# IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF KANSAS AT KANSAS CITY

#### **CERTIFICATE OF SERVICE RE:**

Docket No. 1756 ORDER AND FINDINGS OF FACT AND CONCLUSIONS OF LAW GRANTING DEBTORS' MOTION (No. 9) TO APPROVE (A) SALE OF CERTAIN REAL PROPERTY FREE AND CLEAR OF ALL LIENS, INTERESTS, CLAIMS AND ENCUMBRANCES, AND (B) RELATED RELIEF PURSUANT TO 11 U.S.C. §§102, 105 AND 363 [Re: Docket No. 1721] [copy attached hereto as Exhibit 1]

<sup>1</sup> The Debtors in this case are: ACLOST, LLC, Bricktown Residence Catering Co., Inc., Chateau Catering Co., Inc., Chateau Lake, LLC, Civic Center Redevelopment Corp., Concord Golf Catering Co., Inc., Concord Hotel Catering Co., Inc., East Peoria Catering Co., Inc., Fort Smith Catering Co., Inc., Franklin/Crescent Catering Co., Inc., Glendale Coyotes Catering Co., Inc., Glendale Coyotes Hotel Catering Co., Inc., Hammons, Inc., Hammons of Colorado, LLC, Hammons of Franklin, LLC, Hammons of Huntsville, LLC, Hammons of Lincoln, LLC, Hammons of New Mexico, LLC, Hammons of Oklahoma City, LLC, Hammons of Richardson, LLC, Hammons of Rogers, Inc., Hammons of Sioux Falls, LLC, Hammons of South Carolina, LLC, Hammons of Tulsa, LLC, Hampton Catering Co., Inc., Hot Springs Catering Co., Inc., Huntsville Catering, LLC, International Catering Co., Inc., John Q. Hammons 2015 Loan Holdings, LLC, John Q. Hammons Fall 2006, LLC, John Q. Hammons Hotels Development, LLC, John Q. Hammons Hotels Management I Corporation, John Q. Hammons Hotels Management II, LP, John Q. Hammons Hotels Management, LLC, Joplin Residence Catering Co., Inc., JQH - Allen Development, LLC, JQH - Concord Development, LLC, JQH - East Peoria Development, LLC, JQH - Ft. Smith Development, LLC, JQH - Glendale AZ Development, LLC, JQH - Kansas City Development, LLC, JQH - La Vista Conference Center Development, LLC, JQH - La Vista CY Development, LLC, JQH - La Vista III Development, LLC, JQH - Lake of the Ozarks Development, LLC, JQH - Murfreesboro Development, LLC, JQH -Normal Development, LLC, JQH - Norman Development, LLC, JQH - Oklahoma City Bricktown Development, LLC, JQH - Olathe Development, LLC, JQH - Pleasant Grove Development, LLC, JQH - Rogers Convention Center Development, LLC, JQH - San Marcos Development, LLC, Junction City Catering Co., Inc., KC Residence Catering Co., Inc., La Vista CY Catering Co., Inc., La Vista ES Catering Co., Inc., Lincoln P Street Catering Co., Inc., Loveland Catering Co., Inc., Manzano Catering Co., Inc., Murfreesboro Catering Co., Inc., Normal Catering Co., Inc., OKC Courtyard Catering Co., Inc., R-2 Operating Co., Inc., Revocable Trust of John Q. Hammons Dated December 28, 1989 as Amended and Restated, Richardson Hammons, LP, Rogers ES Catering Co., Inc., SGF -Courtyard Catering Co., Inc., Sioux Falls Convention/Arena Catering Co., Inc., St Charles Catering Co., Inc., Tulsa/169 Catering Co., Inc., and U.P. Catering Co., Inc.; City Centre Hotel Corporation; Hammons of Arkansas, LLC; Hammons of Frisco, LLC; John Q. Hammons Center, LLC

Docket
No. 1757
ORDER GRANTING FOURTH INTERIM APPLICATION OF
STINSON LEONARD STREET LLP FOR SERVICES RENDERED
AND REIMBURSEMENT OF EXPENSES INCURRED AS COUNSEL
TO THE DEBTORS [Re: Docket No. 1723]
[copy attached hereto as Exhibit 2]

Exhibit 3 NOTICE OF ELECTRONIC FILING [Re: Docket Text: Hearing Set (RE: related document(s)[1725] Generic Motion filed by Debtor John Q. Hammons Fall 2006, LLC) Hearing to be held on 2/12/2018 at 01:30 PM] [copy attached hereto]

I, James H. Myers, state as follows:

- 1. I am over eighteen years of age and I believe the statements contained herein are true based on my personal knowledge. My business address is c/o BMC Group, Inc., 3732 West 120th Street, Hawthorne, California 90250.
- 2. On February 6, 2018, at the direction of Stinson Leonard Street LLP, counsel for the debtors, the above referenced documents were served on the parties listed in Exhibits A through D via the modes of service indicated thereon:

Exhibit A The Master Service List Parties Address List regarding Docket Nos. 1756 and 1757 and Exhibit 3

Exhibit B The Affected Parties Address List regarding docket Nos. 1756 and Exhibit 3

Exhibit C The Affected Parties Address List regarding Docket No. 1756

Exhibit D The Affected Parties Address List regarding Exhibit 3

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

James & Mys

Executed on the day of February 2018 at Hawthorne, California.

