. ("**Stretto**"), either by mail delivery or through the court-approved electronic claims filing system no later than 4:00 p.m. (Prevailing Central Time) on the

applicable Bar Date.

Proof of Claim Forms delivered by mail to Stretto should be addressed to:

Clare Oaks Claims Processing
c/o Stretto
8269 E. 23rd Avenue, Suite 275
Denver, CO 80238

Proofs of claim may also be submitted electronically through Stretto's website:
<https://cases.stretto.com/clareoaks/fileclaim>.

Proof of Claim Forms shall be deemed filed when **actually received** by Stretto (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.

A Proof of Claim Form is enclosed with this notice and may be used to file your Claims. Additional Proof of Claim Forms are available at <http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>.

Proof of Claim Forms must be in English and amounts must be in U.S. Dollars.

PLEASE TAKE FURTHER NOTICE THAT, EXCEPT WITH RESPECT TO CLAIMS OF THE TYPE SET FORTH IN PARAGRAPHS (A) THROUGH (E) ABOVE, ANY ENTITY WHO IS REQUIRED TO FILE A PROOF OF CLAIM BUT FAILS TO DO SO ON OR BEFORE DECEMBER 2, 2019 MAY NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR PURPOSES OF VOTING AND DISTRIBUTION.

In the event that the Debtor should amend its Schedules of Assets and Liabilities (the "**Schedules**") subsequent to the date hereof, the Debtor shall give notice of such amendment to the holders of the Claims affected thereby, and such holders shall be afforded the later of the General Bar Date or thirty (30) days from the date on which such notice has been given to such holders (the "**Amended Schedule Bar Date**") to file Proof of Claim Forms or forever be barred from doing so.

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) thirty (30) days after the date of the entry of any order authorizing the rejection of such executory contract or unexpired lease, or (c) thirty (30) days after the effective date of any order authorizing the rejection of the executory contract or unexpired lease (the "**Rejection Claim Bar Date**") to file a Proof of Claim Form or forever be barred from doing so.

The Debtor reserves the right to: (a) dispute, or to assert offsets or defenses against, any filed Claim or any Claim listed or reflected in the Schedules as to the nature, amount, liability, priority, classification, or otherwise; (b) subsequently designate any scheduled Claim as disputed, contingent, or unliquidated; (c) otherwise amend or supplement the Schedules. Nothing

contained in this notice shall preclude the Debtor from objecting to any Claim, whether scheduled or filed, on any grounds; and (d) file proofs of claim pursuant to Federal Rule of Bankruptcy Procedure 3004.

Copies of filings to date, and other information regarding the Chapter 11 Case are available for free on the Debtor's case website at <https://cases.stretto.com/clareoaks>. Copies are available for a fee at the Court's website at <https://www.ilnb.uscourts.gov/>. A login identification and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <https://www.pacer.gov/>.

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: September 27, 2019
Chicago, Illinois

/s/ Jean Soh
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*Counsel to the Debtor
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