

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	
)	Chapter 11
Morris Schneider Wittstadt Va., PLLC, a)	
Virginia professional limited liability)	Case No. 15-33370-KLP
company, <u>et al.</u> ,)	
)	(Jointly Administered)
Debtors. ¹)	

NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM

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

On August 28, 2015, the United States Bankruptcy Court for the Eastern District of Virginia entered an order (the "Bar Date Order") establishing (i) **October 30, 2015 at 5:00 p.m.** (prevailing Mountain Time) (the "General Bar Date") as the last date and time for each person or entity (including individuals, partnerships, joint ventures, corporations, estates, and trusts), other than any governmental units (as defined in section 101(27) of title 11 of the United States Code (the "Bankruptcy Code") ("Governmental Units"), to file a proof of claim against the above-captioned debtors and debtors-in-possession (collectively, the "Debtors"); and (ii) **January 6, 2016 at 5:00 p.m.** (prevailing Mountain Time) as the last date and time for each Governmental Unit to file a proof of claim based on prepetition claims against any of the Debtors (the "Governmental Bar Date" and, together with the General Bar Date, the "Bar Dates").

The Bar Dates and the procedures set forth below for filing proofs of claim apply to all claims against the Debtors that arose on or prior to July 5, 2015, the date on which the Debtors commenced cases under chapter 11 of the Bankruptcy Code (the "Petition Date"), including claims under section 503(b)(9) of the Bankruptcy Code (each, a "503(b)(9) Claim"), except for those holders of the claims listed in section 4 below that are specifically excluded from the Bar Dates filing requirement.

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Morris | Schneider | Wittstadt Va., PLLC (1651), Morris | Schneider | Wittstadt, PLLC (1589), Wittstadt Title & Escrow Company, L.L.C. (3831), Morris | Schneider | Wittstadt, LLC (1589), MSWLAW, Inc. (6994), Teays Valley Trustees, LLC (9830), and York Trustee Services, LLC (8058).

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MSW Claims Processing can be contacted at (855) 812-6112 if you have any questions about this Notice.

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a proof of claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose on or prior to the Petition Date (including a claim under section 503(b)(9) of the Bankruptcy Code), and it is not one of the types of claims described in section 4 below. Claims based on acts or omissions of the Debtors that occurred prior to the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain prior to the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word "claim" means any: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Court believes that you have a claim against the Debtors.

2. WHAT TO FILE

The Debtors are enclosing a proof of claim form or forms for use in these cases (the "Proof of Claim Form"). You will receive a separate Proof of Claim Form for each claim scheduled in your name by the Debtors. You may use the Proof of Claim Form(s) provided by the Debtors to file your claim. Additional copies of the Proof of Claim Form may be obtained at <http://www.upshotservices.com/msw> or by calling MSW Claims Processing at (855) 812-6112. Alternatively, the Court has approved an electronic claim filing option. Proofs of claim may be filed electronically on or before the applicable Bar Date by completing the applicable claim form that can be accessed on the website of MSW Claims Processing (<http://www.upshotservices.com/msw>).

Each filed proof of claim must conform substantially to the Proof of Claim Form. Each proof of claim must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. Each proof of claim must be written in English and be denominated in United States currency. **You should attach to each completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.**

If your proof of claim contains confidential information, you may file a redacted proof of claim, and may redact any documents attached thereto. A document has been

redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social security, individual's tax identification, or financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

Any holder of a claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor and all holders of claims must identify on their proof of claim the specific Debtor against which their claim is asserted. A list of the names of the Debtors and their respective case numbers appears at the end of this Notice.

3. WHEN AND WHERE TO FILE

Except as provided for herein, all proofs of claim must be filed so as to be actually received (i) if you are not a Governmental Unit, on or prior to **October 30, 2015 at 5:00 p.m.** (prevailing Mountain Time) and (ii) if you are a Governmental Unit, on or prior to **January 6, 2016, at 5:00 p.m.** (prevailing Mountain Time), in each case at the following address ("MSW Claims Processing"):

MSW Claims Processing
c/o UpShot Services LLC
7808 Cherry Creek South Drive
Suite 112
Denver, Colorado 80231

As described above claims may be filed electronically on the following website <http://www.upshotservices.com/msw>.

Proofs of claim will be deemed timely filed only if **actually received** at MSW Claims Processing on or prior to 5:00 p.m. (prevailing Mountain Time) on the applicable Bar Date. Proofs of claim may **not** be delivered by facsimile, telecopy or email.

4. WHO NEED NOT FILE A PROOF OF CLAIM

You do not need to file a proof of claim on or prior to the Bar Dates if you are:

- (a) any person or entity that has *already* properly filed a proof of claim against the applicable Debtor or Debtors with the Clerk of the Bankruptcy Court for the Eastern District of Virginia or MSW Claims Processing in a form substantially similar to the Proof of Claim Form (as defined below);
- (b) a person or entity whose claim is listed on the Debtors' schedules of assets and liabilities and/or schedules of executory contracts and unexpired leases (collectively the "Schedules");² provided that (i) the claim is not

² The deadline by which the Debtors must file Schedules is set for August 18, 2015.

scheduled as “disputed,” “contingent” or “unliquidated,” (ii) the claimant agrees with the amount, nature and priority of the claim as set forth in the Schedules and (iii) the claimant agrees that the claim is an obligation of the specific Debtor against which the claim is listed on the Schedules;