James H. Myers

# **EXHIBIT 1**

The relief described hereinbelow is SO ORDERED.

SIGNED this 6th day of February, 2018.

Robert D. Berger United States Bankruptcy Judge

# IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF KANSAS

| In re:                                  | ) |                   |
|---|---|-------------------|
|   | ) | Case No. 16-21142 |
| JOHN Q. HAMMONS FALL 2006, LLC, et al., | ) | (Lead Case)       |
|   | ) |                   |
| Debtors.                                | ) | Chapter 11        |

ORDER AND FINDINGS OF FACT AND CONCLUSIONS OF LAW GRANTING DEBTORS' MOTION (No. 9) TO APPROVE (A) SALE OF CERTAIN REAL PROPERTY FREE AND CLEAR OF ALL LIENS, INTERESTS, CLAIMS AND ENCUMBRANCES, AND (B) RELATED RELIEF PURSUANT TO 11 U.S.C. §§102, 105 AND 363

This matter came before the Court on the Debtors' Motion (No. 9) to Approve (A) Sale of Certain Real Property Free and Clear of All Liens, Interests, Claims and Encumbrances, and (B) Related Relief Pursuant to 11 U.S.C. §§ 102, 105 and 363 [ECF No. 1721] (the "Motion"). No objections to the Motion were filed.

Due and appropriate notice of the Motion was provided to all known creditors and parties-in-interest, entities, and persons so entitled thereto, as evidenced by the Certificates of Service separately filed with this Court by BMC Group Inc., noticing agent for the Debtors.

All parties-in-interest had the opportunity to be heard, and the Court, having reviewed the Motion and the record in this case, hereby makes the following Findings of Fact and Conclusions of Law.

#### JURISDICTION AND VENUE

- 1. On June 26, 2016 (the "Commencement Date"), the Debtors commenced chapter 11 bankruptcy cases by filing their bankruptcy petitions in this Court.
  - 2. Debtors continue to operate as debtors-in-possession pursuant to 11 U.S.C. § 1107.
  - 3. An official committee of unsecured creditors has not been appointed in this case.
- 4. The Motion seeks relief pursuant to 11 U.S.C. § 363(b). This proceeding therefore arises under the provisions of title 11 of the United States Code (the "Bankruptcy Code") and arises in the captioned bankruptcy cases. This Court thus has jurisdiction by reason of reference of this proceeding from the United States District Court and venue is proper. *See* 28 U.S.C. §§ 157(a) & 1334(a) and (b), 1408, and 1409. The motion is a core proceeding. *See* 28 U.S.C. §§ 157(b)(2)(M) & (b)(3). This Court may therefore enter a final judgment on the Motion.

#### **FINDINGS OF FACT**

#### **Background**

- 5. The Debtors in these chapter 11 cases consist of the Revocable Trust of John Q. Hammons, Dated December 28, 1989 as Amended and Restated (the "Trust") and 75 of its directly or indirectly wholly owned subsidiaries and affiliates.
- 6. One of the assets owned by the Trust is approximately 7 acres of vacant land in the Highland Springs development located in Springfield, Missouri and more fully described on

Exhibit A hereto (the "Real Estate").

- 7. The Trust previously engaged Murney Associates (the "Broker") to solicit offers for the Real Estate. Based on its knowledge of the market and the area, the Broker recommended that the Trust list the Real Estate for sale at a list price of \$1,500,000.00.
- 8. On January 6, 2018, the Trust received an offer to purchase the Real Estate from J.A. Hagale (the "Purchaser") for list price. After negotiating with the Purchaser, the Trust and the Purchaser entered into a Commercial & Industrial Real Estate Contract, a true and correct copy of which is attached as Exhibit B hereto (the "Purchase Agreement").
- 9. Under the terms of the Purchase Agreement, the Purchaser agreed to pay \$1,500,000.00 in cash for the Real Estate ("Purchase Price"). The Purchase Agreement provides that the sale is conditioned upon Court approval is set to close by February 28, 2018.
- 10. Based on the Broker's opinion of the Real Estate's value and the offer received, the Debtors believe that the Purchase Price is equal to the fair market value of the Real Estate and represents the highest and best offer for the Real Estate.
  - 11. The Debtors believe a prompt sale of the Real Estate pursuant to section 363(b) of the Bankruptcy Code is the principal and most viable option in order to maximize the value of the Real Estate for the benefit of its creditors. The Real Estate is unimproved land which does not generate income and the sale enables the Trust to convert the land to cash and thereby enhance its ability to pay claims in its bankruptcy case.

