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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re

LEFEVER MATTSON,
 a California corporation, *et al.*,¹

Debtors.

Case No. 24-10545 CN (Lead Case)

(Jointly Administered)

Chapter 11

¹ The last four digits of LeFever Mattson's tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP ("KSMP") are 5060. KSMP's address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>.



1 In re
2 KS MATTSON PARTNERS, LP,
3 Debtor.

**AMENDED JOINT MOTION OF DEBTORS AND
OFFICIAL COMMITTEE OF UNSECURED
CREDITORS FOR AN ORDER (I) APPROVING
THE PLAN SUMMARY AND AMENDED
DISCLOSURE STATEMENT; (II) SCHEDULING
HEARING ON CONFIRMATION OF PLAN AND
APPROVING THE FORM AND MANNER OF
SERVICE OF THE HEARING NOTICE; (III)
ESTABLISHING PROCEDURES FOR THE
SOLICITATION AND TABULATION OF VOTES
ON PLAN; (IV) ESTABLISHING PROCEDURES
FOR THE ESTIMATION OF INVESTOR
CLAIMS SOLELY FOR VOTING PURPOSES;
AND (V) APPROVING RELATED MATTERS**

Hearing Date:

Date: November 19, 2025
Time: 1:00 p.m. (Pacific time)
Place: United States Bankruptcy Court
1300 Clay Street, Courtroom 215
Oakland, CA 94612
Judge: Honorable Charles Novack

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1 LeFever Mattson, a California corporation, ("LFM"), its affiliated debtors and debtors in
2 possession (collectively with LFM, the "LFM Debtors"), and KS Mattson Partners, LP ("KSMP")
3 and together with the LFM Debtors, the "Debtors"), and the Official Committee of Unsecured
4 Creditors (the "Committee" and together with the Debtors, the "Plan Proponents"),² which was
5 appointed in these chapter 11 cases (the "Cases") to represent the interests of unsecured creditors
6 and investors of the Debtors, hereby submit this motion (the "Motion"), pursuant to sections 105,
7 502, 1123(a), 1124, 1125, 1126, and 1128 of title 11 of the United States Code (the "Bankruptcy
8 Code"), Rules 2002, 3003, 3016, 3017, 3018, 9006(c), and 9007 of the Federal Rules of Bankruptcy
9 Procedure (the "Bankruptcy Rules"), and Rules 3003-1 and 3017-1 of the Bankruptcy Local Rules
10 for the Northern District of California (the "Local Rules"), for the entry of an order (the
11 "Solicitations Procedures Order");

- 12
- 13 a. approving the *Plan Summary for Investors* (substantially in the form attached hereto
14 as **Exhibit A**, the "Plan Summary") relating to the *First Amended Joint Chapter 11*
15 *Plan of Liquidation* (as it may be amended or modified, the "Plan") [Docket No.
16 2561] of the Debtors proposed by the Debtors and the Official Committee of
17 Unsecured Creditors (the "Committee")³;
- 18 b. approving the *Disclosure Statement in Support of the First Amended Joint Chapter*
19 *11 Plan of Liquidation* (as it may be amended or modified, the "Disclosure
20 Statement") [Docket No. 2567] of the Debtors proposed by the Debtors and the
21 Committee;
- 22 c. scheduling a hearing (the "Confirmation Hearing") on confirmation of the Plan;
- 23 d. approving the form and manner of notice of the Confirmation Hearing (the
24 "Confirmation Hearing Notice");
- 25 e. approving certain procedures for the estimation of Investor Claims solely for the
26 purpose of voting on the Plan (the "Investor Claims Estimation Procedures");

27 ² Debtor Live Oak Investments, LP is not a Plan Proponent; however, the Plan provides for the substantive
28 consolidation of Debtor Live Oak Investments, LP with the other Debtors and its creditors and investors will be
entitled to vote on the Plan

³ Any capitalized term not defined herein shall have the meaning ascribed to such term in the Plan or the Disclosure
Statement, as applicable. As proposed herein, the Solicitation Packages for Investors in Class 7 will include a hard
copy of the Plan Summary, but not a hard copy of the Disclosure Statement or Plan.

- 1 f. approving certain procedures (the “Solicitation Procedures”) for the solicitation and
2 tabulation of votes to accept or reject the Plan, including:
- 3 i. the forms of ballots for submitting votes on the Plan;
- 4 ii. the contents of the proposed solicitation packages (collectively, the
5 “Solicitation Packages”);
- 6 iii. the proposed record date for voting on the Plan;
- 7 iv. the procedures and deadlines pertaining to the Investor Claims
8 Estimation Procedures; and
- 9 v. certain other relief relating to the Solicitation Procedures.

9 In support of this Motion, the Plan Proponents attach the following exhibits:

10

Exhibit	Description
Exhibit A	Plan Summary (to be served only on Investors in Class 7 as part of the Solicitation Package)
Exhibit B	Proposed Confirmation Hearing Notice
Exhibit C	Proposed Contents and Procedures for Serving Solicitation Packages
Exhibit D	1. Proposed Form of Ballot - Class 3 Sold Property Secured Lender Claims 2. Proposed Form of Ballot - Class 4 Retained Property Secured Lender Claims 3. Proposed Form of Ballot - Class 5 Settled Secured Lender Claims 4. Proposed Form of Ballot - Class 6 Trade Claims. 5. Proposed Form of Ballot - Class 7 Investor Claims
Exhibit E	Proposed Vote Tabulation/Investor Claims Estimation Procedures
Exhibit F	Proposed Notice of Non-Voting Status
Exhibit G	Proposed Solicitations Procedures Order

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26 In further support of this Motion, the Plan Proponents respectfully state as follows:

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1 Investment Entities as a single enterprise—disregarding their separate corporate forms—and caused
2 them to engage in numerous fraudulent activities and transactions (collectively, the “Mattson
3 Transactions”). The Mattson Transactions took many forms, including the sale of fictitious interests
4 in many of the Debtors and KSMP Investment Entities; the transfer of vast sums of money between
5 and among LFM, KSMP, KSMP Investment Entities and other Debtors; and the transfer among the
6 Debtors and KSMP Investment Entities of properties encumbered with high-interest loans.

7 The Debtors and the Committee have determined that it is in the best interests of the
8 Investors and other creditors to propose the Global Settlement, to be effectuated through the
9 proposed Plan, to treat Investors and other creditors fairly without incurring the considerable
10 professional fees and costs (likely in the tens of millions of dollars) that would be necessary to
11 attempt to disentangle the Debtors’ assets, liabilities and finances. Indeed, given the state of the
12 Debtors’ books and records, it is possible that disentanglement would be unsuccessful even if such
13 funds were expended.

14 The Plan provides for one class of Investor Claims – Class 7. Voting on the Plan will allow
15 the Investor community to have a voice in the outcome of the Chapter 11 Cases. To effectuate
16 distributions to Investors, the Plan provides for the creation of the Plan Recovery Trust, which will
17 own the Debtors’ and KSMP Investment Entities’ assets that are not sold during the Chapter 11
18 Cases, sell or otherwise dispose of those assets to generate cash, and distribute all available cash to
19 Investors. The Plan Recovery Trust also will own litigation claims against third parties, including
20 Kenneth Mattson (“Mattson”) and Timothy LeFever (“LeFever”), and may generate cash through
21 prosecution or settlement of those claims.⁵ Cash will be distributed by the Plan Recovery Trust to
22 Investors and other creditors over time, as the Plan Recovery Trust collects on or otherwise
23 monetizes the Plan Recovery Trust Assets.

24 The Plan Proponents believe that the settlement reflected in the Plan represents the best
25 outcome in these unfortunate circumstances. Importantly, it also provides the best prospect for
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27 ⁵ Investors will also receive Pro Rata distributions from the Investor Forfeiture Fund in the event that there is any
28 Forfeiture Property obtained by the DOJ, the SEC or another Governmental Unit.

1 Investors and other Creditors to receive distributions as soon as reasonably possible. Prompt
2 Confirmation of the Plan is of paramount importance to the Investor community, and the Plan
3 Proponents believe it is in the best interests of the estates and all Creditors.

4 Accordingly, the Plan Proponents seek approval of the Plan Summary and the Disclosure
5 Statement and authority to promptly begin soliciting votes on the Plan. Subject to approval of the
6 Disclosure Statement, the Plan Proponents further seek approval of (i) the confirmation procedures,
7 which create a framework for the filing and service of objections to confirmation and any responses
8 thereto (collectively, the “Confirmation Procedures”); (ii) the Solicitation Procedures, which
9 establish the form and manner of, as well as certain rules and timelines governing, the solicitation
10 and tabulation of votes on the Plan, including the form of ballots and other solicitation documents;
11 and (iii) certain matters relating to the estimation of all Investor Claims for the purpose of voting on
12 the Plan (the “Investor Claims Estimation Procedures”).⁶

13 **JURISDICTION**

14 This Court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core
15 proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§
16 1408 and 1409.

17 **BACKGROUND**

18 **A. The Commencement of the Chapter 11 Cases**

19 The Chapter 11 Cases arise from an alleged multiyear and multimillion-dollar fraud
20 perpetrated by Mattson. This alleged fraud resulted in multiple prepetition litigations against
21 Mattson, LFM, and KSMP, as well as the voluntary bankruptcy filing of the LFM Debtors. It has
22 also resulted in the United States Department of Justice bringing charges against Mr. Mattson for
23 fraud and related crimes.

24 On September 12, 2024, LeFever Mattson and 57 affiliates and subsidiaries (the “LFM
25 Debtors”) filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code, commencing
26

27 ⁶ The Plan Proponents filed a motion for entry of an *Order Approving Settlement Procedures with Respect to Investor*
28 *Claims* (the “Investor Settlement Amount Procedures Order”) [Docket No. 2365].

1 their jointly administered bankruptcy cases (the “LFM Chapter 11 Cases”).⁷ On November 22,
2 2024, Debtor KSMP became subject to an involuntary petition for relief under chapter 11 of the
3 Bankruptcy Code. On June 9, 2025, the Court entered the *Stipulated Order for Relief in an*
4 *Involuntary Case* and subsequently appointed Robbin L. Itkin as the Responsible Individual in the
5 KSMP chapter 11 case, with effect from June 16, 2025. On July 29, 2025, the Court entered the
6 Stipulated Bridge Order, which, among other things, jointly administers KSMP’s chapter 11 case
7 with the LFM Chapter 11 Cases (collectively, the “Chapter 11 Cases”)

8 The Debtors continue to manage their properties and affairs as debtors in possession pursuant
9 to sections 11 U.S.C. §§ 1107(a) and 1108 of the Bankruptcy Code.

10 The Committee was appointed by the Office of the United States Trustee in the LFM Chapter
11 11 Cases on or about October 9, 2024, and in KSMP’s chapter 11 case on August 27, 2025. No
12 trustee or examiner has been appointed in the Debtors’ Chapter 11 Cases.

13 **B. The Disclosure Statement and Plan**

14 On September 5, 2025, the Plan Proponents filed their initial form of Plan and related
15 Disclosure Statement [Docket Nos. 2226 and 2364, respectively]. On October 15, 2025, the Plan
16 Proponents filed the First Amended Plan and supporting Disclosure Statement [Docket Nos. 2561
17 and 2567]. The Plan places claims and interests into ten classes (each, a “Class”). In accordance
18 with section 1123(a)(1) of the Bankruptcy Code, administrative claims and priority tax claims are
19 not classified and are excluded from the Classes. Each Class and its respective impairment status
20 and voting rights are as follows:

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⁷ LFM Debtor Windscape Apartments, LLC, filed its chapter 11 petition on August 6, 2024. LFM Debtors Pinewood
Condominiums, LP, and Ponderosa Pines, LP, filed their chapter 11 petitions on October 2, 2024.

Class	Type	Status	Voting Rights
Class 1	Priority Claims	Unimpaired	Deemed to Accept
Class 2	Other Secured Claims	Unimpaired	Deemed to Accept
Class 3	Sold Property Secured Lender Claims ⁸	Impaired	Entitled to Vote
Class 4	Retained Property Secured Claims	Impaired	Entitled to Vote
Class 5	Settled Secured Lender Claims	Impaired	Entitled to Vote
Class 6	Trade Claims	Impaired	Entitled to Vote
Class 7	Investor Claims	Impaired	Entitled to Vote
Class 8	Intercompany Claims	Impaired	Deemed to Reject
Class 9	Equitably Subordinated Claims	Impaired	Deemed to Reject
Class 10	Equitably Subordinated Interests	Impaired	Deemed to Reject

RELIEF REQUESTED

By this Motion, the Plan Proponents respectfully request the entry of an order (the “Disclosure Statement Order”) that, among other things, (i) approves the Plan Summary, (ii) approves the Disclosure Statement to permit the Plan Proponents to distribute and solicit acceptances for the Plan, (iii) sets the date and time for the Confirmation Hearing and approves certain related deadlines and the Confirmation Hearing Notice, (iv) approves the Solicitation Procedures, (v) approves the Investor Claims Estimation Procedures, and (vi) grants related relief.

A chart listing certain dates and deadlines requested under the Disclosure Statement Order is provided below:

Date ⁹	Description
November 19, 2025	Hearing Date on this Motion
November 20, 2025	Voting Record Date
December 3, 2025	Deadline to Serve Solicitation Packages
December 10, 2025	Deadline to file Plan Supplement

⁸ The Plan Proponents reserve the right to assert that the treatment provided to the Holders of Class 3 Claims pursuant to the Plan renders such Claims unimpaired.

⁹ All deadlines, unless otherwise indicated, are as of 11:59 p.m. (Pacific Time).

December 15, 2025	Deadline to Serve Written Discovery
December 15, 2025	Deadline for parties to identify the topics on which they intend to submit expert reports (other than rebuttal expert reports)
December 23, 2025	Deadline to Serve Responses & Objections to Written Discovery
January 7, 2026	Deadline for 3018 Motion of Non-Investor Claims
January 7, 2026	(1) Voting Deadline (2) Deadline for Investors to object to Proposed Claim Amounts in Investors' Class 7 Ballots (3) Deadline to File Objections to Plan
January 7, 2026	Deadline to identify expert witnesses
January 7, 2026	Document Productions Substantially Completed
January 9, 2026	Expert Reports Due
January 14, 2026	Deadline to Complete Depositions of Fact Witnesses (All fact and expert witnesses will have the option of being deposed either in person or by Zoom. If a witness chooses to be deposed in person, all parties may attend either in person or by Zoom, at their choosing)
January 14, 2026	Deadline for parties to identify expert witnesses who will submit rebuttal expert reports
January 17, 2026	Rebuttal Expert Reports Due
January 19, 2026	Deadline to Exchange Fact Deposition Designations and File Motions <i>in Limine</i> re Fact Witnesses
January 21, 2026	Deadline for Plan Proponents to file Objections to 3018 Motions for Non-Investor Claims
January 27, 2026	Deadline to Depose Expert Witnesses
January 28, 2026	Deadline to file: (1) Replies to Objections to Plan Confirmation (2) Voting Report (3) Confirmation Brief
January 28, 2026	Deadline for the Plan Proponents to file Replies to Investors' Objections to Proposed Claim Amounts for voting purposes
January 28, 2026	Deadline for parties to file Replies in support of 3018 Motions for Non-Investor Claims

January 30, 2026	Deadline to Exchange <u>Expert</u> Deposition Designations and File Motions <i>in Limine</i> re <u>Expert</u> Witnesses
February 2, 2026	Deadline to Exchange Deposition Counter-Designations (Fact and Expert)
February 2, 2026	Deadline to Submit: (1) Joint Pretrial Order; (2) Witness and Exhibit Lists; (3) Oppositions to Motions in Limine; (4) Objections to Deposition Counter-Designations
February 2, 2026	Final Pre-Trial Conference
February 4, 2026	(1) Confirmation Hearing on Plan (2) Hearing on Unresolved Investors' Objections to Proposed Claims Amounts for voting purposes, and Unresolved 3018 Motions for Non-Investor Claims

BASIS FOR RELIEF REQUESTED

A. Approval of Disclosure Statement

The Disclosure Statement contains “adequate information” as required under section 1125 of the Bankruptcy Code. Section 1125 of the Bankruptcy Code defines adequate information as follows:

“[A]dequate information” means information of a kind, and in sufficient detail, as far as is reasonably practicable in light of the nature and history of the debtor and the condition of the debtor’s books and records, including a discussion of the potential material Federal tax consequences of the plan to the debtor, any successor to the debtor, and a hypothetical investor typical of the holders of claims or interests in the case, that would enable such a hypothetical investor of the relevant class to make an informed judgment about the plan [I]n determining whether a disclosure statement provides adequate information, the court shall consider the complexity of the case, the benefit of additional information to creditors and other parties in interest, and the cost of providing additional information

11 U.S.C. § 1125.

In sum, a debtor’s disclosure statement must provide information that is “reasonably practicable” to permit an “informed judgment” by those creditors and interest holders entitled to vote on a debtor’s plan. *See Abel v. Shugrue (In re Ionosphere Clubs, Inc.)*, 179 B.R. 24, 29 (S.D.N.Y. 1995). Courts possess broad discretion in determining whether a disclosure statement contains adequate information. *See Mabey v. Sw. Power Co. (In re Cajun Elec. Power Coop.)*, 150 F.3d 503, 518 (5th Cir. 1998).

