

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
VARIANT HOLDING COMPANY, LLC, et al.,¹) Case No. 14-12021 (BLS)
)
Debtors.) (Jointly Administered)
)
_____)

NOTICE OF BAR DATES FOR FILING PROOFS OF CLAIM

PLEASE TAKE NOTICE OF THE FOLLOWING:

On February 9, 2016, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered an order (the “Bar Date Order”) in the chapter 11 cases (the “Cases”) upon a motion of (the “Bar Date Motion”)² of the above-captioned debtors and debtors in possession other than Variant Holding Company, LLC (“Variant”) (collectively, the “Subsidiary Debtors”, and together with Variant, the “Debtors”) in accordance with Bankruptcy Rule 3003(c) fixing certain dates (collectively, the “Bar Dates”) by which parties holding claims against the Subsidiary Debtors that arose (or are deemed to have arisen) before the Petition Date must file proofs of claim against the Subsidiary Debtors. The list of Subsidiary Debtors is set forth below. Each important date is also expressly set forth below. This notice does not apply to bar date established in Variant’s case (the “Variant Bar Date”) as the Variant Bar Date has already passed.

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE HOLDING A CLAIM AGAINST THE SUBSIDIARY DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES. THEREFORE, YOU SHOULD READ THIS NOTICE CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Variant Holding Company, LLC (4044); Laser Focus Holding Company, LLC (9153); Laser Focus Commercial Investments, LLC (9326); Houston 2 Apartments, LLC (8886); 10400 Sandpiper Apartments, LLC (6556); 10301 Vista Apartments, LLC (8886); Houston 14 Apartments, LLC (7563); 12500 Plaza Apartments, LLC (7563); Pines of Westbury, Ltd (7563); 201 Ashton Oaks Apartments, LLC (7563); 13875 Cranbrook Forest Apartments, LLC (7563); 5900 Crystal Springs Apartments, LLC (7563); 7170 Las Palmas Apartments, LLC (7563); 11911 Park Texas Apartments, LLC (7563); 1201 Oaks of Brittany Apartments, LLC (7563); 3504 Mesa Ridge Apartments, LLC (7563); 667 Maxey Village Apartments, LLC (7563); 17103 Pine Forest Apartments, LLC (7563); 7600 Royal Oaks Apartments, LLC (7563); 4101 Pointe Apartments, LLC (7563); The Oaks at Stonecrest Apartments, LLC (5589); Numeric Commercial Investments, LLC (9443); FX3 Apartment Investors, LLC (4055); Royal Numeric FX Investments, LLC (6908); Broadmoor Apartments, LLC (7888); Chesapeake Apartments, LLC (5716); Holly Ridge Apartments, LLC (7117); Holly Tree Apartments, LLC (4288); Preston Valley Apartments, LLC (3356); Ravenwood Hills Apartments, LLC (8264); River Road Terrace Apartments, LLC (6396); Sandridge Apartments, LLC (3592); Majestic Heights Apartments, LLC (2174); Sonterra Apartments, LLC (6220); Toscana Villas Apartments, LLC (8873). The Debtors’ service address is: Variant Holding Company, LLC, c/o Development Specialists, Inc., 333 S. Grand Ave, Suite 4070, Los Angeles, CA 90071-1544.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Bar Date Motion.

List of Subsidiary Debtors

Laser Focus Holding Company, LLC	7600 Royal Oaks Apartments, LLC
Laser Focus Commercial Investments, LLC	4101 Pointe Apartments, LLC
Houston 2 Apartments, LLC	The Oaks at Stonecrest Apartments, LLC
10400 Sandpiper Apartments, LLC	Numeric Commercial Investments, LLC
10301 Vista Apartments, LLC	FX3 Apartment Investors, LLC
Houston 14 Apartments, LLC	Royal Numeric FX Investments, LLC
12500 Plaza Apartments, LLC	Broadmoor Apartments, LLC
Pines of Westbury, Ltd.	Chesapeake Apartments, LLC
201 Ashton Oaks Apartments, LLC	Holly Ridge Apartments, LLC
13875 Cranbrook Forest Apartments, LLC	Holly Tree Apartments, LLC
5900 Crystal Springs Apartments, LLC	Preston Valley Apartments, LLC
7170 Las Palmas Apartments, LLC	Ravenwood Hills Apartments, LLC
11911 Park Texas Apartments, LLC	River Road Terrace Apartments, LLC
1201 Oaks of Brittany Apartments, LLC	Sandridge Apartments, LLC
3504 Mesa Ridge Apartments, LLC	Majestic Heights Apartments, LLC
667 Maxey Village Apartments, LLC	Sonterra Apartments, LLC
17103 Pine Forest Apartments, LLC	Toscana Villas Apartments, LLC