#### The Purchase Agreement

12. Under the terms of the Purchase Agreement, the Purchaser will pay the Purchase Price for the Real Estate in cash. The Purchase Agreement provides for the transfer and sale to the Purchaser of the Real Estate, free and clear of liens, claims and encumbrances pursuant to § 363(f) of the Bankruptcy Code.

#### **Existing Liens**

13. Great Southern Bank asserts a lien on the Real Estate by virtue of its Deed of Trust dated August 21, 1995, recorded August 22, 1995 in the Green County, Missouri Recorder of Deeds Office as Document Number 028071-95 in Book 2397 at Page 73 (as modified from time to time, the "Deed of Trust").

14. By agreement of the parties, Great Southern Bank's lien that encumbers only the Real Estate will be satisfied by payment to Great Southern Bank from the sale of the Real Estate of the greater of (1) 80% of the sale proceeds, less standard closing costs, or (2) \$50,000.00.

15. Moreover, Great Southern Bank's liens on any other assets of the Debtors (including any other tracts of land in the Highland Springs residential development located in Springfield, Missouri) other than the Real Estate are unaffected by this Order and remain in full force and effect.

16. Great Southern Bank has consented to the sale of the Real Estate free and clear of its lien on the terms and conditions set forth herein.

17. Any real estate taxes currently owing with respect to the Real Estate will be paid at closing.

18. There are no other liens on the Real Estate.

19. JDH did not object to the Motion. The Court finds that the Real Estate is not subject to the Sponsor Entity Right of First Refusal Agreement, Dated September 16, 2005 and Agreement and Amendment, Dated December 10, 2008 (collectively, the "ROFR"). As a consequence, for the reasons provided in this Court's prior sale orders, the Court rules that the sale of the Real Estate free and clear of the ROFR, to the extent the ROFR is an interest in the Real Estate, is proper and appropriate.

#### **Competing Bidders**

20. No other party attempted to make a bid for the Real Estate. Accordingly, only the Purchaser presented itself as a bidder for the Real Estate and no competitive bids were presented.

#### **Authority to Approve Sale of the Real Estate**

21. Section 363 of the Bankruptcy Code provides for the sale of a debtor's assets out of the ordinary course of business.

#### **Good Faith of Purchaser**

22. No party objected to the Debtors' averments in the Motion that the Purchaser was a good faith purchaser entitled to the protections of section 363(m) of the Bankruptcy Code. Based on the uncontested averments set forth in the Motion, which the Court accepts as evidence in consideration of the Motion, the Court determines that the Purchaser is purchasing the Real Estate in good faith and is a good faith purchaser, within the meaning of section 363(m) of the Bankruptcy Code, and otherwise has proceeded in good faith in all respects in connection with this proceeding. For these reasons, the Court finds that the Purchaser is entitled to the protection of section 363(m) of the Bankruptcy Code.

#### **Approval of Motion**

- 23. The Purchaser is a third party purchaser unrelated to the Trust or any other Debtors.
- 24. The purchase terms, as set forth in the Purchase Agreement, are fair and reasonable under the circumstances of this case, including but not limited to the Purchase Price.
- 25. Based on these Findings of Fact, the Court finds there is a sound business purpose to proceed with the sale as it is proposed, the sale is in the best interests of the estate, all parties to the Purchase Agreement have acted in good faith, and the Motion should be approved.

#### **Purchase Price**

26. The Court finds that the fair market value of the Real Estate is no more than

\$1,500,000.00 and, thus, the Purchase Price of \$1,500,000.00 for the Real Estate (less standard closing costs) is fair and reasonable.