1 Factors courts may consider when determining whether a disclosure statement contains
2 adequate information include the following:

- 3 a. the circumstances that gave rise to the filing of the bankruptcy petition;
- 4 b. a description of the available assets and their value;
- 5 c. the anticipated future of the debtor;
- 6 d. the source of the information provided in the disclosure statement;
- 7 e. the financial condition and performance of the debtor while in chapter 11;
- 8 f. information regarding claims against the debtor's estate;
- 9 g. a liquidation analysis identifying the estimated return that creditors would receive if
10 the debtor's bankruptcy case were a case under chapter 7 of the Bankruptcy Code;
- 11 h. the accounting and valuation methods used to produce the financial information in
12 the disclosure statement;
- 13 i. information regarding the future management of the debtor, including the amount of
14 compensation to be paid to any insiders, directors or officers of the debtor;
- 15 j. a summary of the proposed plan;
- 16 k. an estimate of all administrative expenses, including attorneys' fees and accountants'
17 fees;
- 18 l. the collectability of any accounts receivable;
- 19 m. any financial information, valuations or pro forma projections that would be relevant
20 to creditors' determinations of whether to accept or reject the plan of reorganization;
- 21 n. the actual or projected value that could be obtained from avoidable transfers; and
- 22 o. the existence, likelihood and possible success of nonbankruptcy litigation.

22 *See, e.g., In re Scioto Valley Mortgage Co.*, 88 B.R. 168, 170-71 (Bankr. S.D. Ohio 1988); *see also*
23 *In re Copy Crafters Quickprint, Inc.*, 92 B.R. 973, 980 (Bankr. N.D.N.Y. 1988) (adequacy of
24 disclosure statement evaluated in light of the factors set forth in *Scioto Valley Mortgage*). This list
25 of factors is not meant to be exclusive, nor must a disclosure statement provide all the information
26 on the list—rather, the court must decide what information is appropriate in each case. *See In re*
27 *Ferretti*, 128 B.R. 16, 18-19 (Bankr. D. N.H. 1991) (adopting similar list); *see also In re Phoenix*
28

1 *Petroleum Co.*, 278 B.R. 385, 393 (Bankr. E.D. Pa. 2001) (making use of similar list of factors, but
2 cautioning that “no one list of categories will apply in every case”).

3 The Disclosure Statement contains more than sufficient information to make an informed
4 judgment about the Plan, including information with respect to: (i) the terms of the Plan and its
5 implementation; (ii) information relating to the Debtors’ business and capital structure; (iii) certain
6 events preceding the Chapter 11 Cases; (iv) the feasibility of the Plan; (v) potential recovery actions
7 held by the Debtors’ estates and other non-bankruptcy litigation; (vi) information regarding claims
8 against the Debtors’ estates; (viii) estimates of the claims asserted, or to be asserted, against the
9 Debtors’ estates and the value of distributions expected to be received by holders of allowed claims;
10 (ix) the risk factors affecting the Plan; (x) the method and timing of distributions under the Plan;
11 (xi) a liquidation analysis identifying the estimated return that creditors would receive if the
12 Debtors’ bankruptcy cases were cases under chapter 7 of the Bankruptcy Code; (xii) the federal tax
13 consequences of the Plan; and (xiii) appropriate disclaimers regarding the Court’s approval of
14 information only as contained in the Disclosure Statement.

15 Thus, the Plan Proponents respectfully submit that the Disclosure Statement contains
16 “adequate information” within the meaning of section 1125 of the Bankruptcy Code.

17 **B. Confirmation Hearing Notice**

18 Pursuant to Bankruptcy Rule 3020(b)(1), objections to confirmation of a plan must be filed
19 and served “within a time fixed by the court.” The Plan Proponents request that the Court set
20 January 7, 2026 at 11:59 p.m. (Pacific Time), as the deadline (the “Confirmation Objection
21 Deadline”) for filing and serving objections to confirmation of the Plan (“Plan Objections”).

22 The Plan Proponents request that the Disclosure Statement Order require that Plan
23 Objections, if any, must (i) be in writing, (ii) comply with the Bankruptcy Rules and the Local Rules,
24 (iii) set forth the name of the objector and the nature and amount of any claim or interest asserted
25 by the objector against or in the Debtors, (iv) state with particularity the legal and factual bases for
26 the objection, and (v) be filed and served not later than the Confirmation Objection Deadline on
27 counsel to the Plan Proponents and the other Notice Parties (as defined in the Disclosure Statement
28 Order).

1 In addition, the Plan Proponents request that the Court approve the form of the Confirmation
2 Hearing Notice, in substantially the form attached hereto as **Exhibit B**. In accordance with
3 Bankruptcy Rules 2002(b) and 2002(d), the Debtors propose to serve the Confirmation Hearing
4 Notice no later than 14 days after the Court's entry of the Disclosure Statement Order on: (i) all
5 parties filing a notice of appearance and request for service pursuant to Bankruptcy Rule 2002 in
6 these chapter 11 cases; (ii) counsel to the Committee; (iii) state and local taxing authorities in which
7 the Debtors did business; (iv) the Internal Revenue Service; (v) the Securities and Exchange
8 Commission; (vi) the Office of the United States Trustee; and (vii) all other persons or entities listed
9 on the Debtors' creditor mailing matrix (as supplemented by the Voting Agent based on the proofs
10 of claim and interest filed to date), including all known Investors. The Confirmation Hearing Notice,
11 among other things, sets forth: (i) the Voting Deadline for the submission of Ballots to accept or
12 reject the Plan; (ii) the deadline for Investors to object to the Proposed Claim Amounts in the
13 applicable Class 7 Ballots for Investors, for voting purposes, and the deadline for the Plan
14 Proponents to respond to such objections; (iii) the deadlines for any parties solely in relation to
15 Claims that are not Investor Claims ("Non-Investor Claims") to file Rule 3018(a) Motions and
16 objections thereto; (iv) the Confirmation Objection Deadline; (v) the time, date, and place of the
17 Confirmation Hearing, and (vi) instructions on how to obtain copies of the Disclosure Statement
18 and Plan.

19 **C. Approval of the Solicitation, Voting, and Investor Claims Estimation Procedures**

20 1. Solicitation Packages

21 Bankruptcy Rule 3017(d) specifies the materials that must be provided to holders of claims
22 and equity interests for the purpose of solicitation of their votes and providing adequate notice of
23 the hearing on confirmation of a chapter 11 plan. Specifically, upon approval of a disclosure
24 statement—except to the extent that the court orders otherwise with respect to one or more
25 unimpaired classes of creditors or equity security holders—the debtor-in-possession, trustee,
26 proponent of the plan, or clerk as the court orders shall mail to all creditors and equity security
27 holders, and in a chapter 11 reorganization case shall transmit to the United States Trustee, (1) the
28 plan or a court approved summary of the plan; (2) the disclosure statement as approved by the court;

1 (3) notice of the time within which acceptances and rejections of the plan may be filed; and (4) any
2 other information as the court may direct, including any court opinion approving the disclosure
3 statement or a court-approved summary of the opinion. Fed. R. Bankr. P. 3017(d). After approval
4 of the Disclosure Statement, the Plan Proponents propose to mail or cause to be mailed the
5 Solicitation Packages consisting of the materials and in the manner set forth on Exhibit C attached
6 hereto.

7 The Plan and Disclosure Statement will not be included in hard copy in the Solicitation
8 Package but will instead be posted on Verita Global's website for these Chapter 11 Cases in a
9 dedicated location, with instructions provided in the Solicitation Package for accessing them. As
10 noted, a hard copy of the Plan Summary will be included as part of the Solicitation Packages only
11 for Investors in Class 7 under the Plan (given the Plan Summary is particularly addressed to
12 Investors). The Plan Proponents expect that the Solicitation Packages will contain hundreds of pages
13 of materials. As a result, the printing and mailing costs can be minimized if the Plan Proponents are
14 permitted to provide a dedicated website link. If a party would like a hard copy (or an e-mailed
15 electronic copy), the Plan Proponents will send one upon request and disclose in the cover letter that
16 such requests can be made. The distribution of the Solicitation Packages will provide all holders of
17 claims entitled to vote on the Plan with the requisite materials to make an informed decision with
18 respect to the Plan. *See* Fed. R. Bankr. P. 3017(d) (providing that, after approval of a disclosure
19 statement, a debtor must transmit the plan, the approved disclosure statement, a notice of the time
20 within which acceptances and rejections of such plan may be filed, and any other information that
21 the Court may direct to certain holders of claims).

22 The Plan Proponents intend to make reasonable efforts to ensure that all applicable parties
23 are served with the Solicitation Packages. Nevertheless, the Plan Proponents request that the Court
24 excuse them from any requirement to re-serve Solicitation Packages to those entities for which it
25 turns out that the Debtors have only an undeliverable address. Further, the Plan Proponents request
26 the Court deem that any failure to attempt to resend Solicitation Packages to entities for which the
27 Debtors have only undeliverable addresses will not constitute inadequate notice of the Objection
28 Deadline, the Confirmation Hearing, the Voting Deadline, or any other matter.

1 The Plan Proponents submit that the proposed notice and service procedures are adequate
2 and sufficient for the purposes of section 1125 of the Bankruptcy Code and should be approved and
3 that the Solicitation Packages contain all of the materials required to be transmitted pursuant to
4 Bankruptcy Rule 3017(d).

5 2. Form of Ballots

6 Bankruptcy Rule 3017(d) requires the Plan Proponents to mail a form of ballot that
7 substantially conforms to Official Form No. 14 only to “creditors and equity security holders entitled
8 to vote on the plan.” Fed. R. Bankr. P. 3017(d). As only holders of claims in Classes 3, 4, 5, and 6
9 are entitled to vote, the Plan Proponents propose to distribute ballots (collectively, the “Ballots”)
10 only to creditors holding Claims in those Classes.¹⁰ The Ballots are based on Official Form No. 14,
11 but have been modified (in many respects similar to forms of ballots approved in other Chapter 11
12 cases involving Ponzi schemes) to address the particular terms of the Plan and, for Investors, are
13 personalized for each Investor that is entitled to vote, including with the amount such Investor is
14 entitled to vote.¹¹ The Plan Proponents respectfully submit that the Ballots comply with the
15 Bankruptcy Rules and should be approved.

16 3. The Record Date

17 Bankruptcy Rule 3017(d) provides that the “date [an] order approving the disclosure
18 statement is entered or another date fixed by the court” is the record date for determining the
19 “holders of stock, bonds, debentures, notes, and other securities” entitled to receive the materials
20 specified in Bankruptcy Rule 3017(d), including ballots for voting on a plan of reorganization. *See*
21 Fed. R. Bankr. P. 3017(d). Bankruptcy Rule 3018(a) contains a similar provision regarding
22 determination of the record date for voting purposes.¹²

23
24
25 ¹⁰ The proposed forms of Ballot are attached hereto as Exhibit D.

26 ¹¹ *See, e.g., In re Professional Financial Investors, Inc.*, Case No. 20-30604 (Bankr. N.D. Cal. Apr. 19, 2021) (Dkt. No. 575).

27 ¹² Bankruptcy Rule 3018(a) provides that “an equity security holder or creditor whose claim is based on a security of
28 record shall not be entitled to accept or reject a plan unless the equity security holder or creditor is the holder of
record of the security on the date the order approving the disclosure statement is entered or on another date fixed
by the court, for cause, after notice and a hearing.”

1 While certain of the claimants entitled to vote to accept or reject the Plan may not hold claims
2 based on “stock, bonds, debentures, notes, and other securities” with respect to which a record date
3 would be required under Bankruptcy Rules 3017(d) and 3018(a), the establishment of the record
4 date remains necessary to ensure the Debtors are able to conduct the solicitation process in an
5 organized manner.

6 Establishing a record date (the “Record Date”) will benefit the Plan Proponents by providing
7 certainty in determining which creditors are entitled to receive Solicitation Packages and to vote on
8 the Plan. For instance, the Record Date will eliminate any question with respect to any claims filed
9 or transferred on the eve of, or during, the solicitation period.¹³ Accordingly, the Plan Proponents
10 respectfully request that the Bankruptcy Court establish the Voting Record Date as
11 November 20, 2025.

12 4. Voting Deadline for Receipt of Ballots

13 Bankruptcy Rule 3017(c) provides that, “[o]n or before approval of [a] disclosure statement,
14 the court shall fix a time within which the holders of claims and interests may accept or reject [a]
15 plan” Fed. R. Bankr. P. 3017(c). The Plan Proponents will complete the Plan solicitation
16 period by mailing Ballots and other approved solicitation materials no later than December 3, 2025.
17 Based on this schedule, the Plan Proponents propose that, to be counted as votes to accept or reject
18 the Plan, all Ballots must be properly executed, completed, and delivered to the Voting Agent either
19 (a) electronically, or (b) by mail in the return envelope provided with each Ballot, (c) by overnight
20 courier, or (d) by personal delivery so that, in each case, all Ballots are received by the Voting Agent
21 no later than January 7, 2026 at 11:59 p.m. (Pacific time) (the “Voting Deadline”). The Plan
22 Proponents submit that the proposed 35 day solicitation period provides sufficient time for creditors
23 to make informed decisions to accept or reject the Plan and submit timely Ballots.

24 5. Vote Tabulation Procedures/Investor Claims Estimation Procedures

25
26 ¹³ In the event of any claim transfers before the Record Date, with respect to each transferred claim entitled to vote
27 on the Plan, the Plan Proponents propose that the transferee will be entitled to receive a Solicitation Package and
28 cast a Ballot on account of such transferred claim only if: (a) all actions necessary to effect the transfer of the claim
pursuant to Bankruptcy Rule 3001(e) have been completed prior to the Record Date; or (b) the transferee files by
the Record Date (i) the documentation required by Bankruptcy Rule 3001(e) to evidence the transfer and (ii) a
sworn statement of the transferor supporting the validity of the transfer.

1 **Investor Claims:**

2 Section 1126(c) of the Bankruptcy Code provides:

3 A class of claims has accepted a plan if such plan has been accepted
4 by creditors, other than any entity designated under subsection (e) of
5 this section, that hold at least two thirds in amount and more than one-
6 half in number of the allowed claims of such class held by creditors,
7 other than any entity designated under subsection (e) of this section,
8 that have accepted or rejected such plan.

9 Section 1126(d) of the Bankruptcy Code provides:

10 A class of interests has accepted a plan if such plan has been accepted
11 by holders of such interests, other than any entity designated under
12 subsection (e) of this section, that hold at least two-thirds in amount
13 of the allowed interests of such class held by owners of such interests,
14 other than any entity designated under subsection (e) of this section,
15 that have accepted or rejected such plan.

16 Further, Bankruptcy Rule 3018(a) provides that “the court after notice and hearing may temporarily
17 allow the claim . . . in an amount which the court deems proper for the purpose of accepting or
18 rejecting a plan.” Fed. R. Bankr. P. 3018(a).

19 A single class of Investors, treated as tort creditors, is required here. Pursuant to applicable
20 Ninth Circuit authority, all Investors, irrespective of what types of documents were executed and
21 whether the Investors were “on book” or “off book” are deemed to be “tort creditors.” *See Donell*
22 *v. Kowell*, 533 F. 3d 762, 767, 775 (9th Cir. 2008) (“As we discussed above, when Kowell and the
23 other innocent victims gave money to Wallenbrock, they were not actually investors, but rather tort
24 creditors with a fraud claim for restitution equal to the amount they gave. At that point, Wallenbrock
25 was in fact a ‘debtor,’ and Kowell and all other innocent investors were ‘creditors.’”); *Scholes v.*
26 *Lehmann*, 56 F.3d 750, 755 (7th Cir. 1995) (defrauded Ponzi scheme investors are actually tort
27 creditors). As one court discussing *Scholes* explained:

28 “[i]n that opinion, the Seventh Circuit treated fraudulent-transfer remedies as fitting
surely and readily to the remediation of a failed Ponzi scheme. The application is
given a replete, multi-faceted rationale. The analysis is premised on assigning a
different status to unwitting funders of the scheme’s operation, after the fact and by
judicial declaration. The status is that of creditors of the vehicle-entity. Then they
are to be treated as such in working out the consequences of the scheme’s collapse.
Through the hindsight of equitable principles, this rebranding is imposed even

1 *where the participation was facially structured as equity investment under*
2 *documentation and through transaction.*

3 *In re Petters Co.*, 499 B. R. 342, 352 (Bankr. D. Minn. 2013) (emphasis added).¹⁴

4 For purposes of voting on the Plan, the Plan Proponents propose that each of the Investor
5 Claims in Class 7 under the Plan be temporarily allowed in accordance with the proposed tabulation
6 and claim/interest estimation rules set forth on **Exhibit D** hereto and incorporated herein by
7 reference (collectively, the “Tabulation/Estimation Procedures”). The Tabulation/Estimation
8 Procedures seek to, *inter alia*, create clarity and efficiency in how votes to accept or reject the Plan
9 will be counted.

10 Section 502(c) of the Bankruptcy Code requires the estimation of all contingent or
11 unliquidated claims which, unless fixed or liquidated, would unduly delay the administration of a
12 debtor’s estate, and provides, in part, as follows:

13 “There shall be estimated for purpose of allowance under this section –
14 (1) any contingent or unliquidated claim, the fixing or liquidation of
15 which, as the case may be, would unduly delay the administration of the
16 case”

17 11 U.S.C. § 502(c).¹⁵

18 ¹⁴ See also *Perkins v. Am. Int’l Specialty Lines Ins Co.*, 486 B.R. 212, 214 (N.D. Ga. 2012) (explaining: “After
19 substantively consolidating the Chapter 11 cases, the Bankruptcy Court confirmed the Trustee’s Chapter 11 plan.
20 Under the terms of the plan, the plaintiffs in the lawsuits just described and others like them, together with the
21 victims of the Ponzi scheme, became ‘Investor Tort Claimants.’ The Plan defines ‘Investor Tort Claims’ as ‘Claims
22 of Persons who purchased Interests in one or more of the Debtors for damages arising from the purchase of such
23 Interests.’”); *JRS Partners, GP v. Warren*, 2021 U.S. Dist. LEXIS 56980, at *7 (M.D. Tenn. March 25, 2021)
24 (“Courts hold that a Ponzi scheme is inherently insolvent because each new investor has a tort claim that cannot be
25 repaid.” (citations omitted)); *Wiand v. Lee*, 753 F.3d 1194, 1202 (11th Cir. 2014) (“The money they [entities under
receivership that perpetrated a Ponzi scheme] receive from investors should be used for their stated purpose of
investing in securities, and thus the corporations are harmed when assets are transferred for an unauthorized purpose
to the detriment of the defrauded investors, who are tort creditors of the corporations.”); *Warfield v. Alaniz*, 453
F.Supp.2d 1118, 1127 (D. Ariz. 2006) (“The defrauded investors in this case are tort-creditors of the
receivership [citing *Scholes*]. Mid-America is entitled to seek return of these funds for the benefit of the
receivership, so that it may reimburse its creditors and/or victims of its tortious actions.”); *Kirkland v. Rund (In re*
EPD Inv. Co., LLC), 114 F. 4th 1148 (9th Cir. 2024) (lenders, not just investors, can be victims of Ponzi schemes).