- (c) any person or entity that holds a claim that has been allowed by an order of the Court entered on or prior to the applicable Bar Date;
- (d) any person or entity whose claim has been paid in full by any of the Debtors;
- (e) any current employee of the Debtors, solely with respect to any claim based on the payment of an obligation arising in the ordinary course of business and previously authorized to be paid by (i) the Interim Order (I) Authorizing Debtors to Pay Prepetition Wages, Salaries, Employee Benefits and other Compensation and (II) Authorizing Debtors to Continue Employee Benefits Programs in the ordinary course of business entered on July 7, 2015 [ECF No. 54] and (ii) the Interim Order Authorizing (I) Debtors to (A) Continue, Renew, or Modify Their Liability, Property, Casualty and Other Insurance Programs and Honor All Obligations in Respect Thereof, and (B) Continue, Renew, or Modify their Prepetition Insurance Financing Agreements, and (II) Financial Institutions to Honor and Process Related Checks and Transfers, entered on July 7, 2015 [ECF No. 60]; provided, however, that if the Debtors provide written notice to any current employee stating that the Debtors do not intend to pay such claim, such employee shall have until the later of (i) the General Bar Date and (ii) thirty days from the date of service of such written notice, to file a proof of claim in respect of such claim;
- (f) any person or entity that holds a claim for which specific deadlines other than the Bar Dates have been fixed by an order of the Court entered on or prior to the applicable Bar Date;
- (g) any person or entity that holds a claim allowable under sections 503(b) and 507(a) of the Bankruptcy Code as an administrative expense (other than any claim allowable under section 503(b)(9) of the Bankruptcy Code);
- (h) any current officer, director or employee of the Debtors that holds a claim based on indemnification, contribution, or reimbursement;
- (i) any Debtor;
- (j) any person or entity that holds an interest in any Debtor, which interest is based exclusively upon the ownership of common stock or warrants, rights or options to purchase, sell or subscribe to common stock; *provided, however,* that interest holders who wish to assert claims (as opposed to ownership interests) against any of the Debtors (including claims for damages, rescission, reimbursement or contribution) that arise out of or

relate to the purchase or sale of an interest or otherwise in respect of such interest must file a proof of claim with respect to such claim on or prior to the applicable Bar Date.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you have a claim arising out of the rejection of an executory contract or unexpired lease, you must file a proof of claim by the later of (a) the applicable Bar Date and (b) 30 days after notice by the Debtors of (i) the entry of an order authorizing rejection to which the claim relates and (ii) the applicable Bar Date (unless the order authorizing such rejection provides otherwise). Notwithstanding the foregoing, a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a proof of claim for such amounts on or prior to the applicable Bar Date unless an exception identified in section 4 above applies.

6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXCEPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS DESCRIBED IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM WILL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTORS, THEIR SUCCESSORS, THEIR CHAPTER 11 ESTATES AND THEIR RESPECTIVE PROPERTY OR FILING A PROOF OF CLAIM WITH RESPECT TO SUCH CLAIM, FROM VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND FROM PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM OR RECEIVING FURTHER NOTICES REGARDING SUCH CLAIM.

7. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against one or more of the Debtors in the Debtors' Schedules.

If you rely on the Debtors' Schedules, it is your responsibility to determine that your claim is accurately listed on the Schedules. **As set forth above, if you agree with the nature, amount and status of your claim as listed on the Debtors' Schedules, and if you do not dispute that your claim is against only the specified Debtor, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a proof of claim.** Otherwise, or if you decide to file a proof of claim, you must do so prior to the applicable Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Debtors' Schedules are available for inspection on the Court's internet website at www.vaeb.uscourts.gov and on the independent website maintained by the Debtors, <http://www.upshotservices.com/msw>. A login and password to the Court's Public Access to Electronic Court Records ("PACER") are required to access www.vaeb.uscourts.gov and can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov. Copies of the Schedules may also be examined between the hours of 9:00 a.m. and 4:00 p.m. (prevailing **Eastern** Time), Monday through Friday, at the Office of the Clerk of the Bankruptcy Court, 701 East Broad Street, Suite 4000, Richmond, VA 23219-1888.

8. RESERVATION OF RIGHTS

The Debtors reserve their right to object to any proof of claim, whether filed or scheduled, on any grounds. The Debtors reserve their right to dispute or to assert offsets or defenses to any claim reflected on the Schedules or any amendments thereto, as to amount, liability, classification or otherwise, and to subsequently designate any claim as disputed, contingent, unliquidated or undetermined.

9. THE DEBTORS AND THEIR CASES:

The Debtors and their respective case numbers are identified as follows:

Morris Schneider Wittstadt Va., PLLC	(Case No. 15-33370-KLP)
Morris Schneider Wittstadt, PLLC	(Case No. 15-33371-KLP)
Morris Schneider Wittstadt, LLC	(Case No. 15-33372-KLP)
MSWLAW, Inc.	(Case No. 15-33373-KLP)
KLP Teays Valley Trustees, LLC	(Case No. 15-33374-KLP)
York Trustee Services, LLC	(Case No. 15-33375-KLP)
Wittstadt Title & Escrow Company, L.L.C.	(Case No. 15-33526-KLP)

A holder of a possible claim against the Debtors should consult an attorney regarding matters in connection with this Notice, such as whether the holder should file a proof of claim.

Dated: August 28, 2015

BY ORDER OF THE COURT

/s/ Jennifer M. McLemore

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