#### **CONCLUSIONS OF LAW**

In addition to the foregoing findings of fact, the Court makes the following conclusions of law:

- 27. This Order constitutes a final order within the meaning of 28 U.S.C. § 158(a)(1). To the extent necessary under Fed. R. Bankr. P. 9014, the Court expressly finds that there is no just reason for delay in the implementation of this Order, and expressly directs entry of this Order. Moreover, pursuant to Fed. R. Bankr. P. 6004(h), the Court rules that the fourteen (14) day stay of this Order authorizing the sale of the Real Estate should be, and hereby is, waived.
- 28. The proposed sale of the Real Estate to the Purchaser constitutes a sale of property of the Trust's estate outside the ordinary course of business within the meaning of section 363(b) of the Bankruptcy Code.
- 29. For good and valid reasons, this Court may authorize and approve a sale of the assets of a chapter 11 debtor pursuant to section 363(b) of the Bankruptcy Code without the necessity of following the procedures and making the findings required for the confirmation of a plan of reorganization. These legitimate and compelling reasons exist in this case.
- 30. Under the foregoing circumstances, the proposed sale of the Real Estate, in the absence of a confirmed plan, is both justified and appropriate.
- 31. A sale of the Real Estate pursuant to section 363(b) of the Bankruptcy Code is not prohibited in the absence of a confirmed chapter 11 plan. The sale of the Real Estate does not constitute a sale of all of the Debtors' assets, and approval of the sale of the Real Estate is within the sound discretion of the Court in light of the existing circumstances of this particular case.
  - 32. The provisions of section 363(f) of the Bankruptcy Code have been satisfied in one

or more of the following ways: (i) the only holder of a lien on the Real Estate – Great Southern Bank – has consented to the sale of the Real Estate free and clear of its lien; (ii) the only other possible lien against the Real Estate is to secure current real estate taxes owed and, as set forth in the Purchase Agreement, section 363(f) of the Bankruptcy Code is not implicated because the sale will not be free and clear of any such tax lien, but rather will result in the payment thereof at closing; and (iii) there are no other liens, interests, or encumbrances on the Real Estate. Specifically, with respect to the ROFR, JDH has acknowledged and agreed that the Real Estate is not subject to the ROFR. Moreover, even if the Real Estate is subject to the ROFR, the Court has approved rejection of the ROFR by final order. As a result, the provisions of section 363(f) of the Bankruptcy Code are not implicated with respect to the ROFR. Moreover, even if the Real Estate is subject to the ROFR, the Court approval of the sale free and clear of the ROFR is appropriate.

- 33. The sale of the Real Estate to the Purchaser free and clear of all liens, claims, encumbrances, and other interests in the Real Estate upon the terms and conditions set forth in the Purchase Agreement is in the best interests of the Trust, its creditors, and the bankruptcy estate.
- 34. Great Southern Bank's liens on any other assets of the Debtors (including any other tracts of land in the Highland Springs residential development located in Springfield, Missouri) other than the Real Estate are unaffected by this Order and remain in full force and effect.
- 35. The proposed sale of the Real Estate to the Purchaser constitutes a reasonable and sound exercise of the Trust's business judgment and should be approved.
- 36. For the reasons set forth in the Motion, good cause exists to approve the sale of the Real Estate to the Purchaser.

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, EFFECTIVE IMMEDIATELY, AS FOLLOWS:

37. The relief requested in the Motion is granted and approved in all respects. The

Purchase Agreement, and the transactions described and contemplated therein, is hereby

approved in all respects.

38. The Trust is hereby authorized and directed to: (a) sell the Real Estate to the

Purchaser upon the terms and conditions set forth in the Purchase Agreement; (b) take any and

all actions necessary or appropriate to consummate the sale of the Real Estate to the Purchaser

and the closing of the transaction, in accordance with the Purchase Agreement and this Order;

(c) perform, consummate, implement and close fully the Purchase Agreement together with all

additional instruments and documents that may be reasonably necessary or desirable to

implement the Purchase Agreement, and (d) take all further actions as may be necessary or

appropriate to the performance of the obligations as contemplated by the Purchase Agreement.

39. Upon the closing, the Real Estate shall be transferred, sold and delivered to the

Purchaser free and clear of all liens, claims, encumbrances, and other interests pursuant to section

363(f) of the Bankruptcy Code, and, consistent with the terms of the Agreement, the Trust is

authorized and directed to execute such transfer documents as are necessary to transfer the Real

Estate to the Purchaser, including bills of sale, title transfer documents, deeds, and assignments.

40. At the time of closing, and from the proceeds of the sale, the Trust is authorized and

directed to pay its share of the closing costs and all past due and outstanding taxes with respect to

the Real Estate. The Trust is further directed to pay to Great Southern Bank in satisfaction of its

lien on the Real Estate the greater of (1) 80% of the sale proceeds, less standard closing costs, or

(2) \$50,000.00.