26 ¹⁵ A claim is contingent when “the debtor will be called upon to pay only upon the occurrence or happening of an
27 extrinsic event which will trigger the liability of the debtor to the alleged creditor.” *In re Fostvedt*, 823 F.2d 305,
28 306 (9th Cir. 1987) (citing *Brockenbrough v. Commissioner*, 61 B.R. 685, 686 (W.D. Va. 1986)). A claim is
unliquidated if it is not subject to “ready determination and precision in computation of the amount due.” *Fostvedt*,
823 F.2d at 306 (quoting *Sylvester v. Dow Jones & Company, Inc. (In re Sylvester)*, 19 B.R. 671, 673 (B.A.P. 9th
Cir. 1982)).

1 Section 502(c) “provides a means for a bankruptcy court to achieve reorganization, and/or
2 distributions on claims, without awaiting the results of legal proceedings that could take a very long
3 time to determine.” *In re Adelpia Bus. Solutions, Inc.*, 341 B.R. 415, 422 (Bankr. S.D.N.Y. 2003).
4 By its terms, section 502(c) of the Bankruptcy Code requires a bankruptcy court to estimate a claim
5 where liquidation of that claim would otherwise unduly delay the reorganization process. *A.H.*
6 *Robins Co. v. Piccinin*, 788 F.2d 994, 1011-12 (4th Cir. 1986) (noting that the duty to estimate
7 contingent or unliquidated claims is “a mandatory obligation of the bankruptcy court” where
8 otherwise the claim would cause undue delay).

9 Indeed, the explicitly stated purpose for allowing the estimation of claims is to “avoid undue
10 delay in the administration of bankruptcy proceedings.” *Frito-Lay, Inc. v. LTV Steel Co. (In re*
11 *Chateaugay Corp.)*, 10 F.3d 944, 957 (2d Cir. 1993); *see In re Stone & Webster, Inc.*, 279 B.R. 748,
12 810 (Bankr. D. Del. 2002) (“The purpose of an estimation proceeding is to avoid delays that may
13 arise from waiting to fix the value of contingent claims. An estimation proceeding expedites the
14 bankruptcy process so that key steps in a reorganization that depend on the fixing of value may
15 proceed. In essence, an estimation proceeding is a procedural device that is to be used when
16 adjudication and liquidation of a claim would take an unreasonably long time to allow courts to
17 quickly and flexibly estimate the amount of an as yet to be liquidated claim.”) (citation omitted); 4
18 Collier on Bankruptcy ¶ 502.04(1) (16th ed. 2021) (“[S]ection 502(c) provides a mechanism for
19 estimating the amount of a contingent or unliquidated claim for the purpose of its allowance where
20 the actual liquidation of the claim as determined by the court would unduly delay the administration
21 of the case.”); *see also In re Roman Catholic Archbishop or Portland in Or.*, 339 B.R. 215, 219
22 (Bankr. D. Or. 2006) (“When actual liquidation of claims would unduly delay administration of the
23 bankruptcy estate, estimation is mandatory.”); *In re N.Y. Med. Grp., P.C.*, 265 B.R. 408, 415 (Bankr.
24 S.D.N.Y. 2001) (“Under 11 U.S.C. § 502(c), a claim may be estimated for purposes of allowance if
25 it is unliquidated and liquidation would unduly delay the administration of the case.”).

26 Defining “undue delay” under Section 502(c) of the Bankruptcy Code, is “a problem whose
27 solution ultimately rests on the exercise of judicial discretion in light of the circumstances of the
28 case, particularly the probable duration of the liquidation process as compared with the future

1 uncertainty due to the contingency in question.” *In re Roman Catholic Archbishop of Portland*
2 *Oregon*, 339 B.R. 215, 222 (Bankr. D. Or. 2006) (internal quotation marks omitted). This analysis
3 implicates both (1) “how long it will take before . . . [a] claim will be liquidated and determined”
4 by an alternative forum and (2) whether a “plan of reorganization can be confirmed so long as [the
5 relevant] claim remains unliquidated and not estimated.” *In re Lane*, 68 B.R. 609, 611 (Bankr. D.
6 Haw. 1986).

7 Section 502(c) does not prescribe the method for estimating a claim, and courts therefore
8 have discretion to utilize any valuation model that best suits the circumstances of the case at hand.
9 *See, e.g., Maxwell v. Seaman Furniture Co. (In re Seaman Furniture Co. of Union Square, Inc.)*,
10 160 B.R. 40, 42 (S.D.N.Y. 1993) (stating that “a bankruptcy court may use whatever method is best
11 suited to the circumstances”). “[W]hen estimating claims, bankruptcy courts may use whatever
12 method is best suited to the contingencies of the case, so long as the procedure is consistent with the
13 fundamental policy of Chapter 11 that a reorganization must be accomplished quickly and
14 efficiently.” *In re Adelpia Commc’ns Corp.*, 368 B.R. 140, 278 (S.D.N.Y. 2007) (citation and
15 internal quotations omitted).

16 In addition, section 105(a) of the Bankruptcy Code affords courts wide latitude in
17 effectuating the provisions of section 502(c) and provides that a court “may issue any order, process,
18 or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. §
19 105(a). Section 105(a) allows courts to “craft flexible remedies that, while not expressly authorized
20 by the [Bankruptcy] Code, effect the result the [Bankruptcy] Code was designed to obtain.” *In re*
21 *Combustion Eng’g, Inc.*, 391 F.3d 190, 235-36 (3d Cir. 2004) (citing *Official Comm. of Unsecured*
22 *Creditors of Cybergenics Corp. ex rel. Cybergenics Corp. v. Chinery*, 330 F.3d 548, 568 (3d Cir.
23 2003)).

24 The judicial liquidation of the Investor Claims through litigation and/or other nonbankruptcy
25 proceedings would cause undue delay in the administration of the Chapter 11 Cases. Such litigation
26 and proceedings would conceivably take several years to conclude, with judgments, settlements
27 and/or other orders establishing the Investor Claims. This “very real assessment of the enormity of
28 litigation facing” the Debtors “would undoubtedly cause undue delay in the administration of the

1 bankruptcy case and could possibly be the death knell” of a confirmable plan. *See In re G-I*
2 *Holdings, Inc.*, 323 B.R. 583, 599-600 (Bankr. D.N.J. 2005); *see also Matter of Interco Inc.*, 137
3 B.R. 993, 998 (Bankr. E.D. Mo. 1992) (liquidation that would take years would cause undue delay);
4 *In re MacDonald*, 128 B.R. 161, 165 n.7 (Bankr. W.D. Tex. 1991) (same).

5 The Plan Proponents believe that the proposed Tabulation/Estimation Procedures will
6 establish a fair and equitable voting process using estimated amounts for Investor Claims.
7 Specifically, the Debtors will set forth on Class 7 Ballots their proposed dollar amounts for
8 Investors’ Investor Claims (*i.e.*, the Total Amount Invested).¹⁶ The Total Amount Invested is the
9 actual dollars invested by or on behalf of an Investor as of the applicable Petition Date minus
10 withdrawals and other payments to an Investor as a return on capital prior to the Ponzi start date
11 (September 12, 2017).¹⁷

12 In order to assure that all Investors are able to fairly vote on the Plan, without duplication,
13 the Plan Proponents have established the following estimation procedures ***solely for voting***: The
14 Investor Claim amounts set forth on the Investors’ Class 7 Ballots reflect calculations by the Debtors
15 and their professionals, of the Total Amount Invested of each Investor Claim (**not** taking into
16 account netting and aggregation principles). Nevertheless, if any Investor seeks to challenge the
17 ***amount*** of its Class 7 Investor Claim ***for voting purposes only*** set forth in the applicable Class 7
18 Ballot, in accordance with the Tabulation/Estimation Procedures, the Plan Proponents propose that
19 such Investor be allowed to write in a modified amount (appended with any documentation or other
20 evidence supporting the asserted claim amount), signed under penalty of perjury and to return such
21 modified Ballot to the Voting Agent by either mail, overnight courier, or by personal delivery so as
22 to be received by the Voting Agent on or before the Voting Deadline. Such modified amount shall
23 be deemed a response to the Tabulation/Estimation Procedures, which the Plan Proponents and their
24 advisors will seek to reconcile, settle, or otherwise resolve with the applicable Investor. Any claim

25 _____
26 ¹⁶ See Sample Attachment 1 to Class 7 Ballot, attached as Exhibit D-5.

27 ¹⁷ The Petition Date is, as applicable, (a) August 6, 2024, when used in reference to Windscape Apartments, LLC; (b)
28 October 2, 2024, when used in reference to Pinewood Condominiums, LP and Ponderosa Pines, LP; (c) November
22, 2024, when used in reference to K S Mattson Partners, LP; and (d) September 12, 2024, when used in reference
to all other Debtors.

1 disputes not resolved under the Tabulation/Estimation Procedures will be heard at the Confirmation
2 Hearing or at such later date as determined by the Plan Proponents.

3 As set forth in the Disclosure Statement, Mattson caused the Debtors to operate a fraudulent
4 “Ponzi scheme.” Investors in the Debtors’ enterprise, regardless of the form of their investment, are
5 victims of Mattson’s fraudulent scheme such that they hold claims against the Debtors. The Debtors
6 believe there exist approximately 200 or more Investors, many of whom have incomplete
7 information concerning the amount of their claims. Given the long duration of the Ponzi scheme,
8 the incomplete state of the Debtors’ records, and the Plan Proponents’ desire not to inflict further
9 burden and hardship on the Investors, the Plan Proponents believe an estimation process solely for
10 voting purposes is appropriate, the most cost-effective alternative under all of the circumstances,
11 and in the best interests of the Estates.¹⁸

12 **Non-Investor Claims:**

13 If any party solely in relation to Claims or Interests that are not Investor Claims (“Non-
14 Investor Claims”) seeks to challenge the classification or allowance of its Non-Investor Claim for
15 voting purposes in accordance with the Tabulation/Estimation Procedures (to the extent applicable),
16 or an Investor seeks to challenge anything other than the allowed amount of his or her Class 7
17 Investor Claim for voting purposes, the Plan Proponents propose that such party be required to file
18 a motion, pursuant to Bankruptcy Rule 3018(a), for an order temporarily allowing such Non-
19 Investor Claim in a different amount or classification for purposes of voting to accept or reject the
20 Plan (a “Rule 3018 Motion”) and serve such motion on counsel for the Plan Proponents so that it is
21 received by January 7, 2026 at 11:59 p.m. (Pacific Time). Any oppositions to a Rule 3018 Motion
22 will be filed by January 21, 2026, with any replies in support of a Rule 3018 Motion to be filed by
23 January 28, 2026. Any hearings thereon are to be held at the Confirmation Hearing. In accordance
24 with Bankruptcy Rule 3018, the Plan Proponents further propose that any Ballot submitted by a
25 party that files a Rule 3018 Motion will be counted solely in accordance with the Plan Proponents’

26
27
28 ¹⁸ The Plan Proponents filed a motion for the establishment of certain claims settlement procedures with respect to
Investor Claims – the Investor Settlement Amount Procedures Order [Docket No. 2365].

1 proposed Tabulation/Estimation Procedures and the other applicable provisions contained herein
2 unless and until the Bankruptcy Court (after notice and a hearing) temporarily allows the underlying
3 claim for voting purposes in a different amount and/or classification. The Plan Proponents also
4 reserve the right to seek estimation of a Claim for voting purposes after notice and a hearing.

5 6. Notice of Non-Voting Status

6 Bankruptcy Rule 3017(d) provides, in relevant part, as follows:

7 If the court orders that the disclosure statement and the plan or a
8 summary of the plan shall not be mailed to any unimpaired class,
9 notice that the class is designated in the plan as unimpaired and notice
10 of the name and address of the person from whom the plan or
11 summary of the plan and disclosure statement may be obtained upon
request and at the plan proponent's expense, shall be mailed to
members of the unimpaired class together with the notice of the time
fixed for filing objections to and the hearing on confirmation.

12 Holders of claims and interests in Classes 1 and 2 (the "Non-Voting Classes") are not entitled
13 to vote on the Plan. Holders of claims in Classes 1 and 2 are unimpaired under the Plan and are
14 deemed to have accepted the Plan pursuant to 1126(f) of the Bankruptcy Code. Holders of Claims
15 in Class 3 (Sold Property Secured Lender Claims), Class 4 (Retained Property Secured Lender
16 Claims), Class 5 (Settled Secured Lender Claims), Class 6 (Trade Claims), and Class 7 (Investor
17 Claims) are impaired and entitled to vote on the Plan. Holders of claims and interests in Classes 8,
18 9, and 10 will receive no distributions under the Plan. As a result, the holders of claims or interests
19 in Classes 8, 9 and 10 are deemed to have rejected the Plan pursuant to 1126(g) of the Bankruptcy
20 Code. *See* 11 U.S.C. §§ 1126(f) and 1126(g).

21 The Plan Proponents propose to send to holders of interests in the Non-Voting Classes a
22 notice of non-voting status, substantially in the form attached hereto as **Exhibit F** (the "Notice of
23 Non-Voting Status"). The Notice of Non-Voting Status (a) identifies the treatment of the class
24 designated; (b) sets forth the manner in which a copy of the Plan and Disclosure Statement may be
25 obtained; and (c) provides notice of the Confirmation Hearing and the time fixed for filing objections
26 to confirmation of the Plan.

27 The Plan Proponents submit that the Notice of Non-Voting Status satisfies the requirements
28 of Bankruptcy Rule 3017(d) because the Non-Voting Classes are conclusively presumed to either

1 have accepted or rejected the Plan as a matter of law and the Notice of Non-Voting Status sets forth
2 the manner in which copies of the Plan and Disclosure Statement may be obtained. The Plan
3 Proponents' service of the Notice of Non-Voting Status thus provides each member of the Non-
4 Voting Classes with the opportunity to receive all pertinent documents upon request. Accordingly,
5 the Plan Proponents request that the Bankruptcy Court determine that they are not required to
6 distribute Solicitation Packages, including the Plan and Disclosure Statement, to the Non-Voting
7 Classes.

8 **D. Non-Substantive Modifications**

9 The Plan Proponents request authorization to make non-substantive changes to the
10 Solicitation Packages (including the Plan, Disclosure Statement, and Ballots), the Confirmation
11 Hearing Notice, the Notice of Non-Voting Status, the Solicitation Procedures, the Investor Claims
12 Estimation Procedures, and all related documents, without further order of the Bankruptcy Court,
13 including, without limitation, filling in any missing dates or other missing information, changes to
14 correct typographical and grammatical errors and to make conforming changes among the
15 Disclosure Statement, the Plan, any other materials in the Solicitation Package, the Confirmation
16 Hearing Notice, and the Notice of Non-Voting Status, and related documents prior to distribution
17 of such materials.

18 **NOTICE**

19 Notice of this Motion will be given to: (i) the Office of the United States Trustee for the
20 Northern District of California;; (ii) the Securities and Exchange Commission, (iii) all parties that
21 have requested notice pursuant to Bankruptcy Rule 2002; and (iv) all parties with a scheduled or
22 filed claim or interest against the Debtors' estates.¹⁹ In light of the nature of the relief requested,
23 the Plan Proponents submit that no further notice is necessary.

24 WHEREFORE, the Plan Proponents respectfully request that the Bankruptcy Court enter an
25 order, substantially in the form attached hereto as **Exhibit G**: (i) approving the Plan Summary and
26

27 ¹⁹ Given the voluminous nature of the Motion and exhibits, creditors and Investors in this category (iv) will be served
28 with a notice that provides the deadline to object to this Motion and instructions to obtain and download a copy of
the Motion from the Voting Agent's website.

1 approving the Disclosure Statement, (ii) setting the date and time for the Confirmation Hearing and
2 approving certain related deadlines and the Confirmation Hearing Notice, (iii) approving the
3 Solicitation Procedures, (iv) approving the Investor Claims Estimation Procedures, and (v) granting
4 such other and further relief as the Bankruptcy Court deems proper.

5 Dated: October 15, 2025

KELLER BENVENUTTI KIM LLP

6 By: /s/ Thomas B. Rupp

7 Tobias S. Keller
8 David A. Taylor
9 Thomas B. Rupp

10 *Counsel to the LFM Debtors (other than Live
11 Oak Investments, LP)*

PACHULSKI STANG ZIEHL & JONES LLP

12 By: /s/ Jason H. Rosell

13 Debra Grassgreen
14 John D. Fiero
15 Jason H. Rosell
16 Steven W. Golden

17 *Counsel to the Official Committee
18 of Unsecured Creditors*

HOGAN LOVELLS US LLP

19 By: /s/ Erin Brady

20 Richard L. Wynne
21 Erin N. Brady
22 Edward J. McNeilly

23 *Counsel to KS Mattson Partners, LP*
24
25
26
27
28

EXHIBIT A

Plan Summary

THIS DOCUMENT IS NOT A SOLICITATION OF VOTES ON THE PLAN. VOTES MAY NOT BE SOLICITED UNTIL THE BANKRUPTCY COURT HAS APPROVED THE PLAN SUMMARY. THIS PLAN SUMMARY IS BEING SUBMITTED FOR APPROVAL BUT HAS NOT YET BEEN APPROVED BY THE BANKRUPTCY COURT. ALL OF THE INFORMATION IN THIS PROPOSED PLAN SUMMARY IS SUBJECT TO CHANGE.