Bar Dates Approved by the Court

The Court has established the following Bar Dates as those dates by which parties holding claims against the Subsidiary Debtors that arose (or are deemed to have arisen) before the Petition Date must file proofs of claim so that they are actually received by the Claims Agent:

- a. **April 11, 2016, at 4:00 p.m. (Mountain time)** (the “General Bar Date”) as the **last day** for the **filing of proofs of claim** in these Cases for all claims against the Subsidiary Debtors arising prior to January 12, 2016 (the “Petition Date”), including claims arising under section 503(b)(9) of the Bankruptcy Code; and
- b. **July 11, 2016, at 4:00 p.m. (Mountain time)** (the “Governmental Unit Bar Date”) as the **last day** for all governmental units, as defined in section 101(27) of the Bankruptcy Code, to assert claims against the Subsidiary Debtors arising before the Petition Date.

All claims, as defined in section 101(5) of title 11 of the United States Code (the “Bankruptcy Code”), **arising before the Petition Date**, and claims arising under section 503(b)(9) of the Bankruptcy Code, including in each case any claims against the Subsidiary Debtors’ estates based on the Subsidiary Debtors’ primary, secondary, direct, indirect, fixed, secured, unsecured, contingent, guaranteed, disputed, undisputed, liquidated, unliquidated, matured, unmatured, legal or equitable liability, or otherwise (each a “Claim”), except as otherwise provided for or specifically excepted herein, shall be filed as set forth below:

Instructions for Filing Proofs of Claim

- A. **Contents of Proofs of Claim.** Each proof of claim and proof of interest must (i) be written in English; (ii) include a claim amount denominated in United States dollars (and to the extent such claim is converted to United States dollars, the conversion rate used); (iii) conform substantially with Official Bankruptcy Form 410; (iv) be signed by the holder of the claim or by an authorized

agent or legal representative of the holder of the claim; and (v) be an original proof of claim (photocopies, telecopies or facsimiles will **not** be accepted).

- B. Supporting Documentation.** Each proof of claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d) (or, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available; provided, however, that a proof of claim may only be filed without supporting documentation upon the prior written consent of the Subsidiary Debtors' counsel; provided further, however, that any creditor that received such written consent shall be required to transmit such writings to the Subsidiary Debtors' counsel upon request no later than 14 days from the date of such request.
- C. Section 503(b)(9) Claims.** If you are filing a claim under Bankruptcy Code section 503(b)(9), you must indicate the amount of the claim that arises under Bankruptcy Code section 503(b)(9). For each claim under Bankruptcy Code section 503(b)(9), you must attach to the claim form a supplemental statement setting forth with specificity: (i) the date of shipment of the goods that you contend the Subsidiary Debtors received in the twenty (20) days before the Petition Date; (ii) the date, place, and method (including carrier name) of delivery of the goods you contend the Subsidiary Debtors received in the twenty (20) days before the Petition Date; (iii) the value of the goods you contend the Subsidiary Debtors received in the twenty (20) days before the Petition Date; and (iv) whether you timely made a demand to reclaim such goods under Bankruptcy Code section 546(c), including any documentation identifying such demand.
- D. Timely Service.** Each claim form, including supporting documentation, must be submitted: (i) electronically, on or before the Bar Dates, by completing the applicable form that can be accessed at the Claims Agent's website <http://www.upshotservices.com/variant> or (ii) by United States mail or other hand delivery system, so as to be **actually received** by the Claims Agent on or before the Bar Dates at the following address:

Variant Subsidiaries Claims Processing
c/o UpShot Services LLC
8269 E. 23rd Ave., Suite 275
Denver, CO 80238

<p>EXCEPT AS EXPRESSLY PERMITTED ABOVE, PROOF OF CLAIM FORMS OTHERWISE SUBMITTED BY FACSIMILE, TELECOPY, ELECTRONIC MAIL OR OTHER FORM OF ELECTRONIC SUBMISSION WILL <u>NOT</u> BE ACCEPTED.</p>

Receipt of Service. Holders of claims wishing to receive acknowledgment that their proofs of claim were received by the Claims Agent must submit (i) a copy of the proof of claim and (ii) a self-addressed, stamped envelope.