41. This Order: (a) is effective as a determination that, upon closing, all liens, claims, encumbrances, and other interests, whether voluntary, involuntary, statutory, tax liens or otherwise, existing in, to and on the Real Estate conveyed to the Purchaser have been, and hereby are adjudged and declared to be, unconditionally released, discharged and terminated, and that the conveyances described herein have been made free and clear of all such liens, claims, encumbrances, and interests, with such liens, claims, encumbrances, and interests to attach to the proceeds of the sale, and (b) shall be binding upon and govern the acts of all entities, including, all creditors of the Trust and other parties in interest, filing agents, filing officers, title agents, title companies, recorders of mortgages or deeds, registrars of deeds, administrative agencies, governmental departments, secretaries of state, federal, state, county, and local officials and all other persons and entities who may be required by operation of law, the duties of their office, or contract, to accept, file, register or otherwise record or release any documents or instruments, or who may be required to report or insure any title or state of title in or to the Real Estate conveyed to the Purchaser. All creditors of the Trust are hereby enjoined from commencing any action or proceeding against the Purchaser to recover all or any portion of the Real Estate or to secure payment of claims which were incurred by the Trust prior to closing.

42. The Trust is hereby authorized to take such corporate action as may be necessary to implement the provisions of the Purchase Agreement, to execute and file any necessary document with any appropriate secretary of state, and this Order shall constitute all approvals and consents, if any, required by the laws of any state necessary to file, record and accept such documents.

43. This Court retains jurisdiction to: (a) interpret, implement and enforce the terms and provisions of this Order (including the injunctive relief provided in this Order) and the terms of

the Purchase Agreement, all amendments thereto and any waivers and consents thereunder and of

each of the agreements executed in connection therewith; (b) protect the Purchaser, or the Real

Estate, against and from any of the liabilities of the Trust; and (c) interpret, implement and

enforce the provisions of this Order.

44. The failure specifically to include any particular provisions of the Motion or

Purchase Agreement in this Order shall not diminish or impair the efficacy of such provision, it

being the intent of the Court that the Motion and Purchase Agreement be authorized and

approved in their entirety.

IT IS SO ORDERED.

###

#### STINSON LEONARD STREET LLP

By: <u>/s/ Mark Shaiken</u>

Mark Carder KS # 11529

Mark Shaiken KS # 11011

1201 Walnut, Suite 2900

Kansas City, MO 64106

Telephone: (816) 842-8600 Facsimile: (816) 691-3495 mark.carder@stinson.com

mark.shaiken@stinson.com

COUNSEL FOR THE DEBTORS

#### **EXHIBIT A – REAL ESTATE DESCRIPTION**

ALL OF TRACT B, FINAL PLAT OF KINGSWOOD ADDITION TO HIGHLAND SPRINGS, A SUBDIVISION IN GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

# **EXHIBIT 2**

The relief described hereinbelow is SO ORDERED. SIGNED this 6th day of February, 2018.



Robert D. Berger United States Bankruptcy Judge

# IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF KANSAS

| In re:                                  | ) |                   |
|---|---|-------------------|
|   | ) | Case No. 16-21142 |
| JOHN Q. HAMMONS FALL 2006, LLC, et al., | ) | (Lead Case)       |
|   | ) |                   |
| Debtors.                                | ) | Chapter 11        |

# ORDER GRANTING FOURTH INTERIM APPLICATION OF STINSON LEONARD STREET LLP FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES INCURRED AS COUNSEL TO THE DEBTORS

This matter comes before the Court on the Fourth Interim Application of Stinson Leonard Street LLP ("Applicant") for Services Rendered and Expenses Incurred as Counsel to the Debtors (ECF Doc. 1723) (the "Application"), by which Applicant, as counsel to the Debtors, moved for an Order approving on an interim basis the fees and expenses incurred from June 1, 2017 through September 30, 2017 (the "Fourth Interim Period"). The Court having reviewed the Application; the Court having determined that the relief requested in the Application is in the best interests of Debtors, their estates, their creditors and other parties-in-interest; cause exists to

grant the relief requested in the Application; it appearing that notice of the hearing on the

Application was good and sufficient under the particular circumstances and that no other or

further notice need be given; it appearing that are no objections to the Application; and upon the

record herein; and after due deliberation thereon; therefore, it is hereby ORDERED THAT:

1. The Application is GRANTED as set forth herein.

2. Applicant is awarded, on an interim basis, fees for professional services rendered

during the Fourth Interim Period in the aggregate amount of \$978,344.50, and reimbursement for

actual and necessary expenses incurred by Applicant during the Fourth Interim Period in the

aggregate amount of \$12,784.75.

3. Applicant shall be allowed to retain and apply the previous amounts paid to Applicant

for the Fourth Interim Period in the aggregate amount of \$893,294.80.

4. The Debtors are authorized to pay Applicant the pay the unpaid balance of \$97,834.45

for Applicant's unpaid approved fees during the Fourth Interim Period.

IT IS SO ORDERED.