PLAN SUMMARY FOR INVESTORS

LeFever Mattson, a California corporation, (“LFM”) its affiliated debtors and debtors in possession (collectively, the “LFM Debtors”), KS Mattson Partners LP (“KSMP”) and its affiliated debtors and debtors in possession (the “KSMP Debtors” and together with the LFM Debtors, the “Debtors”) and the Official Committee of Unsecured Creditors appointed in the Debtors’ chapter 11 bankruptcy cases (the “Committee” and together with the Debtors, the “Plan Proponents”)¹ have jointly proposed the *First Amended Joint Chapter 11 Plan of Liquidation* (as may be amended or modified, the “Plan”).²

The Plan Proponents’ proposed Plan provides for a global settlement (the “Global Settlement”) of the outstanding Claims asserted against and Equity Interests asserted in the Debtors. The Global Settlement embodied in the Plan resolves the complex issues in these Chapter 11 Cases, including (a) substantive consolidation of the Debtors and the KSMP Investment Entities, (b) the Ponzi Finding (discussed further below), and (c) the allowance and treatment of Investor Claims. Under the Plan, all assets and liabilities of all Debtors and KSMP Investment Entities will be pooled and consolidated for distribution purposes, through substantive consolidation. The Global Settlement provides for a “**single pot**,” such that all assets and liabilities of all Debtors and KSMP Investment Entities are pooled and consolidated for distribution purposes. Pursuant to applicable case law, all Investors are treated the same, as holders of tort claims, regardless of the type of documentation or instrument held. Pursuant to the Global Settlement, each Investor will receive a claim for money (or value of property) it invested in the Debtors over time less any distributions the Investor received over the seven years prior to the Petition Date. This claim will receive a *pro rata* distribution of available assets and, only after such claim is paid in full, will there be any recovery on claims for expected profits, pursuant to the principles of “netting” in Ponzi scheme cases. However, as part of the Global Settlement, rather than netting from the suspected Ponzi scheme start date, the proposed Investor Settlement Amount Procedures Order will provide that only payments made to Investors seven years prior to September 12, 2024, will be offset/netted in calculating Investor Claims.

As discussed further below and in the Disclosure Statement, the Global Settlement takes into account the extensive evidence supporting the determination that (i) the Debtors’ and KSMP Investment Entities’ estates should be subject to substantive consolidation; and (ii) the Debtors and KSMP Investment Entities were operated as a Ponzi scheme (the “Ponzi Finding”). These two conclusions flow directly from the wrongdoing that led to these Chapter 11 Cases: for decades, Kenneth W. Mattson (“Mattson”), former principal of the Debtors and KSMP Investment Entities, controlled the Debtors and KSMP Investment Entities as a single

¹ Debtor Live Oak Investments, LP is not a Plan Proponent; however, the Plan provides for the substantive consolidation of Debtor Live Oak Investments, LP with the other Debtors and its creditors and investors will be entitled to vote on the Plan.

² Capitalized terms not otherwise defined herein are used as those terms are defined in the Plan.

enterprise—disregarding their separate corporate forms—and caused them to engage in numerous fraudulent activities and transactions (collectively, the “Mattson Transactions”). The Mattson Transactions took many forms, including the sale of fictitious interests in many of the Debtors; the transfer of vast sums of money between and among LFM, KSMP, KSMP Investment Entities, and other Debtors; and the transfer among the Debtors and KSMP Investment Entities of properties encumbered with high-interest loans.

The Debtors and the Committee, through months of open cooperation, information gathering, and negotiation for the benefit of all Investors, have reached the Global Settlement aimed at: (i) mitigating the damage inflicted by the Debtors’ Ponzi scheme run by Mattson and potentially others; and (ii) developing a level playing field that treats all aggrieved Investors fairly, uniformly, and expeditiously. The Plan treats Investors and creditors fairly without incurring the considerable professional fees and costs (likely in **the tens of millions of dollars**) that would be necessary to attempt to disentangle the Debtors including KSMP and KSMP Investment Entities, which were operated prepetition together, as a Ponzi scheme by Mattson. Critically, given the incomplete and deficient state of the Debtors’ books and records, even if such funds were expended, it is possible, and even likely that the disentanglement would be unsuccessful.

The Plan provides for **one class of Investor Claims – Class 7**. Voting on the Plan will allow the Investor community to have a significant voice in the outcome of this case. To effectuate distributions to Investors, the Plan provides for the creation of the **Plan Recovery Trust**, which will own the Debtors’ and KSMP Investment Entities’ estates’ assets that are not sold during the course of the Chapter 11 Cases, will sell or otherwise dispose of those remaining assets to generate cash, and will distribute that (and other) cash to Investors. The Plan Recovery Trust also will own any viable litigation claims against third parties, including Mattson and others such as Timothy LeFever (“LeFever”), and may generate cash through prosecution or settlement of those claims. Cash will be distributed by the Plan Recovery Trust to Investors and other creditors over time (as the Plan Recovery Trust collects on or otherwise monetizes the Plan Recovery Trust Assets).³

The Debtors and the Committee understand the uncertain and devastating financial position that many Investors are in as a result of the Ponzi scheme, and believe that the Global Settlement reflected in the Plan represents the best outcome of these unfortunate circumstances, and importantly, provides the best prospect for Investors and other creditors ***to receive distributions as soon as reasonably possible***. Confirmation of the Plan in the most expeditious manner is of paramount importance to the Investor community and the Plan Proponents believe is in the best interests of the estates and all creditors.

In brief, during these Chapter 11 Cases, the Debtors and the Committee have conducted a comprehensive joint investigation into the prepetition conduct of the Debtors and their principals and their affiliates (the “Joint Investigation”). As a result of the Joint Investigation, the Debtors

³ Investors will also receive pro rata distributions from the Investor Forfeiture Fund in the event that there is any Forfeiture Property obtained by the DOJ, the SEC or another Governmental Unit.

and the Committee have made the following material conclusions relevant to the Plan and confirmation thereof:

1. The Debtors and KSMP Investment Entities operated as a **Ponzi scheme**, a primary feature of which was a bank account maintained and primarily controlled by Mattson.

2. The Debtors' books and records are in many ways **unreliable** and **incomplete**, and determining with absolute certainty the ownership structure of any Debtor in which LFM, KSMP, KSMP Investment Entity, or any other Debtor purported to sell ownership interests (collectively, the "Subsidiary Debtors") would be cost prohibitive.

3. The Debtors' prepetition operations created a **tangled web of intercompany loans and transfers** among the Subsidiary Debtors that would be cost prohibitive to untangle.

4. The Debtors **routinely moved real estate from one entity to another entity** for no apparent purpose other than to facilitate a 1031 like-kind exchange (under Sec. 1031 of the Internal Revenue Code), which may have also artificially inflated the book value of such property.

Under the circumstances, the Debtors and the Committee believe it is in the best interests of the Debtors' Investors and creditors to propose the Global Settlement to be effectuated through the proposed Plan, that treats all Investors as fairly as possible, without incurring further professional fees related to the Joint Investigation and the issues raised thereby.

I. WHAT DOES THE PLAN PROPOSE?

The key terms of the Plan are summarized below. Among other things, these terms will govern: (1) how claims against the Debtors are divided into classes in order of priority under the Bankruptcy Code; (2) how claims in each class will be treated; and (3) what becomes of the Debtors' assets and how they will generate cash for the benefit of Investors. This summary is provided as an **overview**, and is not meant to provide all of the information investors should rely on when considering whether to vote to accept or reject the Plan. That information can be found in the "Disclosure Statement" available at <https://www.veritaglobal.net/LM>.

The Plan generally provides for all of the Debtors' assets, including the Debtors' real properties and litigation claims against third parties, to be owned and governed by a single trust – the Plan Recovery Trust. The Plan Recovery Trustee will be selected by the Committee (subject to Court approval). Additionally, an oversight board (the "Oversight Board"), composed of members selected by the Committee, will have certain duties and rights and give direction concerning material decisions, as the Plan Recovery Trustee attempts to best monetize the Plan Recovery Trust's assets and pursues third party litigation claims.

Investors, placed in Class 7 (Investor Claims) under the Plan, will, in exchange for their allowed Investor Claims against the Debtors, become beneficiaries of the Plan Recovery Trust

and will be entitled to distributions on their allowed claims (proportionally based on the total aggregate claims amount divided by the aggregate amount of cash available for distribution)⁴ from the net cash proceeds generated by the Plan Recovery Trust either directly or indirectly primarily from (1) operation of the properties, (2) real estate sales, and (3) litigation recoveries.

(1) *Is this a “single pot” plan?* Yes. The Plan consolidates all of the Debtors’ and KSMP Investment Entities’ assets into the Plan Recovery Trust on the Effective Date of the Plan. Litigation claims will go directly into the Plan Recovery Trust. After the Plan is confirmed and becomes effective, creditors of any Debtor entity, including Investors, will be treated as if they have a claim against the entire corporate enterprise of the Debtors, rather than a particular Debtor. This is referred to in the Plan as “substantive consolidation.”

To effectuate distributions to Investors, the Plan provides for the creation of the Plan Recovery Trust, which will own the Estates’ assets and will sell or otherwise dispose of those assets to generate cash, and will distribute that (and other) cash to Investors. The Plan Recovery Trust also will own litigation claims against third parties, including Mattson and others, and may generate cash through prosecution or settlement of those claims. Cash will be distributed by the Plan Recovery Trust to Investors and other creditors over time (as the Plan Recovery Trust collects on or otherwise monetizes the Plan Recovery Trust Assets).

(2) *Is there a “premium” or other benefit provided to certain types of Investors based on the type of investment they held?* No. Under the Plan, each investment, regardless of its form, will ultimately give rise to an “Investor Claim” which will be exchanged under the Plan for a beneficial interest in the Plan Recovery Trust. Each Investor’s claim will be calculated in the same manner, without regard to the type of investment held, and each Investor will receive a proportional recovery from the Plan Recovery Trust based on such Investor’s allowed claim amount (after netting and any clawbacks are taken into account). ***Section III, below, provides additional information regarding how Investor Claims will be calculated.***

⁴ Specifically, the Plan provides for a Plan Recovery Trust Waterfall in relation to Investor Claims, the amounts of which are divided into tranches: Holders of Investor Tranche 1 Claims entitled to receive Class A Plan Recovery Trust Units (in the Plan Recovery Trust); Holders of Investor Tranche 2 Claims entitled to receive Class B Plan Recovery Trust Units; and Holders of Contributed Claims (if applicable) entitled to receive Class C Plan Recovery Units. Contributed Claims are Causes of Action of a contributing Investor that the Investor has against any Person that is not a Debtor or related to a Debtor, its predecessors and affiliates, and Excluded Parties, including, without limitation, all Causes of Action based on, arising out of, or related to the marketing, sale, and issuance of any investments related to the Debtors, all Causes of Action for unlawful dividend, fraudulent conveyance, or other avoidance claims under state or federal law, all Causes of Action based on or relating to the misrepresentation of the Debtors’ financial information and operations, all Causes of Action based on or related to any failure to disclose, or actual coverup of any of the wrongful conduct described in the Disclosure Statement, and all Causes of Action based on aiding or abetting or otherwise supporting torts committed by the Debtors and their agents. An Investor will be a Contributing Claimant, contributing its Contributed Claims to the Plan Recovery Trust, if it (a) votes to accept the Plan on its Ballot and (b) does not opt-out of the Contributed Claim Election on the Ballot, provided that the Investor’s Causes of Action are not on the Schedule of Disclaimed Contributed Assets, in which case such Causes of Action will not be Contributed Claims.

(3) *How much am I projected to receive on account of my Investor Claim / Plan Recovery Trust Interest under the Plan?* The Debtors are projecting that Investors will receive between 21.1% and 40.6% on account of their Investor Claims. THE PROJECTED RECOVERY IS AN ESTIMATE ONLY AND ACTUAL RECOVERIES MAY DIFFER.

II. HOW DOES THE PLAN GET CONFIRMED?

The Plan has been jointly proposed by the Debtors and the Committee. However, it is ultimately the votes of Investors (placed in Class 7) and the Bankruptcy Court that will decide whether the Plan is “confirmed.”

Voting – Acceptance & Rejection of Plan:

Impaired investor and creditor classes will be given the chance to vote to “accept” or “reject” the Plan. In order for an investor’s vote to be counted, that investor must return a ballot by the deadline established by the Bankruptcy Court. A class of claims accepts the Plan if (i) more than one-half in the number of creditors within a class who vote on the Plan vote to accept the Plan **and** (ii) at least two-thirds in amount of aggregate claims in the class who vote on the Plan vote to accept the Plan.⁵

The Debtors must also show that the classification scheme under the Plan does not “unfairly discriminate” and that the Plan is “fair and equitable.” Here, all concerned have worked diligently to make sure these tests are met. Finally, the Plan must respect bankruptcy priority rules such that no junior claims or interests may receive a distribution until the non-accepting senior class is paid in full. This Plan complies with this rule.

(1) *How do I vote on the Plan?* You, as an Investor, should receive a ballot to vote on the Plan, included with other Plan solicitation materials. On its Class 7 ballot, a holder of an Investor Claim will be entitled to vote the amount of such holder’s Investor Claim. What the Debtors believe to be the aggregate amount of the Investor Claim, without any “netting” or other adjustments implemented in a Ponzi scheme bankruptcy for claim allowance purposes, will be disclosed on each Investor’s ballot and will be deemed temporarily allowed for voting purposes. Each Investor will be allowed to write in a modified amount, signed under penalty of perjury, if it believes the listed amount is inaccurate.⁶ If the Investor class (Class 7) votes to reject the Plan, the Debtors and the Committee will **not** move forward with the Plan. In that case, the Debtors and Committee will need to incur additional fees and expenses to develop an alternative path forward.

⁵ Generally even if a class votes to “reject” the Plan, it can still be confirmed if additional requirements under the Bankruptcy Code, known as “cram down,” are met. To “cram down” the Plan on rejecting classes of claims, there must be at least one class of claims that is impaired that votes to accept the Plan.

⁶ Such modified amount will be deemed a motion pursuant to Bankruptcy Rule 3018(a) for an order temporarily allowing such Investor Claim in a different amount solely for purposes of voting on the Plan (an “Investor Rule 3018 Motion”). If any objections are filed to an Investor Rule 3018 Motion by the Proponents or other party, the Investor Rule 3018 Motion will be heard at the confirmation hearing or at a later date in the Plan Proponents’ discretion.

(2) *What am I voting on when I vote to accept or reject the Plan?* Your vote relates to whether you approve of the overall compromise of a one pot plan in which Investors are all treated equally regardless of the form of their investments, and the creation of the trust as the structure to hold and monetize the assets and make distributions to Investors. The projected recoveries are merely estimates of potential recoveries and could be lower or higher in actuality, so those should not be the focus of how to vote on the Plan. One potential alternative to the Plan as proposed is a chapter 7 liquidation. The Debtors and the Committee believe that the recoveries in a chapter 7 liquidation will be less than the recoveries under the Plan. Accordingly, the Debtors and the Committee believe the Plan is in the best interests of the Investors and all stakeholders.

Confirmation by the Court:

If the Court approves the Plan, the Plan will be deemed “confirmed.” In order for the Plan to be confirmed, the Court must find that the Plan complies with the requirements of the Bankruptcy Code. The Court will also consider any objections to the Plan.

III. HOW ARE INVESTOR CLAIMS BEING CALCULATED FOR DISTRIBUTION PURPOSES?

As noted above, while Investors will be allowed to vote the aggregate Investor Claim amount on the Plan, for purposes of calculating distributions under the Plan, the Plan Recovery Trust and its professionals will perform a reconciliation to determine the correct net amounts for each Investor Claim, taking into account bankruptcy law that requires claims to be “netted” in a Ponzi situation. The actual netted Investor Claim amounts will determine the proportional share an investor will receive as distributions under the Plan in relation to the claim amounts of other Investors. The Plan Proponents have filed a motion seeking the entry of the **Investor Settlement Amount Procedures Order** - of which Investors will receive further written notice - which, if granted, will approve of the calculation methods described herein.

Example:

Investor A invested \$100,000 in a Debtor on January 1, 2015. Investor A received 6% a year or \$500 per month until September 1, 2024.

Investor Lookback Period = September 12, 2017

Amount Invested = \$100,000

Prepetition Ponzi Distributions = \$42,000 (7 years x \$6,000)

Investor Claim for distribution purposes on account of Investor Tranche 1 Claim = \$100,000 - \$42,000 = \$58,000

Investor Claim for distribution purposes on account of Investor Tranche 2 Claim (if all Investor Tranche 1 Claims are paid off) = \$42,000

IV. CONCLUSION

The Debtors and the Committee, representing the best interests of Investors and other unsecured creditors, have diligently worked to ensure that the Plan being proposed to you meets their goals, from the outset of these cases, of treating Investors equally and fairly. **The Debtors and the Committee urge you to vote to accept the Plan.**

EXHIBIT B

Proposed Confirmation Hearing Notice

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*Counsel to the Official Committee of
Unsecured Creditors*

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re
LEFEVER MATTSON,
a California corporation, *et al.*,¹

Debtors.

Case No. 24-10545 CN (Lead Case)
(Jointly Administered)
Chapter 11

¹ The last four digits of LeFever Mattson's tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP ("KSMP") are 5060. KSMP's address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>.