Consequences of Failing to Timely File Your Proof of Claim

Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you or any party or entity who is required, but fails, to file a proof of claim in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that **YOU SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION.**

Parties Who Do Not Need to File Proofs of Claim

The following claims are excepted from the provisions of the Bar Date Order (the “Excepted Claims”) and are not required to be filed on or before the General Bar Date or the Governmental Unit Bar Date:

- a. any person or entity who has already filed a claim with: (a) the Clerk of the Court (the “Clerk”) for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, DE 19801, or (b) the Claims Agent, including claims already duly filed in Variant’s chapter 11 case;
- b. any person or entity whose claim has been paid in full by the Subsidiary Debtors;
- c. any person or entity who is listed in the Subsidiary Debtors’ schedules of assets and liabilities or any amendments thereto (the “Schedules”), if and only if (i) the claimant does not dispute the amount, nature, and priority of its claim as designated in the Schedules, (ii) such claim is not designated in the Schedules as “contingent”, “unliquidated”, “subject to adjustment”, “disputed”, or “unknown” (or assigned a zero amount), and (iii) such claimant does not dispute that its claim is an obligation only of the specific Subsidiary Debtor against which the claim is listed in the Schedules;
- d. any person or entity that holds a claim that has been allowed by an order of this Court entered on or before the applicable Bar Date;
- e. any Subsidiary Debtor holding a claim against another Subsidiary Debtor; and
- f. any person or entity that holds a claim arising on or after the Petition Date.

Should the Court, in the future, fix a date by which the Excepted Claims must be filed, you will be notified.

Access to Claim Forms and Additional Information

A proof of claim form is attached to this notice as Exhibit 1. If you have any questions regarding the claims process and/or if you wish to obtain a copy of the Bar Date Motion, Bar Date Order, a claim form or related documents (and/or any other pleadings filed in the Debtors’ chapter 11 cases) you may do so by contacting the Debtors’ court-appointed claims and noticing agent, UpShot Services LLC (“UpShot”), in writing, at Variant Subsidiaries Claims Processing, c/o UpShot Services LLC, 8269 E. 23rd Ave., Suite 275, Denver, CO 80238 or by visiting the Debtors’ case website at <http://www.upshotservices.com/variant> or the Court’s website at <http://www.deb.uscourts.gov>. Copies of the Bar Date Order also may be examined between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding federal holidays, at the Office of the Clerk, 824 N. Market St., 3rd Floor, Wilmington,

DE 19801. If you have any questions concerning the filing or processing of claims, you may contact UpShot toll free (855) 812-6112 or via electronic mail at variantinfo@upshotservices.com.

Schedules of Assets and Liabilities

The Subsidiary Debtors have filed their Schedules with the Court on February 25, 2016. The Subsidiary Debtors' Schedules and the Bar Date Order may be examined and inspected by interested parties during regular business hours at the Clerk of the Bankruptcy Court, United States Bankruptcy Court, District of Delaware, 824 North Market Street, 3rd Floor, Wilmington, DE 19801. The Subsidiary Debtors' Schedules and the Bar Date Order are also available online, free of charge, at <http://www.upshotservices.com/variant>.

Reservation of Rights

Nothing contained in this notice is intended to or should be construed as a waiver of the Subsidiary Debtors' right to: (a) dispute, or assert offsets or defenses against, any filed claim or interest or any claim or interest listed or reflected in the Schedules as to the nature, amount, liability, classification or validity thereof; (b) subsequently designate any scheduled claim or interest as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules.

This notice may have been sent inadvertently to persons or entities that may not actually have a claim against the Subsidiary Debtors. The fact that you have received this notice does not mean that you have a claim, or that the Subsidiary Debtors or the Court concede that you have a claim.

If you have any questions relating to this Notice, contact UpShot toll free at (855) 812-6112 or via electronic mail at variantinfo@upshotservices.com. Neither counsel for the Debtors nor UpShot are authorized to provide you with legal advice.

Dated: February 26, 2016

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