###

SUBMITTED BY:

STINSON LEONARD STREET LLP

By: \_\_/s/ Mark Shaiken

Mark Shaiken KS # 11011

Mark Carder KS # 11529

1201 Walnut, Suite 2900

Kansas City, MO 64106

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mark.shaiken@stinson.com

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COUNSEL FOR THE DEBTORS

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# **EXHIBIT 3**

#### U.S. Bankruptcy Court

#### **District of Kansas**

#### Notice of Electronic Filing

The following transaction was received from kcm entered on 2/6/2018 at 8:05 AM CST and filed on 2/6/2018

Case Name: John Q. Hammons Fall 2006, LLC

**Case Number:** <u>16-21142</u>

**Document Number:** 

#### **Docket Text:**

Hearing Set (RE: related document(s)[1725] Generic Motion filed by Debtor John Q. Hammons Fall 2006, LLC) Hearing to be held on 2/12/2018 at 01:30 PM KC Room 151 for [1725], (kcm)

# **EXHIBIT A**

#### **JQH**

Total number of parties: 226

| Svc Lst | Name and Address of Served Party   | Mode of Service     |
|---------|--|---------------------|
| 66801   | ABERNATHY/ROEDER/BOYD & JOPLIN, PC, LARRY R. BOYD / RICHARD M ABERNATHY, (RE: CITY OF FRISCO, TEXAS), LBOYD@ABERNATHY-LAW.COM        | E-mail              |
| 66801   | ABERNATHY/ROEDER/BOYD & JOPLIN, PC, LARRY R. BOYD / RICHARD M ABERNATHY, (RE: CITY OF FRISCO, TEXAS), RABERNATHY@ABERNATHY-LAW.COM   | E-mail              |
| 66801   | ALSTON & BIRD LLP, LEIB M. LERNER, (RE: HOLIDAY HOSPITALITY FRANCHISING LLC), LEIB.LERNER@ALSTON.COM                                 | E-mail              |
| 66801   | ALSTON & BIRD LLP, SAGE M. SIGLER, (RE: HLT EXISTING FRANCHISE HOLDING, LLC), SAGE.SIGLER@ALSTON.COM                                 | E-mail              |
| 66802   | AMARKO STAFF - PAYABLE TO, RIVIERA FINANCE, PO BOX 202485, DALLAS, TX, 75320-2485  | US Mail (1st Class) |
| 66802   | AMERICAN HOTEL REGISTER, 100 S MILWAUKEE AVE, VERSON HILLS, IL, 60061  | US Mail (1st Class) |
| 66802   | AMERICAN VALET, 8902 N CENTRAL AVENUE, PHOENIX, AZ, 85020  | US Mail (1st Class) |
| 66801   | ARMSTRONG TEASDALE LLP, CHRISTINE SCHLOMANN, J MCCLELLAND, (RE: MISSOURI STATE UNIVERSITY & MSUF), CSCHLOMANN@ARMSTRONGTEASDALE.COM  | E-mail              |
| 66801   | ARMSTRONG TEASDALE LLP, CHRISTINE SCHLOMANN, J MCCLELLAND, (RE: MISSOURI STATE UNIVERSITY & MSUF), JMCCLELLAND@ARMSTRONGTEASDALE.COM | E-mail              |
| 66801   | ARMSTRONG TEASDALE LLP, CHRISTINE SCHLOMANN, J MCCLELLAND, (RE: MISSOURI STATE UNIVERSITY & MSUF), DGOING@ARMSTRONGTEASDALE.COM      | E-mail              |
| 66801   | ARNALL GOLDEN GREGORY LLP, DARRYL S. LADDIN, ESQ., (RE: SYSCO), DARRYL.LADDIN@AGG.COM  | E-mail              |
| 66801   | ASSISTANT UNITED STATES TRUSTEE, JORDAN SICKMAN, JORDAN.SICKMAN@USDOJ.GOV  | E-mail              |
| 66802   | BANK OF BLUE VALLEY, S FLEISCHAKER OR KAREN CULBERTSON, 11935 RILEY, OVERLAND PARK, KS, 66213  | US Mail (1st Class) |
| 66802   | BAY VIEW FUNDING, FOR ROMO STAFFING LLC, PO BOX 204703, DALLAS, TX, 75320-4703   | US Mail (1st Class) |
| 66802   | BERKADIA COMMERCIAL MORTGAGE LLC, CLIENT RELATIONS DEPT, 323 NORRISTOWN RD STE 300, AMBLER, PA, 19002-2758                           | US Mail (1st Class) |
| 66802   | BOKF, NA D/B/A BANK OF OKLAHOMA, ATTN: BRYAN GEIGER, COMMERCE BANKING CENTER, 9520 NORTH MAY AVE, OKLAHOMA CITY, OK, 73120           | US Mail (1st Class) |
| 66802   | BROWN'S COMMUNICATION, INC., PO BOX 6506, SILOAM SPRINGS, AR, 72761  | US Mail (1st Class) |
| 66801   | BRYAN CAVE LLP, WILLIAM J. MALONEY, (RE: GREAT SOUTHERN BANK), WJMALONEY@BRYANCAVE.COM   | E-mail              |
| 66801   | BRYAN CAVE LLP, WILLIAM J. MALONEY, (RE: GREAT SOUTHERN BANK), MAFOSDICK@BRYANCAVE.COM   | E-mail              |
| 66801   | BUCHALTER NEMER,A PROFESSIONAL CORP, SHAWN M CHRISTIANSON, ESQ, (RE: ORACLE AMERICA INC), SCHRISTIANSON@BUCHALTER.COM                | E-mail              |
| 66801   | CARMODY MACDONALD P.C., SPENCER P. DESAI, ESQ., (RE: UBS SECURITIES LLC), SPD@CARMODYMACDONALD.COM                                   | E-mail              |
| 66802   | CINTAS CORP, 97627 EAGLE WAY, CHICAGO, IL, 60678   | US Mail (1st Class) |
| 66802   | CITY OF GLENDALE, PO BOX 500, GLENDALE, AZ, 85311-0500   | US Mail (1st Class) |
| 66802   | CITY OF LA VISTA, ATTN: BRENDA GUNN, 8116 PARK VIEW BLVD, LA VISTA, NE, 68128  | US Mail (1st Class) |
| 66801   | CITY OF MURFREESBORO LEGAL DEPT, CRAIG D TINDALL, (RE: CITY OF MURFREESBORO TENNESSEE), CTINDALL@MURFREESBOROTN.GOV                  | E-mail              |
| 66801   | CITY OF SAN MARCOS, ATTN: JOHN THOMAIDES, MAYOR, JTHOMAIDES@SANMARCOSTX.GOV  | E-mail              |
| 66801   | CITY OF SAN MARCOS, ATTN: JOHN THOMAIDES, MAYOR, JCASE@SANMARCOSTX.GOV   | E-mail              |
| 66802   | CITY OF SAN MARCOS, ATTN: JOHN THOMAIDES, MAYOR, 630 E HOPKINS, SAN MARCOS, TX, 78666  | US Mail (1st Class) |
| 66801   | CITY OF SPRINGFIELD, MO, CITY@SPRINGFIELDMO.GOV  | E-mail              |
| 66802   | CITY OF SPRINGFIELD, MO, LAND CLEARANCE REDEVELOP AUTH, 840 BOONVILLE, SPRINGFIELD, MO, 65801  | US Mail (1st Class) |
|         |  |                     |