In re
KS MATTSON PARTNERS, LP,
Debtor.

**NOTICE OF (I) APPROVAL OF
DISCLOSURE STATEMENT; (II) HEARING
TO CONSIDER CONFIRMATION OF THE
PLAN; (III) DEADLINE FOR FILING
OBJECTIONS TO CONFIRMATION OF
THE PLAN; (IV) DEADLINE FOR VOTING
ON THE PLAN; (V) INVESTOR CLAIM
ESTIMATION PROCEDURES; AND
(V) RELATED MATTERS**

Confirmation Hearing Date:

Date: to be set
Time: (Pacific time)
Place: United States Bankruptcy Court
1300 Clay Street, Courtroom 215
Oakland, CA 94612
Judge: Honorable Charles Novack

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On October 15, 2025, the above-captioned debtors and debtors in possession (the “Debtors”) filed the *First Amended Joint Chapter 11 Plan of Liquidation* (as it may be amended or modified, including all exhibits thereto, the “Plan”) [Docket No. ____] of the Debtors proposed by the Debtors and the Official Committee of Unsecured Creditors appointed in the Debtors’ cases (the “Committee”). On October 15, 2025, the Debtors and Committee filed the *Amended Disclosure Statement in Support of the First Amended Joint Chapter 11 Plan of Liquidation* (as it may be amended or modified, including all exhibits thereto, the “Disclosure Statement”) [Docket No. ____]; and a related summary of the Plan provided to Investors in Class 7 (the “Plan Summary”) [Docket No. ____].²

2. By an Order dated _____, 2025 [Docket No. ____] (the “Solicitations Procedures Order”), the Bankruptcy Court approved the Disclosure Statement as containing adequate information within the meaning of section 1125 of Bankruptcy Code.

3. By the Solicitation Procedures Order, the Bankruptcy Court established _____, **2026 at 11:59 p.m. (Pacific Time)** (the “Voting Deadline”) as the deadline by which ballots accepting or rejecting the Plan must be received. To be counted, your original ballot must actually

² Any capitalized terms not defined herein have the meaning ascribed to such terms in the Plan or Disclosure Statement, as applicable.

1 be **received** on or before the Voting Deadline by the Debtors' balloting agent, Verita Global, either
2 electronically as specified on your ballot or to the following address:

3 LeFever Mattson Ballot Processing Center
4 c/o KCC dba Verita
222 N. Pacific Coast Highway, Suite 300
5 El Segundo, CA 90245

6 4. To be counted, your original ballot must actually be submitted electronically, or in a
7 manner otherwise specified on the ballot, so that it is **received** on or before the Voting Deadline.

8 5. Each Investor will receive one Investors' Class 7 Ballot. Investors with substantially
9 similar names, that list the same noticing address on their Claims, and for which the Plan Proponents
10 determine upon good faith are the same person or entity will be treated as one Investor. For example,
11 if the "Doe Family Trust" and the "Doe Family Trust, dated January 1, 2000" provide the same
12 address where notices should be sent on their Claims and/or Interests and the Plan Proponents
13 believe these entities are the same, then the "Doe Family Trust" and the "Doe Family Trust, dated
14 January 1, 2000" will be treated as a single Investor. However, the "Doe Family Trust" and "Jane
15 Doe" will not be considered a single Investor even if the relevant Interests or Claims list the same
16 noticing address as these Investors do not have substantially similar names.

17 6. The Plan Supplement will be filed by the Debtors and the Committee by
18 _____, 2025, which will be served on all parties that have requested special notice in the
19 cases under Bankruptcy Rule 2002, and will be available to review and download for free from the
20 Voting Agent's website at <https://veritaglobal.net/LM> on and after the filing of the Plan Supplement.

21 7. On _____, **2026 at ____: ____ .m. (Pacific Time)**, or as soon thereafter
22 as counsel may be heard, a hearing will be held before the Honorable Charles Novack, United States
23 Bankruptcy Judge to consider confirmation of the Plan, as the same may be amended or modified
24 (the "Confirmation Hearing"). Counsel and interested parties may appear at the Confirmation
25 Hearing in person in Courtroom 215 of the United States Bankruptcy Court, 1300 Clay Street in
26 Oakland, California or via Zoom video or telephone. The Zoom information will be included in each
27 calendar posted weekly, as applicable.

1 8. The Confirmation Hearing may be adjourned from time to time, without further
2 notice. The Plan may be modified in accordance with the Bankruptcy Code, the Federal Rules of
3 Bankruptcy Procedure, the Plan and other applicable law, without further notice, prior to or as a
4 result of the Confirmation Hearing.

5 9. The following additional dates and deadlines have been approved:

December 15, 2025	Deadline to Serve Written Discovery
December 15, 2025	Deadline for parties to identify the topics on which they intend to submit expert reports (other than rebuttal expert reports)
December 23, 2025	Deadline to Serve Responses & Objections to Written Discovery
January 7, 2026	Deadline to identify expert witnesses
January 7, 2026	Document Productions Substantially Completed
January 9, 2026	Expert Reports Due
January 14, 2026	Deadline to Complete Depositions of Fact Witnesses (All fact and expert witnesses will have the option of being deposed either in person or by Zoom. If a witness chooses to be deposed in person, all parties may attend either in person or by Zoom, at their choosing)
January 14, 2026	Deadline for parties to identify expert witnesses who will submit rebuttal expert reports
January 17, 2026	Rebuttal Expert Reports Due
January 19, 2026	Deadline to Exchange <u>Fact</u> Deposition Designations and File Motions <i>in Limine</i> re <u>Fact</u> Witnesses
January 27, 2026	Deadline to Depose Expert Witnesses
January 30, 2026	Deadline to Exchange <u>Expert</u> Deposition Designations and File Motions <i>in Limine</i> re <u>Expert</u> Witnesses
February 2, 2026	Deadline to Exchange Deposition Counter-Designations (Fact and Expert)
February 2, 2026	Deadline to Submit: (i) Joint Pretrial Order; (ii) Witness and Exhibit Lists; (iii) Oppositions to Motions in Limine; (iv) Objections to Deposition Counter-Designations
February 2, 2026	Final Pre-Trial Conference

10. Objections to confirmation of the Plan, including any supporting memoranda, if any,
must (a) be in writing; (b) state the name and address of the objecting party and the nature of the

1 claim or interest of such party; (c) state with particularity the basis and nature of any objection,
2 where possible; and (d) be filed with the Bankruptcy Court and served on the following parties so
3 that all objections are received no later than **11:59 p.m., Pacific Time on** , 2026: (a)
4 Counsel to the LFM Debtors: Keller Benvenutti Kim LLP, Attn: Tobias Keller, David Taylor, Dara
5 Silveira, and Thomas Rupp (tkeller@kbkllp.com, dtaylor@kbkllp.com, dsilveira@kbkllp.com,
6 trupp@kbkllp.com), 101 Montgomery St., Suite 1950, San Francisco, CA 94104; (b) counsel to
7 KSMP: Hogan Lovells US LLP, Attn: Richard Wynne, Erin Brady, and Edward McNeilly
8 (richard.wynne@hoganlovells.com, erin.brady@hoganlovells.com,
9 edward.mcneilly@hoganlovells.com); (c) counsel to the Committee: Pachulski Stang Ziehl & Jones
10 LLP, Attn: Debra Grassgreen, Jason Rosell and Steven Golden (dgrassgreen@pszjlaw.com,
11 jrosell@pszjlaw.com, sgolden@pszjlaw.com), One Sansome St., Suite 3430, San Francisco, CA
12 94104-4436; (d) Office of the United States Trustee, Northern District of California, 450 Golden
13 Gate Avenue, Room 05-0153, San Francisco, CA 94102 (Attn: Jared A. Day)
14 (jared.a.day@usdoj.gov); and (e) all other parties in interest that have filed requests for notice
15 pursuant to Bankruptcy Rule 2002 in the Debtors' chapter 11 cases.

16 5. In accordance with Bankruptcy Rule 3017(a), requests for copies of the Disclosure
17 Statement, the Plan, or the Motion by parties in interest may be made in writing to counsel for the
18 Debtors or counsel for the Committee. Copies of the Disclosure Statement and the Plan (along with
19 exhibits to each as they are filed with the Bankruptcy Court) and the Motion are available for review,
20 at no charge, at <https://veritaglobal.net/LM>.

21 6. **IF YOU HAVE ANY QUESTIONS REGARDING YOUR CLAIM OR THE**
22 **VOTING PROCEDURES, OR IF YOU NEED A BALLOT OR ADDITIONAL COPIES OF**
23 **THE DISCLOSURE STATEMENT OR OTHER ENCLOSED MATERIALS, PLEASE**
24 **CONTACT THE VOTING AGENT, VERITA GLOBAL, 1-(877) 709-4751 (U.S. / CANADA),**
25 **1-(425) 236-7321 (INTERNATIONAL) OR BY SUBMITTING AN INQUIRY AT:**
26 **<https://veritaglobal.net/lm/inquiry>.**

1 Dated: _____, 2025

KELLER BENVENUTTI KIM LLP

2 By: /s/ DRAFT

3 Tobias S. Keller

4 David A. Taylor

5 Thomas B. Rupp

6 Counsel to the LFM Debtors

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PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ DRAFT
Debra Grassgreen
John D. Fiero
Jason H. Rosell
Steven W. Golden
Counsel to the Official Committee of Unsecured
Creditors

HOGAN LOVELLS US LLP

By: /s/ DRAFT
Richard L. Wynne
Erin N. Brady
Edward J. McNeilly
Counsel to KS Mattson Partners, LP

EXHIBIT C

Proposed Contents and Procedures for Serving Solicitation Package

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THE SOLICITATION PACKAGE AND GENERAL NOTICE PROCEDURES¹

1. By not later than December 3, 2025, the Plan Proponents will complete the mailing of Solicitation Packages by regular U.S. mail solely to (a) holders of Claims in the Classes entitled to vote on the Plan, (b) the Office of the United States Trustee, and (c) any other necessary or appropriate agencies and/or representatives of the United States federal government (the “Federal Government”) at the locations required by Bankruptcy Rule 2002(j).

2. The Solicitation Packages will contain hard copies of the following items:

- a. a cover letter (the “Cover Letter”) describing the contents of the Solicitation Package and which will direct parties to the website at which they may view the Disclosure Statement and the exhibits thereto, including the Plan and the exhibits attached thereto;
- b. the Bankruptcy Court order approving the Disclosure Statement (the “Solicitation Procedures Order”) (excluding exhibits);
- c. the Plan Summary – only in Solicitation Packages served on Investors in Class 7;
- d. the Confirmation Hearing Notice;
- e. a Ballot for holders of claims in Classes entitled to vote, including instructions set forth therein regarding how to complete the Ballot; and
- f. a Ballot return envelope.

3. Solicitation Packages will not be provided to the Non-Voting Classes except upon express request to do so. Holders of Claims or Interests in the Non-Voting Classes under the Plan will receive only the Confirmation Hearing Notice and the Notice of Non-Voting Status.

4. The addresses to be used when mailing the Solicitation Packages will be as follows:

- a. for persons or entities that have filed proofs of claim or interest that are entitled to a Ballot under the Tabulation/Estimation Procedures, at the address provided on the face of the filed proof of claim or interest;

¹ A capitalized term used but not defined herein shall have the meaning ascribed to it in the Motion and/or the Plan, as applicable.

- 1 b. for persons or entities that have not filed proofs of claim or interest that are
2 entitled to a Ballot under the Tabulation/Estimation Procedures, at the
3 address on the Debtors' current service list or Schedules;²
4 c. at the address for a claim transferee set forth in a valid notice of transfer of
5 claim; and
6 d. for the United States Trustee and the Federal Government, the addresses used
7 for notice filed in accordance with Bankruptcy Rule 2002.

8 5. If multiple Solicitation Packages would otherwise go to the same physical address,
9 the Plan Proponents shall be entitled, but not required, to combine the Solicitation Packages into a
10 single Solicitation Package with multiple ballots, even if the claimant names are not identical.

11 6. With respect to any Solicitation Packages and Confirmation Hearing Notices that are
12 returned by the United States Postal Service as undeliverable as a result of incomplete or inaccurate
13 addresses, the Debtors may, in their discretion, but without any requirement, attempt to determine a
14 correct address and resend the applicable materials. Any delay in such re-delivery, or the Debtors'
15 determination not to attempt any such redelivery, will not be deemed to be inadequate notice.

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27 ² Includes all of the Debtors' filed Schedules of Assets and Liabilities, Statements of Financial Affairs, Omnibus List
28 of Equity Security Holders, and any and all amendments thereof.

EXHIBIT D-1

Proposed Form of Ballot (Class 3)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re

LEFEVER MATTSON,
a California corporation, *et al.*,¹

Debtors.

Case No. 24-10545 CN (Lead Case)

(Jointly Administered)

Chapter 11

In re

KS MATTSON PARTNERS, LP,

Debtor.

**BALLOT FOR ACCEPTING OR REJECTING JOINT CHAPTER 11 PLAN OF LEFEVER
MATTSON, KS MATTSON PARTNERS, LP, AND THEIR AFFILIATED DEBTORS
PROPOSED BY THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS**

CLASS 3 – SOLD PROPERTY SECURED LENDER CLAIMS

**THE VOTING DEADLINE TO ACCEPT OR REJECT THE
PLAN IS _____, 2026 AT 11:59 P.M. (PACIFIC TIME)**

This Ballot is submitted to you to solicit your vote to accept or reject the *First Amended Joint Chapter 11 Plan of Liquidation* of LeFever Mattson, KS Mattson Partners, LP, and their affiliated Debtors (as may be amended or modified, the “Plan”), which is being proposed by the above-captioned debtors and debtors-in-possession (the “Debtors”) (excluding Live Oak Investments, LP) and the Official Committee of Unsecured Creditors (the “Committee” and, together with the Debtors other than Live Oak Investments, LP, the “Plan Proponents”), and which is described in the accompanying disclosure statement (the “Disclosure Statement”). On _____, 2025, the Bankruptcy Court entered an order approving certain procedures and materials for the solicitation of votes to accept or reject the Plan (the “Solicitation Procedures Order”). Capitalized terms used in this Ballot and the attached instructions that are not otherwise defined have the meanings given to them in the Plan.

The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. You

¹ The last four digits of LeFever Mattson’s tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP (“KSMP”) are 5060. KSMP’s address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://veritaglobal.net/LM>.

should review the Plan and Disclosure Statement before you vote. You may wish to seek legal or other professional advice concerning the Plan and your classification and treatment under the Plan.

The Plan may be made binding on you whether or not you vote if the Plan (a) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the claims in each impaired Class of claims who vote on the Plan; (b) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code; and (c) the Bankruptcy Court enters an order confirming the Plan. Even if the requisite acceptances are not obtained, however, the Bankruptcy Court may still confirm the Plan if the Bankruptcy Court finds that the Plan (a) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan; and (b) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

This Ballot is solely for purposes of voting to accept or reject the Plan. This Ballot is not for the purpose of allowance or disallowance of, or distribution on account of, Sold Property Secured Lender Claims in Class 3.

There are two ways by which you may submit your Ballot: (i) you may submit your Ballot via the Voting Agent's online e-balloting portal (the "E-Balloting Portal") as directed below, or (ii) you may return your Ballot to the Voting Agent via mail, overnight courier, or hand delivery by following the instructions set forth below.

If you have any questions on how to properly complete this Ballot, please contact Verita Global at 1-877-709-4751 (U.S. / Canada), 1-424-236-7231 (International) or submit an inquiry at: <https://veritaglobal.net/lm/inquiry>. Please be advised that Verita Global cannot provide legal or other professional advice.

For your vote to be counted, this Ballot must be properly completed, signed, and returned so that it is *actually received* by the Voting Agent by no later than the Voting Deadline of **11:59 p.m. (Pacific Time) on _____, 2026. Please submit a Ballot with your vote by one of the following methods:**

<u>If Submitting Your Vote Through the E-Balloting Portal:</u> Verita Global will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, Unique E-Ballot ID#: _____ PIN#: _____	<u>If by First Class Mail, Overnight Courier or Hand Delivery:</u> LeFever Mattson Ballot Processing Center c/o KCC dba Verita 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245 A pre-addressed return envelope has been enclosed for your convenience.
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Verita Global's E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission will not be counted.

Each E-Ballot ID# is to be used solely for voting only those Claims described in your electronic Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable.

PLEASE COMPLETE THE FOLLOWING:

Voting Amount: \$ _____

Debtor(s):

Check one box only:

☐ **Accept** (vote FOR) the Plan

☐ **Reject** (vote AGAINST) the Plan

Name of Holder: _____
(Print or Type)

Signature: _____

Name of Signatory: _____

Title of Signatory: _____

Address: _____

Email Address: _____

Date Completed: _____

If your address or contact information has changed, please note the new information here.

EXHIBIT D-2

Proposed Form of Ballot (Class 4)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re LEFEVER MATTSON, a California corporation, <i>et al.</i> , ¹ Debtors.	Case No. 24-10545 CN (Lead Case) (Jointly Administered) Chapter 11
In re KS MATTSON PARTNERS, LP, Debtor.	

**BALLOT FOR ACCEPTING OR REJECTING JOINT CHAPTER 11 PLAN OF LEFEVER
MATTSON, KS MATTSON PARTNERS, LP, AND THEIR AFFILIATED DEBTORS PROPOSED
BY THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

CLASS 4 – RETAINED PROPERTY SECURED LENDER CLAIMS

THE VOTING DEADLINE TO ACCEPT OR REJECT THE PLAN IS _____, 2026 AT 11:59 P.M. (PACIFIC TIME)

This Ballot is submitted to you to solicit your vote to accept or reject the *First Amended Joint Chapter 11 Plan of Liquidation* of LeFever Mattson, KS Mattson Partners, LP, and their affiliated Debtors (as may be amended or modified, the “Plan”), which is being proposed by the above-captioned debtors and debtors-in-possession (the “Debtors”) (excluding Live Oak Investments, LP) and Official Committee of Unsecured Creditors (the “Committee” and, together with the Debtors, the “Plan Proponents”), and which is described in the accompanying disclosure statement (the “Disclosure Statement”). On _____, 2025, the Bankruptcy Court entered an order approving certain procedures and materials for the solicitation of votes to accept or reject the Plan (the “Solicitation Procedures Order”). Capitalized terms used in this Ballot and the attached instructions that are not otherwise defined have the meanings given to them in the Plan.

The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. You should review the Plan and Disclosure Statement before you vote. You may wish to seek legal or other

¹ The last four digits of LeFever Mattson’s tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP (“KSMP”) are 5060. KSMP’s address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://veritaglobal.net/LM>.

professional advice concerning the Plan and your classification and treatment under the Plan.

The Plan may be made binding on you whether or not you vote if the Plan (a) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the claims in each impaired Class of claims who vote on the Plan; (b) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code; and (c) the Bankruptcy Court enters an order confirming the Plan. Even if the requisite acceptances are not obtained, however, the Bankruptcy Court may still confirm the Plan if the Bankruptcy Court finds that the Plan (a) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan; and (b) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

This Ballot is solely for purposes of voting to accept or reject the Plan. This Ballot is not for the purpose of allowance or disallowance of, or distribution on account of, Retained Property Secured Lender Claims in Class 4.

There are two ways by which you may submit your Ballot: (i) you may submit your Ballot via the Voting Agent's online e-balloting portal (the "E-Balloting Portal") as directed below, or (ii) you may return your Ballot to the Voting Agent via mail, overnight courier, or hand delivery by following the instructions set forth below.

If you have any questions on how to properly complete this Ballot, please contact Verita Global at 1-877-709-4751 (U.S. / Canada), 1-424-236-7231 (International) or submit an inquiry at: <https://veritaglobal.net/lm/inquiry>. Please be advised that Verita Global cannot provide legal or other professional advice.

For your vote to be counted, this Ballot must be properly completed, signed, and returned so that it is *actually received* by the Voting Agent by no later than the Voting Deadline of **11:59 p.m. (Pacific Time) on _____, 2026. Please submit a Ballot with your vote by one of the following methods:**

<u>If Submitting Your Vote Through the E-Balloting Portal:</u> Verita Global will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, Unique E-Ballot ID#: _____ PIN#: _____	<u>If by First Class Mail, Overnight Courier or Hand Delivery:</u> LeFever Mattson Ballot Processing Center c/o KCC dba Verita 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245 A pre-addressed return envelope has been enclosed for your convenience.
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Verita Global's E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission will not be counted.

Each E-Ballot ID# is to be used solely for voting only those Claims described in your electronic Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable.

Ballots received after 11:59 p.m. (Pacific Time) on _____, 2026 will not be counted. Ballots submitted by e-mail or facsimile transmission will not be accepted.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Amount of Class 4 Claim. For purposes of voting to accept or reject the Plan, the undersigned certifies that the undersigned holds a Retained Property Secured Lender Claim in Class 4 against the Debtors listed below in the amount set forth below.

Voting Amount: \$ _____
Debtor(s):

Item 2. Vote on the Plan. The undersigned Holder of a Retained Property Secured Lender Claim in Class 4 in the amount set forth in Item 1 above hereby votes to:

- Check one box only:** ☐ **Accept** (vote FOR) the Plan
 ☐ **Reject** (vote AGAINST) the Plan

THE DEBTORS AND THE COMMITTEE RECOMMEND THAT YOU VOTE TO ACCEPT THE PLAN.

Item 3. Certifications. By signing this Ballot, the undersigned acknowledges receipt of the Disclosure Statement and the other applicable solicitation materials and certifies that the undersigned is the claimant or has the power and authority to vote to accept or reject the Plan on behalf of the claimant. The undersigned understands that, if this Ballot is otherwise validly executed but is not timely submitted, does not indicate either acceptance or rejection of the Plan or indicates both an acceptance and rejection of the Plan, this Ballot will not be counted.

YOUR RECEIPT OF THIS BALLOT DOES NOT SIGNIFY THAT YOUR CLAIM HAS BEEN OR WILL BE ALLOWED.

Name of Holder: _____ (Print or Type)
Signature: _____
Name of Signatory: _____
Title of Signatory: _____
Address: _____ _____
Email Address: _____
Date Completed: _____
 If your address or contact information has changed, please note the new information here.

EXHIBIT D-3

Proposed Form of Ballot Class 5)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re LEFEVER MATTSON, a California corporation, <i>et al.</i> , ¹ Debtors.	Case No. 24-10545 CN (Lead Case) (Jointly Administered) Chapter 11
In re KS MATTSON PARTNERS, LP, Debtor.	

**BALLOT FOR ACCEPTING OR REJECTING JOINT CHAPTER 11 PLAN OF LEFEVER
MATTSON, KS MATTSON PARTNERS, LP, AND THEIR AFFILIATED DEBTORS
PROPOSED BY THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS**

CLASS 5 – SETTLED SECURED LENDER CLAIMS

THE VOTING DEADLINE TO ACCEPT OR REJECT THE PLAN IS _____, 2026 AT 11:59 P.M. (PACIFIC TIME)

This Ballot is submitted to you to solicit your vote to accept or reject the *First Amended Joint Chapter 11 Plan of Liquidation* of LeFever Mattson, KS Mattson Partners, LP, and their affiliated Debtors (as may be amended or modified, the “Plan”), which is being proposed by the above-captioned debtors and debtors-in-possession (the “Debtors”) (excluding Live Oak Investments, LP) and the Official Committee of Unsecured Creditors (the “Committee” and, together with the Debtors other than Live Oak Investments, LP, the “Plan Proponents”), and which is described in the accompanying disclosure statement (the “Disclosure Statement”). On _____, 2025, the Bankruptcy Court entered an order approving certain procedures and materials for the solicitation of votes to accept or reject the Plan (the “Solicitation Procedures Order”). Capitalized terms used in this Ballot and the attached instructions that are not otherwise defined have the meanings given to them in the Plan.

The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. You

¹ The last four digits of LeFever Mattson’s tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP (“KSMP”) are 5060. KSMP’s address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://veritaglobal.net/LM>.

should review the Plan and Disclosure Statement. You may wish to seek legal or other professional advice concerning the Plan and your classification and treatment under the Plan.

The Plan may be made binding on you whether or not you vote if the Plan (a) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the claims in each impaired Class of claims who vote on the Plan; (b) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code; and (c) the Bankruptcy Court enters an order confirming the Plan. Even if the requisite acceptances are not obtained, however, the Bankruptcy Court may still confirm the Plan if the Bankruptcy Court finds that the Plan (a) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan; and (b) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

This Ballot is solely for purposes of voting to accept or reject the Plan. This Ballot is not for the purpose of allowance or disallowance of, or distribution on account of, Settled Secured Lender Claims in Class 5.

There are two ways by which you may submit your Ballot: (i) you may submit your Ballot via the Voting Agent's online e-balloting portal (the "E-Balloting Portal") as directed below, or (ii) you may return your Ballot to the Voting Agent via mail, overnight courier, or hand delivery by following the instructions set forth below.

If you have any questions on how to properly complete this Ballot, please contact Verita Global at 1-877-709-4751 (U.S. / Canada), 1-424-236-7231 (International) or submit an inquiry at: <https://veritaglobal.net/lm/inquiry>. Please be advised that Verita Global cannot provide legal or other professional advice.

For your vote to be counted, this Ballot must be properly completed, signed, and returned so that it is *actually received* by the Voting Agent by no later than the Voting Deadline of **11:59 p.m. (Pacific Time) on _____, 2026. Please submit a Ballot with your vote by one of the following methods:**

<u>If Submitting Your Vote Through the E-Balloting Portal:</u> Verita Global will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, Unique E-Ballot ID#: _____ PIN#: _____	<u>If by First Class Mail, Overnight Courier or Hand Delivery:</u> LeFever Mattson Ballot Processing Center c/o KCC dba Verita 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245 A pre-addressed return envelope has been enclosed for your convenience.
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Verita Global's E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission will not be counted.

Each E-Ballot ID# is to be used solely for voting only those Claims described in your electronic Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable.

Ballots received after 11:59 p.m. (Pacific Time) on _____, 2026 will not be counted. Ballots submitted by e-mail or facsimile transmission will not be accepted.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Amount of Class 5 Claim. For purposes of voting to accept or reject the Plan, the undersigned certifies that the undersigned holds a Settled Secured Lender Claim in Class 5 against the Debtors listed below in the amount set forth below.

Voting Amount: \$ _____
Debtor(s):

Item 2. Vote on the Plan. The undersigned Holder of a Settled Secured Lender Claim in Class 5 in the amount set forth in Item 1 above hereby votes to:

- Check one box only:** ☐ **Accept** (vote FOR) the Plan
 ☐ **Reject** (vote AGAINST) the Plan

THE DEBTORS AND THE COMMITTEE RECOMMEND THAT YOU VOTE TO ACCEPT THE PLAN.

Item 3. Certifications. By signing this Ballot, the undersigned acknowledges receipt of the Disclosure Statement and the other applicable solicitation materials and certifies that the undersigned is the claimant or has the power and authority to vote to accept or reject the Plan on behalf of the claimant. The undersigned understands that, if this Ballot is otherwise validly executed but is not timely submitted, does not indicate either acceptance or rejection of the Plan or indicates both an acceptance and rejection of the Plan, this Ballot will not be counted.

YOUR RECEIPT OF THIS BALLOT DOES NOT SIGNIFY THAT YOUR CLAIM HAS BEEN OR WILL BE ALLOWED.

Name of Holder: _____ (Print or Type)
Signature: _____
Name of Signatory: _____
Title of Signatory: _____
Address: _____ _____
Email Address: _____
Date Completed: _____
 If your address or contact information has changed, please note the new information here.

EXHIBIT D-4

Proposed Form of Ballot (Class 6)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re LEFEVER MATTSON, a California corporation, <i>et al.</i> , ¹ Debtors.	Case No. 24-10545 CN (Lead Case) (Jointly Administered) Chapter 11
In re KS MATTSON PARTNERS, LP, Debtor.	

**BALLOT FOR ACCEPTING OR REJECTING JOINT CHAPTER 11 PLAN OF LEFEVER
MATTSON, KS MATTSON PARTNERS, LP, AND THEIR AFFILIATED DEBTORS
PROPOSED BY THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS**

CLASS 6 – TRADE CLAIMS

THE VOTING DEADLINE TO ACCEPT OR REJECT THE PLAN IS _____, 2026 AT 11:59 P.M. (PACIFIC TIME)

This Ballot is submitted to you to solicit your vote to accept or reject the *First Amended Joint Chapter 11 Plan of Liquidation* of LeFever Mattson, KS Mattson Partners, LP, and their affiliated Debtors (as may be amended or modified, the “Plan”), which is being proposed by the above-captioned debtors and debtors-in-possession (the “Debtors”) (excluding Live Oak Investments, LP) and the Official Committee of Unsecured Creditors (the “Committee” and, together with the Debtors other than Live Oak Investments, LP, the “Plan Proponents”), and which is described in the accompanying disclosure statement (the “Disclosure Statement”). On _____, 2025, the Bankruptcy Court entered an order approving certain procedures and materials for the solicitation of votes to accept or reject the Plan (the “Solicitation Procedures Order”). Capitalized terms used in this Ballot and the attached instructions that are not otherwise defined have the meanings given to them in the Plan.

The Disclosure Statement provides information to assist you in deciding how to vote your Ballot. You

¹ The last four digits of LeFever Mattson’s tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP (“KSMP”) are 5060. KSMP’s address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://veritaglobal.net/LM>.

should review the Plan and Disclosure Statement. You may wish to seek legal or other professional advice concerning the Plan and your classification and treatment under the Plan.

The Plan may be made binding on you whether or not you vote if the Plan (a) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the claims in each impaired Class of claims who vote on the Plan; (b) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code; and (c) the Bankruptcy Court enters an order confirming the Plan. Even if the requisite acceptances are not obtained, however, the Bankruptcy Court may still confirm the Plan if the Bankruptcy Court finds that the Plan (a) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan; and (b) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

This Ballot is solely for purposes of voting to accept or reject the Plan. This Ballot is not for the purpose of allowance or disallowance of, or distribution on account of, Trade Claims in Class 6.

There are two ways by which you may submit your Ballot: (i) you may submit your Ballot via the Voting Agent's online e-balloting portal (the "E-Balloting Portal") as directed below, or (ii) you may return your Ballot to the Voting Agent via mail, overnight courier, or hand delivery by following the instructions set forth below.

If you have any questions on how to properly complete this Ballot, please contact Verita Global at 1-877-709-4751 (U.S. / Canada), 1-424-236-7231 (International) or submit an inquiry at: <https://veritaglobal.net/lm/inquiry>. Please be advised that Verita Global cannot provide legal or other professional advice.

For your vote to be counted, this Ballot must be properly completed, signed, and returned so that it is *actually received* by the Voting Agent by no later than the Voting Deadline of **11:59 p.m. (Pacific Time) on _____, 2026. Please submit a Ballot with your vote by one of the following methods:**

<u>If Submitting Your Vote Through the E-Balloting Portal:</u> Verita Global will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, Unique E-Ballot ID#: _____ PIN#: _____	<u>If by First Class Mail, Overnight Courier or Hand Delivery:</u> LeFever Mattson Ballot Processing Center c/o KCC dba Verita 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245 A pre-addressed return envelope has been enclosed for your convenience.
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Verita Global's E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission will not be counted.

Each E-Ballot ID# is to be used solely for voting only those Claims described in your electronic Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable.

Ballots received after 11:59 p.m. (Pacific Time) on _____, 2026 will not be counted. Ballots submitted by e-mail or facsimile transmission will not be accepted.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Amount of Class 6 Claim. For purposes of voting to accept or reject the Plan, the undersigned certifies that the undersigned holds a Trade Claim in Class 6 against the Debtors listed below in the amount set forth below.

Voting Amount: \$ _____

Debtor(s):

Item 2. Vote on the Plan. The undersigned Holder of a Trade Claim in Class 6 in the amount set forth in Item 1 above hereby votes to:

- Check one box only:** ☐ **Accept** (vote FOR) the Plan
 ☐ **Reject** (vote AGAINST) the Plan

THE DEBTORS AND THE COMMITTEE RECOMMEND THAT YOU VOTE TO ACCEPT THE PLAN.

Item 3. Certifications. By signing this Ballot, the undersigned acknowledges receipt of the Disclosure Statement and the other applicable solicitation materials and certifies that the undersigned is the claimant or has the power and authority to vote to accept or reject the Plan on behalf of the claimant. The undersigned understands that, if this Ballot is otherwise validly executed but is not timely submitted, does not indicate either acceptance or rejection of the Plan or indicates both an acceptance and rejection of the Plan, this Ballot will not be counted.

YOUR RECEIPT OF THIS BALLOT DOES NOT SIGNIFY THAT YOUR CLAIM HAS BEEN OR WILL BE ALLOWED.

Name of Holder: _____
(Print or Type)

Signature: _____

Name of Signatory: _____

Title of Signatory: _____

Address: _____

Email Address: _____

Date Completed: _____

If your address or contact information has changed, please note the new information here.

EXHIBIT D-5

Proposed Form of Ballot (Class 7 Investor Claims)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re

LEFEVER MATTSON,
a California corporation, *et al.*,¹

Debtors.

Case No. 24-10545 CN (Lead Case)

(Jointly Administered)

Chapter 11

In re

KS MATTSON PARTNERS, LP,

Debtor.

**(I) BALLOT FOR ACCEPTING OR REJECTING JOINT CHAPTER 11 PLAN OF LEFEVER
MATTSON, KS MATTSON PARTNERS, AND THEIR AFFILIATED DEBTORS
PROPOSED BY THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS,
AND (II) FORM FOR ESTIMATION OF INVESTOR CLAIM AMOUNT FOR VOTING PURPOSES**

CLASS 7 – INVESTOR CLAIMS

**THE VOTING DEADLINE TO ACCEPT OR REJECT THE
PLAN IS _____, 2026 AT 11:59 P.M. (PACIFIC TIME)**

Why You Are Receiving This Ballot

The above-captioned Debtors (excluding Live Oak Investments, LP) and the Official Committee of Unsecured Creditors (the “Committee” and, together with the Debtors, the “Plan Proponents”) have proposed a bankruptcy plan, entitled the *First Amended Joint Chapter 11 Plan of Liquidation* (as may be amended or modified, the “Plan”) of LeFever Mattson, KS Mattson Partners, and their affiliated Debtors.

You are being sent this Ballot because either: (i) the Debtors’ records show that you are an “Investor” as defined in the Plan (*see* Plan Exhibit A, number 74) – *i.e.*, a Person or Entity that purchased or made an Investment offered

¹ The last four digits of LeFever Mattson’s tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP (“KSMP”) are 5060. KSMP’s address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://veritaglobal.net/LM>.

by or related to any Debtor, including, without limitation, any investments, interests, or other rights with respect to any Debtor that were styled, marketed, or sold as, among others, partnership interests in limited partnerships, TIC Interests or interests in any real property, or (ii) you have filed a Proof of Claim or Proof of Interest in the Chapter 11 Cases that asserts Investor claims.

On _____, 2025, the Bankruptcy Court entered an order approving, among other relief, certain procedures and materials for the solicitation of votes to accept or reject the Plan (the “Solicitation Procedures Order”). Capitalized terms used in this Ballot and the attached instructions that are not otherwise defined have the meanings given to them in the Plan.