| Svc Lst | Name and Address of Served Party  | Mode of Service     |
|---------|---|---------------------|
| 66802   | COMMAND CENTER, 3609 SO. WADSWORTH BLVD, STE 250, LAKEWOOD, CO, 80235   | US Mail (1st Class) |
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| 66801   | TN DEPT OF REVENUE, GILL GELDREICH, GILL.GELDREICH@AG.TN.GOV   | E-mail              |
| 66802   | TUMI STAFFING INC., PO BOX 592715, SAN ANTONIO, TX, 78259  | US Mail (1st Class) |
| 66802   | U S ATTORNEY GENERAL, U S COURTHOUSE, 400 EAST 9TH ST, KANSAS CITY, MO, 64106  | US Mail (1st Class) |
| 66802   | U S ATTORNEY GENERAL, BANKRUPTCY PROCESSING CLERK, MAIN JUSTICE BLDG, 950 PENNSYLVANIA AV NW RM 5111, WASHINGTON, DC, 20530                                | US Mail (1st Class) |
| 66802   | U S BANK NA, AS TRUSTEE FOR THE, REG HOLDERS OF BANC OF AMERICA COMM, MORTGAGE, INC.,, 209 SOUTH LASALLE ST, SUITE 300, CHICAGO, IL, 60604                 | US Mail (1st Class) |
| 66802   | U S BANK NA, AS TRUSTEE FOR THE, REG. HOLDERS OF JP MORGAN CHASE, COMMERCIAL MORTGAGE SEC CORP, ET AL, 209 SOUTH LASALLE ST, SUITE 300, CHICAGO, IL, 60604 | US Mail (1st Class) |
| 66802   | UMB BANK, N A , AS TRUSTEE, 2 SOUTH BROADWAY, SUITE 413, ST. LOUIS, MO, 63102-1713   | US Mail (1st Class) |
| 66802   | UMB BANK, N A, ATTN: CORPORATE TRUST DEPT, 2 SOUTH BROADWAY, SUITE 435, ST LOUIS, MO, $63102$  | US Mail (1st Class) |
| 66802   | UNIQUE TILE, 1364 N KELLY, NIXA, MO, 65714   | US Mail (1st Class) |
| 66802   | USTT INC., 300 CLANTON ROAD, CHARLOTTE, NC, 28217  | US Mail (1st Class) |
| 66801   | VALLEY VIEW STATE BANK, ATTN: JON FORGEY, PEKSTROM@VALLEYVIEWBANK.COM  | E-mail              |
| 66802   | VALLEY VIEW STATE BANK, ATTN: JON FORGEY, 7500 W. 95TH STREET, OVERLAND PARK, KS, 66212  | US Mail (1st Class) |
| 66801   | lem:lem:lem:lem:lem:lem:lem:lem:lem:lem:   | E-mail              |
| 66801   | lem:lem:lem:lem:lem:lem:lem:lem:lem:lem:   | E-mail              |
| 66801   | lem:lem:lem:lem:lem:lem:lem:lem:lem:lem:   | E-mail              |
| 66801   | VENABLE LLP, D S BUSHNAQ/F WH CARTER/G A CROSS, (RE: WILMINGTON TRUST, NA), DSBUSHNAQ@VENABLE.COM  | E-mail              |
| 66801   | VENABLE LLP, D S BUSHNAQ/F WH CARTER/G A CROSS, (RE: WILMINGTON TRUST, NA), FWHCARTER@VENABLE.COM  | E-mail              |
| 66801   | VENABLE LLP, D S BUSHNAQ/F WH CARTER/G A CROSS, (RE: WILMINGTON TRUST, NA), GACROSS@VENABLE.COM  | E-mail              |
| 66801   | VENABLE LLP, D. BUSHNAQ, F. WH. CARTER, G. CROSS, (RE: WELLS FARGO BANK N.A.), DSBUSHNAQ@VENABLE.COM   | E-mail              |
| 66801   | VENABLE LLP, D. BUSHNAQ, F. WH. CARTER, G. CROSS, (RE: WELLS FARGO BANK N.A.), FWHCARTER@VENABLE.COM   | E-mail              |
| 66801   | VENABLE LLP, D. BUSHNAQ, F. WH. CARTER, G. CROSS, (RE: WELLS FARGO BANK N.A.), GACROSS@VENABLE.COM   | E-mail              |