This Ballot has been sent to you to (1) vote to accept or reject the Plan, (2) elect whether to contribute your Contributed Claims to the Plan Recovery Trust under the Plan, and (3) implement the estimation of your Class 7 Investor Claim (the maximum amount) for voting purposes only (not for distribution or other purposes under the Plan).

Information to Assist You In Voting and Completing This Ballot

The Plan Summary and the Disclosure Statement provide information to assist you in deciding how to vote your Ballot and to fill in and complete this Form as applicable. The Plan Summary and the Disclosure Statement have both approved by the Bankruptcy Code as containing adequate information required by the Bankruptcy Code. You should review the Plan Summary, the Disclosure Statement and the Plan before you vote and complete this Ballot and Form. You may wish to seek legal or other professional advice concerning the Plan and your classification and treatment under the Plan.

How Your Vote Impacts Confirmation of the Plan

The Plan may be made binding on you whether or not you vote if the Plan (a) is accepted by the holders of at least two-thirds in amount and more than one-half in number of the claims in each impaired Class of claims who vote on the Plan; (b) otherwise satisfies the applicable requirements of section 1129(a) of the Bankruptcy Code; and (c) the Bankruptcy Court enters an order confirming the Plan. Even if the requisite acceptances are not obtained, however, the Bankruptcy Court may still confirm the Plan if the Bankruptcy Court finds that the Plan (a) provides fair and equitable treatment to, and does not unfairly discriminate against, the Class or Classes rejecting the Plan; and (b) otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

How to Vote

There are two ways by which you may submit your Ballot: (i) you may submit your Ballot via the Voting Agent’s online e-balloting portal (the “E-Balloting Portal”) as directed below, or (ii) you may return your Ballot to the Voting Agent via mail, overnight courier, or hand delivery by following the instructions set forth below. ***Please note that if you disagree with the amount listed below on your Ballot and you believe you are entitled to vote a higher claim amount, and you modify such amount on the Ballot in accordance with the instructions below, YOU MUST SUBMIT YOUR MODIFIED PHYSICAL BALLOT VIA MAIL, OVERNIGHT COURIER OR HAND DELIVERY – YOU CANNOT SUBMIT SUCH MODIFIED BALLOT VIA THE ONLINE E-BALLOTING PORTAL.***

If you have any questions on how to properly complete this Ballot, please contact Verita Global at 1-877-709-4751 (U.S. / Canada), 1-424-236-7231 (International) or submit an inquiry at: <https://veritaglobal.net/lm/inquiry>. Please be advised that Verita Global cannot provide legal or other professional advice.

For your vote to be counted, this Ballot must be properly completed, signed, and returned so that it is *actually received* by the Voting Agent by no later than the Voting Deadline of 11:59 p.m. (Pacific Time) on _____, 2026. Please submit a Ballot with your vote by one of the following methods:

<u>If Submitting Your Vote Through the E-Balloting Portal:</u> Verita Global will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, Unique E-Ballot ID#: _____ PIN#: _____ NOT AVAILABLE IF YOU WISH TO CONTEST YOUR VOTING AMOUNT	<u>If by First Class Mail, Overnight Courier or Hand Delivery:</u> LeFever Mattson Ballot Processing Center c/o KCC dba Verita 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245 A pre-addressed return envelope has been enclosed for your convenience.
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Verita Global's E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission will not be counted.

Each E-Ballot ID# is to be used solely for voting only those Claims described in your electronic Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable.

Ballots received after 11:59 p.m. (Pacific Time) on _____, 2026 will not be counted. Ballots submitted by e-mail or facsimile transmission will not be accepted.

Ballot for Voting and Investor Claim Estimation Purposes

This Ballot is for purposes of (1) voting to accept or reject the Plan, (2) electing whether to contribute your Contributed Claims to the Plan Recovery Trust under the Plan, and (3) establishing the estimated amount(s) of the voting Investor's Class 7 Investor Claim solely for tabulating the voting on the Plan, and no other purposes.

If you, the Investor, dispute the amount of the Investor's Class 7 Investor Claim stated in Item 1 below, and wish to assert a higher amount, you must carefully follow the instructions set forth below, including submitting additional documents or evidence in support of your asserted claim amount.

PLEASE COMPLETE THE FOLLOWING:

Item 1. Amount of Class 7 Investor Claim for Voting Purposes Only. For purposes of (1) voting to accept or reject the Plan and (2) establishing the estimated amount of the voting Investor's Investor Claim for voting purposes only, the undersigned certifies that the undersigned holds an Investor Claim in Class 7 against the Debtor(s) listed below in the amounts set forth below.

<i>THE AMOUNT LISTED BELOW IS FOR VOTING PURPOSES ONLY, UNLESS YOU, THE INVESTOR, TIMELY AND PROPERLY DISPUTE THE AMOUNT.</i> (a) <u>Investor Claim Amount per Debtors:</u> \$ [pre-populated with amount] [See Debtors' calculation in Attachment 1.] <i>IF YOU BELIEVE THE AMOUNT LISTED ABOVE IN ITEM 1(a) IS INCORRECT AND YOU BELIEVE YOU ARE ENTITLED TO A HIGHER CLAIM AMOUNT, PLEASE CHECK THE</i>
--

APPLICABLE BOX BELOW AND PROVIDE THE ASSERTED CLAIM AMOUNT.

☐ Under penalty of perjury, I object to the proposed Investor Claim Amount above in Item 1(a) and believe the correct amount is: \$ _____, and have attached a supporting explanation and documentation, which I certify are genuine and valid.

If you checked the box above, you must attach to this Ballot and provide to the Voting Agent a written explanation of the basis on which you dispute the Investor Claim Amount in Item 1(a) and all documentation supporting your asserted Claim Amount (e.g., copies of agreements, confirmation slips, account statements). Investors are encouraged to keep a copy of their submitted Ballot and all attachments for their records; all such documents will not be returned to you. Investors' asserted Claim Amounts are subject to the Debtors' rights to dispute such Claim Amounts pursuant to the Investor Claims Estimation Procedures. If you will be objecting to the proposed Investor Claim Amount, your completed Ballot and any attachments cannot be submitted through the E-Balloting Portal, but instead your Ballot, with attachments, must be mailed or delivered to the Voting Agent.

If you do not check the applicable box above, the amount of your Investor Claim listed in Item 1(a) for the sole purpose of voting on the Plan will not be modified. Whether or not you believe the claim amount listed in Item 1(a) is correct, please proceed to Items 2-4.

Item 2. Vote on the Plan. The undersigned Holder of an Investor Claim in Class 6 in the amount set forth in Item 1 above hereby votes to:

Check one box only: ☐ Accept (vote FOR) the Plan
☐ Reject (vote AGAINST) the Plan

THE DEBTORS AND THE COMMITTEE RECOMMEND THAT YOU VOTE TO ACCEPT THE PLAN.

Item 3. Optional Opt-Out of Contributing Contributed Claims. It is optional for you to elect to contribute to the Plan Recovery Trust in exchange for a Pro Rata Distribution of Class D Plan Recovery Trust Units, any and all of your Contributed Claims (defined in **Exhibit A** to the Plan).

The claims to be contributed to the Plan Recovery Trust by the particular Investor, if it becomes a Contributing Claimant, are all of his, her or its **legal claims and causes of action, potential and actual, known and unknown, in any way related or connected to the Debtors, their predecessors, successors, and affiliates, and those parties listed as "Excluded Parties" in Exhibit B to the Plan**, that the Investor has against any person or entity other than the Debtors. Such claims to be transferred include, without limitation, claims and causes of action related to the marketing, sale, and issuance of any investments connected to the Debtors; fraudulent transfers, voidable transactions, and other similar avoidance claims under state or federal law; any misrepresentation of the Debtors' finances and businesses; any cover-up of fraud or other wrongdoing by the Debtors or related parties discussed in the Disclosure Statement; and aiding or conspiring with the Debtors or agents to commit wrongful acts.

If you **vote to accept the Plan and do not opt out of the Contributed Claim Election**, you will be deemed to contribute your Contributed Claims to the Plan Recovery Trust (unless your claims are listed on the Schedule of Disclaimed Contributed Claims, in which case you will not have contributed your claims under the Plan). If you **elect to opt out by checking the box below**, you will not contribute, and shall retain, all such claims and causes of action (if any) described above and in the Plan.

☐ **NO, I elect to NOT contribute my Contributed Claims to the Plan Recovery Trust.**

Item 4 Certifications. By signing this Ballot, under penalty of perjury, the undersigned acknowledges and certifies: (i) receipt of the Disclosure Statement and the other applicable solicitation materials; and (ii) that the undersigned is the claimant or has the power and authority to vote to accept or reject the Plan and make the other statements/elections set forth in Items 1-3 above on behalf of the claimant. The undersigned understands that, if this Ballot is otherwise validly executed but is not timely submitted, does not indicate either acceptance or rejection of the Plan or indicates both an acceptance and rejection of the Plan, this Ballot will not be counted.

YOUR RECEIPT OF THIS BALLOT DOES NOT SIGNIFY THAT YOUR CLAIM HAS BEEN OR WILL BE ALLOWED.

Name of Holder: [Prepopulate with address]
Signature: _____
Name of Signatory: _____
Title of Signatory: _____
Address (if different than above): _____ _____
Email Address: _____
Date Completed: _____

If your address or contact information has changed, please note the new information here.

Sample Only

Attachment 1

Investor Claim Amount = Total Amount Invested	\$ _____
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Total Amount Invested	Amount Invested – (minus) Withdrawals Prior to Ponzi Start Date (September 12, 2017)
Amount Invested	Actual dollars invested by or on behalf of an Investor as of the applicable Petition Date. ² Note: Includes cash-in related to initial investments via 1031 exchange and excludes appreciated investment roll-overs.
Withdrawals Prior to Ponzi Start Date	Withdrawals and other payments to an Investor as a return on invested capital prior to the Ponzi start date (September 12, 2017).

Date of Amount Invested (List Chronologically) (Month/Day/Year)	Amount Invested	Confirm Amount Invested (check box if applicable)	Withdrawal Amount Prior to Ponzi Start Date	Confirm Withdrawals Prior to Ponzi Start Date (check box if applicable)

² The Petition Date is, as applicable, (a) August 6, 2024, when used in reference to Windscape Apartments, LLC; (b) October 2, 2024, when used in reference to Pinewood Condominiums, LP and Ponderosa Pines, LP; (c) November 22, 2024, when used in reference to K S Mattson Partners, LP; and (d) September 12, 2024, when used in reference to all other Debtors.

		☐		☐
		☐		☐
		☐		☐

* If you need additional space, provide and attach the required information on separate, numbered sheets in the same format as above and print your name and the last four digits of your Social Security or Taxpayer Identification Number at the top of each additional sheet.

EXHIBIT E

Proposed Tabulation/Estimation Procedures

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VOTE TABULATION/ESTIMATION PROCEDURES

Applicable to Class 3 Sold Property Secured Lender Claims, Class 4 Retained Property Secured Lender Claims, and Class 6 Trade Claims: Solely for the purpose of voting to accept or reject the Plan and not for purposes of allowance of, or distribution on account of, a Claim in Classes 3, 4, and 6, each Claim within such Class shall be temporarily allowed in an amount equal to (i) the amount asserted in a timely filed proof of Claim, or, if no timely proof of Claim has been filed, (ii) the liquidated, non-contingent, undisputed amount of such Claim set forth in the Schedules,¹ subject to the following exceptions and/or conditions:

a. If a Claim is deemed Allowed pursuant to the Plan, such Claim shall be Allowed for voting purposes in the deemed Allowed amount set forth in the Plan.

b. If a Claim has been estimated for voting purposes or otherwise allowed for voting purposes by Order of the Court, such Claim shall be allowed in the amount so estimated or allowed by the Court for voting purposes only with respect to the Plan, and not for purposes of allowance or distribution, unless otherwise provided by Order of the Court.

c. If an objection to, or request for estimation of, a Claim has been filed by the Voting Record Date, such Claim shall be temporarily disallowed or estimated for voting purposes only with respect to the Plan and not for purposes of allowance or distribution, except to the extent and in the manner as may be set forth in such objection or request for estimation.

d. If the voting amount of a Claim has been established by a stipulation, settlement, or other agreement filed by the Plan Proponents on or before the Voting Deadline, such Claim shall be allowed for voting purposes only with respect to the Plan, and not for purposes of allowance or distribution, in the stipulation, settled, or otherwise agreed-to amount.

e. If a Claim was listed in the Debtors' filed Schedules in an amount that is liquidated, non-contingent, and undisputed, and a proof of Claim was not filed by the Voting Record Date, such Claim is allowed for voting in the liquidated, non-contingent, undisputed amount set forth in the Debtors' filed Schedules.

f. If a Claim, for which a proof of Claim was timely filed, is listed as contingent, unliquidated, or disputed in part, such Claim is temporarily allowed in the amount that is liquidated, non-contingent, and undisputed for voting purposes only, and not for purposes of allowance or distribution.

g. If a Claim was timely filed for unknown or undetermined amounts, or is wholly unliquidated, or contingent (as determined on the face of the claim or after a reasonable review of the supporting documentation by the Plan Proponents and/or Voting Agent) and

¹ Includes all of the Debtors' filed Schedules of Assets and Liabilities, Statements of Financial Affairs, Omnibus List of Equity Security Holders, and any and all amendments thereof.

1 such claim has not been allowed, such Claim shall be temporarily allowed for voting
2 purposes only, and not for purposes of allowance or distribution, at \$1.00.

3 h. Claims filed for \$0.00 are not entitled to vote.

4 j. For purposes of the numerosity requirement of section 1126(c) of the Bankruptcy
5 Code, separate Claims held by a single creditor in a particular Class shall be aggregated as
6 if such creditor held one Claim against the Debtors in such Class, and the votes related to
7 such Claims shall be treated as a single vote to accept or reject the Plan.

8 k. Notwithstanding anything to the contrary contained herein, any creditor who has
9 filed or purchased duplicate Claims within the same Voting Class shall be provided with
10 only one Solicitation Package and one ballot for voting a single Claim in such Class,
11 regardless of whether the Debtors have objected to such duplicate Claims.

12 l. If a Claim has been amended by a later Claim that is filed on or prior to the Voting
13 Record Date, the later filed amending Claim shall be entitled to vote in a manner consistent
14 with these tabulation rules, and the earlier filed Claim shall be disallowed for voting
15 purposes, regardless of whether the Debtors have objected to such amended claim. Except
16 as otherwise ordered by the Court, any amendments to a Claim after the Voting Record Date
17 shall not be considered for purposes of these tabulation rules.

18 m. Any parties solely in relation to Claims or Interests that are not Investor Claims
19 (“Non-Investor Claims”) may file a motion pursuant to Bankruptcy Rule 3018(a) for an order
20 temporarily allowing such party’s Non-Investor Claim in a different amount for purposes of
21 voting to accept or reject the Plan (a “Non-Investor Rule 3018 Motion”). Objections to any
22 Non-Investor Rule 3018 Motion must be filed no later than January 7, 2026. If any
23 objections are filed to the Non-Investor Rule 3018 Motion, the Non-Investor Rule 3018
24 Motion will be heard at the Confirmation Hearing or any later date selected by the Plan
25 Proponents.

26 **Applicable to Class 7 (Investor Claims):**

- 27 • Unless otherwise provided in the tabulation rules described below, Claims of Investors
28 in the Debtors’ enterprise will be estimated solely for voting purposes in the amount set
forth in Item 1 of the Investors’ Class 7 Ballot (the “Proposed Claim Amount(s)”),
which is based on the Debtors’ records and analysis by the Debtors’ and Committee’s
professionals. If, however, the Investor disputes the Proposed Claim Amount, and
wishes to assert a higher amount, the Investor must carefully follow the instructions set
forth below and on the Investor’s Class 7 Ballot, including submitting additional
documents or evidence in support of the asserted claim amount (the “Asserted Claim
Amount”), under penalty of perjury. Investors are encouraged to keep a copy of their
submitted Ballot and all attachments for their records. Investors’ Asserted Claim
Amounts are subject to the Debtors’ rights to dispute such claims, with any unresolved
disputes to be heard at the Confirmation Hearing or at a later date selected by the Plan
Proponents.
- If any Investor seeks to challenge the amount of its Claim for voting purposes, the
Investor must write in a modified amount and return such modified Ballot to the Voting
Agent by either mail, overnight courier, or by personal delivery so as to be received by

1 the Voting Agent on or before the Voting Deadline. Modified Ballots shall not be
2 accepted electronically. Any Ballot with a modified amount timely received shall be
3 deemed an objection to the Proposed Claim Amount.

- 4 • If any Investor sets an Investor Claim amount on its Ballot that is less than the Proposed
5 Claim Amount, the Class 7 Investor Claim will be temporarily allowed for voting
6 purposes in the lesser amount.
- The Plan Proponents may enter into stipulations with Investors allowing their claims
for voting purposes.

7 **General Rules for Counting Votes to Accept or Reject Plan:**

8 In tabulating the Ballots, the following additional procedures will apply:

- 9 1. Any Ballot that is properly completed, executed, and timely returned to the Balloting
10 Agent, but does not indicate the acceptance or rejection of the Plan, or indicates both,
11 will not be counted.
- 12 2. If a party casts more than one Ballot voting the same claim or interest before the
13 Voting Deadline, the last properly executed Ballot received before the Voting
14 Deadline will be deemed to reflect the voter's intent and, thus, will supersede any
15 prior Ballots.
- 16 3. Parties will be required to vote all of their claims or interests under the Plan either to
17 accept or reject the Plan and may not split their votes.
- 18 4. Where any portion of a single claim has been transferred to a transferee, all holders
19 of any portion of such single claim will be (i) treated as a single creditor for purposes
20 of the numerosity requirements in section 1126(c) of the Bankruptcy Code (and for
21 the other voting and solicitation procedures set forth herein) and (ii) required to vote
22 every portion of such claim collectively either to accept or reject the Plan.
- 23 5. In the event that a Ballot or a group of Ballots within a Class received from a single
24 party partially rejects and partially accepts the Plan, such Ballots will not be counted.

EXHIBIT F

Proposed Notice of Non-Voting Status

Tobias S. Keller (CA Bar No. 151445)
David A. Taylor (CA Bar No. 247433)
Thomas B. Rupp (CA Bar No. 278041)
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*Counsel to LeFever Mattson and Its
Affiliated Debtors and Debtors in Possession*

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Counsel to KS Mattson Partners, LP

Debra I. Grassgreen (CA Bar No. 169978)
John D. Fiero (CA Bar No. 136557)
Jason H. Rosell (CA Bar No. 269126)
Steven W. Golden (admitted *pro hac vice*)
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*Counsel to the Official Committee of
Unsecured Creditors*

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re
LEFEVER MATTSON,
a California corporation, *et al.*,¹

Debtors.

Case No. 24-10545 CN (Lead Case)
(Jointly Administered)
Chapter 11

NOTICE OF NON-VOTING STATUS

¹ The last four digits of LeFever Mattson's tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP ("KSMP") are 5060. KSMP's address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>.

In re
KS MATTSON PARTNERS, LP,
Debtor.

PLEASE TAKE NOTICE THAT:

1. On October 15, 2025, LeFever Mattson, KS Mattson Partners LP, and their affiliated debtors and debtors in possession (collectively, “LFM” or the “Debtors”) and the Official Committee of Unsecured Creditors (the “Committee” and together with the Debtors other than Live Oak Investments, LP, the “Plan Proponents”) filed the *First Amended Joint Chapter 11 Plan of Liquidation* of the Debtors [Docket No. _____] (including all exhibits thereto and as amended, modified or supplemented from time to time, the “Plan”).

2. On October 15, 2025, the Plan Proponents filed (a) a summary of the Plan for Investors in Class 7 under the Plan (the “Plan Summary”); and (b) a related *Disclosure Statement in Support of Joint Chapter 11 Plan of Liquidation* of the Debtors [Docket No. _____] (including all exhibits thereto and as amended, modified or supplemented from time to time, the “Disclosure Statement”) under section 1125 of the Bankruptcy Code.

3. By an Order dated _____, 2025 (the “Solicitation Procedures Order”), the Bankruptcy Court approved the Disclosure Statement as containing adequate information within the meaning of section 1125 of Bankruptcy Code and approved certain procedures (collectively, the “Solicitation Procedures”) for the solicitation and tabulation of votes to accept or reject the Plan, and scheduled hearings on confirmation of the Plan.

4. The Plan Proponents (a) are required to mail voting materials to all creditors and equity interest holders entitled to vote on the Plan and (b) are not required to provide voting materials to such holders that are conclusively presumed to either accept or reject the Plan (collectively, the “Non-Voting Classes”). Accordingly, you are receiving this Notice of Non-Voting Status for the Plan instead of voting materials containing the Disclosure Statement and the Plan.

5. **If you wish to challenge the classification of your claim or interest *except with respect to any Investor Claims that are subject to certain other procedures set forth in the***

1 **Solicitation Procedures Order**, you, pursuant to Bankruptcy Rule 3018(a), must file a motion (a
2 “Rule 3018 Motion”) for an order temporarily allowing your claim in an amount for purposes of
3 voting and serve such motion on the parties listed below so that it is received by _____, 2026.
4 The request for relief sought in such Rule 3018 Motion will be heard at the Confirmation Hearing
5 (as defined below) or other date selected by the Plan Proponents or pursuant to further order of the
6 Court. Rule 3018 Motions that are not timely filed and served in the manner as set forth above will
7 not be considered.

8 6. The Plan Supplement will be filed by the Debtors and the Committee by
9 _____, 2025, which will be served on all parties that have requested special notice in the
10 cases under Bankruptcy Rule 2002, and will be available to review and download for free from the
11 Voting Agent’s website at <https://veritaglobal.net/LM> on and after the filing of the Plan Supplement.

12 7. On _____, 2025 at ____ a.m. (Pacific Time), or as soon thereafter as
13 counsel may be heard, a hearing will be held before the Honorable Charles Novack, United States
14 Bankruptcy Judge to consider confirmation of the Plan (the “Confirmation Hearing”). Counsel and
15 interested parties may appear at the hearing in person in Courtroom 215 of the United States
16 Bankruptcy Court, 1300 Clay Street in Oakland, California or via Zoom video or telephone. The
17 Zoom information will be included in each calendar posted weekly, as applicable

18 8. The Confirmation Hearing may be adjourned from time to time, without further
19 notice. The Plan may be modified in accordance with the Bankruptcy Code, the Federal Rules of
20 Bankruptcy Procedure, the Plan and other applicable law, without further notice, prior to or as a
21 result of the Confirmation Hearing.

22 9. Objections, if any, to the confirmation of the Plan must (a) be in writing; (b) state the
23 name and address of the objecting party and the nature of the claim or interest of such party; (c) state
24 with particularity the basis and nature of any objection; and (d) be filed with the Bankruptcy Court
25 at the address set forth below and served on the following **so that any such objections are received**
26 **no later than _____, 2026 at 11:59 p.m. (Pacific Time)**: (a) Counsel to the LFM Debtors:
27 Keller Benvenutti Kim LLP, Attn: Tobias Keller, David Taylor, Dara Silveira and Thomas Rupp
28 (tkeller@kbkllp.com, dtaylor@kbkllp.com, dsilveira@kbkllp.com, trupp@kbkllp.com), 101

1 Montgomery St., Suite 1950, San Francisco, CA 94104; (b) counsel to KSMP: Hogan Lovells US
2 LLP, Attn: Richard Wynne, Erin Brady, and Edward McNeilly (richard.wynne@hoganlovells.com,
3 erin.brady@hoganlovells.com, edward.mcneilly@hoganlovells.com); (c) counsel to the
4 Committee: Pachulski Stang Ziehl & Jones LLP, Attn: Debra Grassgreen, Jason Rosell and Steven
5 Golden (dgrassgreen@pszjlaw.com, jrosell@pszjlaw.com, sgolden@pszjlaw.com), One Sansome
6 St., Suite 3430, San Francisco, CA 94104-4436; (d) Office of the United States Trustee, Northern
7 District of California, 450 Golden Gate Avenue, Room 05-0153, San Francisco, CA 94102 (Attn:
8 Jared A. Day) (jared.a.day@usdoj.gov); and (e) all other parties in interest that have filed requests
9 for notice pursuant to Bankruptcy Rule 2002 in the Debtors' chapter 11 cases.

10 10. In accordance with Bankruptcy Rule 3017(a), requests for copies of the Disclosure
11 Statement, the Plan, or the Motion by parties in interest may be made in writing to Debtors' counsel
12 or Verita Global by submitting an inquiry at <https://veritaglobal.net/lm/inquiry>. Copies of the
13 Disclosure Statement and the Plan (along with exhibits to each as they are filed with the Bankruptcy
14 Court) and the Motion are available for review, at no charge, at <https://veritaglobal.net/lm/inquiry>.

15
16 Dated: _____, 2025

KELLER BENVENUTTI KIM LLP

17
18 By: /s/ DRAFT

19 Tobias S. Keller
20 David A. Taylor
21 Thomas B. Rupp

22 Counsel to the LFM Debtors
23
24
25
26
27
28

PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ DRAFT

Debra Grassgreen

John D. Fiero

Jason H. Rosell

Steven W. Golden

Counsel to the Official Committee of Unsecured
Creditors

HOGAN LOVELLS US LLP

By: /s/ DRAFT

Richard L. Wynne

Erin N. Brady

Edward J. McNeilly

Counsel to KS Mattson Partners, LP

EXHIBIT G

Proposed Order

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David A. Taylor (CA Bar No. 247433)
Thomas B. Rupp (CA Bar No. 278041)
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*Counsel to the Official Committee of
Unsecured Creditors*

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re
LEFEVER MATTSON,
a California corporation, *et al.*,¹

Debtors.

Case No. 24-10545 CN (Lead Case)

(Jointly Administered)

Chapter 11

¹ The last four digits of LeFever Mattson's tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP ("KSMP") are 5060. KSMP's address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>.

In re
KS MATTSON PARTNERS, LP,
Debtor.

ORDER (I) APPROVING THE PLAN SUMMARY AND APPROVING DISCLOSURE STATEMENT; (II) SCHEDULING HEARING ON CONFIRMATION OF PLAN AND APPROVING THE FORM AND MANNER OF SERVICE OF THE CONFIRMATION HEARING NOTICE; (III) ESTABLISHING PROCEDURES FOR THE SOLICITATION AND TABULATION OF VOTES ON PLAN; (IV) ESTABLISHING PROCEDURES FOR THE ESTIMATION OF INVESTOR CLAIMS AND INTERESTS SOLELY FOR VOTING PURPOSES; AND (V) APPROVING RELATED MATTERS

Hearing Date:

Date: to be set
Time: (Pacific time)
Place: United States Bankruptcy Court
1300 Clay Street, Courtroom 215
Oakland, CA 94612
Judge: Honorable Charles Novack

This matter coming before the Court on the *Amended Motion for an Order (I) Approving the Plan Summary and Approving Disclosure Statement; (II) Scheduling Hearing on Confirmation of Plan and Approving the Form and Manner of Service of the Confirmation Hearing Notice; (III) Establishing Procedures for the Solicitation and Tabulation of Votes on Plan; (IV) Establishing Procedures for Estimation of Investor Claims and Interests Solely for Voting Purposes; and (V) Approving Related Matters* (the “Motion”)² [Docket No. [•]], jointly filed by the above-captioned debtors and debtors-in-possession (the “Debtors”) and Official Committee of Unsecured Creditors (the “Committee”); the Court having reviewed the Motion and having heard the statements of counsel regarding the relief requested in the Motion at a hearing before the Court (the “Hearing”); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Plan Summary is approved as part of the Solicitation Package.

² A capitalized term used but not defined herein shall have the meaning ascribed to it in the Motion.

1 3. The Disclosure Statement is approved as containing adequate information within the
2 meaning of section 1125 of the Bankruptcy Code.

3 4. The Confirmation Hearing Notice and Notice of Non-Voting Status are approved in
4 all respects.

5 5. The forms of Ballot are approved in all respects.

6 6. _____, 2025 is established as the Voting Record Date for the purposes of
7 determining the creditors and equity interest holders entitled to receive the Solicitation Package and
8 to vote on the Plan or to receive the Notice of Non-Voting Status.

9 7. The Solicitation Package and Notices of Non-Voting Status shall be served by
10 _____, 2025.

11 8. If multiple Solicitation Packages would otherwise go to the same physical address,
12 the Plan Proponents shall be permitted, but not required, to combine the Solicitation Packages into
13 a single Solicitation Package with multiple ballots, even if the claimant names are not identical.

14 9. Any Plan Supplement must be filed by _____, 2025.

15 10. Ballots must be received on or before _____, **2026 at 11:59 p.m. (Pacific**
16 **Time) (“Voting Deadline”)** in accordance with the instructions on the applicable Ballot, unless
17 extended by the Plan Proponents in writing.

18 11. The Vote Tabulation/Estimation Procedures attached as **Exhibit E** to the Motion are
19 approved in all respects.

20 12. Each Investor will receive one Investors’ Class 7 Ballot. Investors with substantially
21 similar names, that list the same noticing address on their Claims, and for which the Plan Proponents
22 determine upon good faith are the same person or entity will be treated as one Investor. For example,
23 if the “Doe Family Trust” and the “Doe Family Trust, dated January 1, 2000” provide the same
24 address where notices should be sent on their Claims and/or Interests and the Plan Proponents
25 believe these entities are the same, then the “Doe Family Trust” and the “Doe Family Trust, dated
26 January 1, 2000” will be treated as a single Investor. However, the “Doe Family Trust” and “Jane
27 Doe” will not be considered a single Investor even if the relevant Interests or Claims list the same
28 noticing address as these Investors do not have substantially similar names.

1 13. Pursuant to Bankruptcy Code sections 105(a) and 502(c) and Bankruptcy Rule
2 3018(a), all Investor Claims will be estimated and temporarily allowed solely for purposes of voting
3 on the Plan in the amount set forth in the applicable Class 7 Ballot, subject to the Investor's right to
4 dispute the proposed estimated amount, as set forth in the Vote Tabulation/Estimation Procedures.

5 14. Any Rule 3018 Motion by a party other than an Investor on account of its Investor
6 Claim must be filed with the Court, together with proof of service thereof, and served upon: (i) the
7 Office of the United States Trustee; (ii) counsel for the Debtors; (iii) counsel for the Committee;
8 and (iv) any party that has requested notice pursuant to Bankruptcy Rule 2002 by hand delivery or
9 in a manner as will cause such objection to be received by all such parties on or before _____,
10 **2026 at 11:59 p.m. (Pacific Time)**. Any objections not filed and served as set forth above may not
11 be considered by the Court. Any objection to such Rule 3018 Motion must be filed by no later than
12 _____, **2026**. Replies, if any, in support of the Rule 3018 Motion must be filed no later than
13 _____, **2026**. Any such Rule 3018 Motion may be resolved by agreement between the Plan
14 Proponents and the movant without the requirement for further order or approval of the Court. As
15 to any creditor filing a Rule 3018 Motion, such creditor's Ballot shall not be counted unless
16 temporarily allowed by the Court for voting purposes after notice and a hearing, prior to or at the
17 Confirmation Hearing. Any unresolved Rule 3018 Motion and objection(s) thereto shall be heard
18 at the Confirmation Hearing or any other date selected by the Plan Proponents or pursuant to further
19 Court order.

20 15. Objections to confirmation of the Plan must be in writing, must conform to the
21 Bankruptcy Rules, must set forth the name of the objector, the nature and amount of Claims or
22 Interests held or asserted by the objector against the Debtors, the basis for the objection and the
23 specific grounds of the objection, and must be filed with the Bankruptcy Court, together with proof
24 of service thereof, and served upon: (i) the Office of the United States Trustee; (ii) counsel for the
25 Debtors; (iii) counsel for the Committee; and (iv) any party that has requested notice pursuant to
26 Bankruptcy Rule 2002 by hand delivery or in a manner as will cause such objection to be received
27 by all such parties on or before _____, **2026 at 11:59 p.m. (Pacific Time)**. Any objections
28 not filed and served as set forth above may not be considered by the Court.

1 16. Any party supporting the Plan may file a reply to any objection to confirmation of
2 the Plan by _____, 2026.

3 17. The Plan Voting Report shall be filed by _____, 2026.

4 18. The following additional dates and deadlines are approved:

December 15, 2025	Deadline to Serve Written Discovery
December 15, 2025	Deadline for parties to identify the topics on which they intend to submit expert reports (other than rebuttal expert reports)
December 23, 2025	Deadline to Serve Responses & Objections to Written Discovery
January 7, 2026	Deadline to identify expert witnesses
January 7, 2026	Document Productions Substantially Completed
January 9, 2026	Expert Reports Due
January 14, 2026	Deadline to Complete Depositions of Fact Witnesses (All fact and expert witnesses will have the option of being deposed either in person or by Zoom. If a witness chooses to be deposed in person, all parties may attend either in person or by Zoom, at their choosing)
January 14, 2026	Deadline for parties to identify expert witnesses who will submit rebuttal expert reports
January 17, 2026	Rebuttal Expert Reports Due
January 19, 2026	Deadline to Exchange <u>Fact</u> Deposition Designations and File Motions <i>in Limine</i> re <u>Fact</u> Witnesses
January 27, 2026	Deadline to Depose Expert Witnesses
January 30, 2026	Deadline to Exchange <u>Expert</u> Deposition Designations and File Motions <i>in Limine</i> re <u>Expert</u> Witnesses
February 2, 2026	Deadline to Exchange Deposition Counter-Designations (Fact and Expert)
February 2, 2026	Deadline to Submit: (i) Joint Pretrial Order; (ii) Witness and Exhibit Lists; (iii) Oppositions to Motions in Limine; (iv) Objections to Deposition Counter-Designations
February 2, 2026	Final Pre-Trial Conference

19. A hearing shall be held before this Court on _____, 2026 at _____.m. (Pacific Time) or as soon thereafter as counsel can be heard, to consider confirmation of the Plan (the

1 **“Confirmation Hearing”**) before the Honorable Charles Novack, United States Bankruptcy Judge.
2 Counsel and interested parties may appear at the hearing in person in Courtroom 215 of the United
3 States Bankruptcy Court, 1300 Clay Street in Oakland, California or via Zoom video or
4 telephone. The Zoom information will be included in each calendar posted weekly, as applicable.

5 20. The Confirmation Hearing may be adjourned from time to time without further notice
6 to creditors and other parties-in-interest by an announcement of the adjourned date at the
7 Confirmation Hearing or any adjournment thereof or by an appropriate filing with the Court.

8 21. The relief granted herein shall apply to all Debtors.

9 22. The Plan Proponents are authorized to take or refrain from taking any action
10 necessary or appropriate to implement the terms of and the relief granted in this Order without
11 seeking further order of the Court.

12 23. The Plan Proponents are authorized to make non-substantive changes to the
13 Disclosure Statement, Plan, Ballots, Confirmation Hearing Notice, Notice of Non-Voting Status,
14 and related documents without further order of the Court, including changes to correct typographical
15 and grammatical errors and to make conforming changes among the aforementioned documents
16 prior to their distribution.

17 24. This Court shall retain jurisdiction over all matters related to or arising from the
18 Motion or the interpretation or implementation of this Order.

19
20 ***** END OF ORDER *****
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