| Svc Lst | Name and Address of Served Party  | Mode of Service     |
|---------|---|---------------------|
| 66801   | VENABLE LLP, F.W.H. CARTER,D. BUSHNAQ,G. CROSS, (RE: DEUTSCHE BANK TRUST COMPANY AMERICA), FWHCARTER@VENABLE.COM  | E-mail              |
| 66802   | WELLS FARGO BANK, N A, ATTN: CARRIE BOOKER/TRAVIS GOLDEN, 1901 HARRISON ST, 2ND FLOOR, OAKLAND, CA, 94612   | US Mail (1st Class) |
| 66801   | WELLS FARGO VENDOR FINAN SVCS, LLC, BANKRUPTCY ADMINISTRATION, CHRISTINE.ETHERIDGE@LEASINGCONNECTION.COM  | E-mail              |
| 66802   | WILMINGTON TRUST, NA, AS TRUSTEE, FOR THE REGISTERED HOLDERS OF WELLS, FARGO COMM. MORTGAGE TRUST 2015-C26, 2100 ROSS AVENUE, SUITE 2500, DALLAS, TX, 75201 | US Mail (1st Class) |
| 66802   | YOUNG WOMEN'S COLLEGE, PREP ACADEMY, 1906 CLEBURNE STREET, HOUSTON, TX, 77004   | US Mail (1st Class) |

Subtotal for this group: 201

# **EXHIBIT B**

| Svc Lst | Name and Address of Served Party   | Mode of Service |
|---------|--|-----------------|
| 66803   | ATRIUM HOLDING COMPANY, BRIAN CAMERON, GENERAL COUNSEL, BCAMERON@ATRIUMLLC.COM             | E-mail          |
| 66803   | JD HOLDINGS LLC, JED SCHWARTZ, ESQ., JSCHWARTZ@MILBANK.COM                                 | E-mail          |
| 66803   | MARGOLIES, JONATHAN, (KS FED 70693), JMARGOLIES@MCDOWELLRICE.COM                           | E-mail          |
| 66803   | MCDOWELL RICE SMITH & BUCHANAN, JONATHAN MARGOLIES (MO 30770), JMARGOLIES@MCDOWELLRICE.COM | E-mail          |
| 66803   | MILBANK TWEED HADLEY & MCCLOY LLP, MARK SHINDERMAN, MSHINDERMAN@MILBANK.COM                | E-mail          |
| 66803   | MILBANK, TWEED, HADLEY & MCCLOY LLP, JED MASTREN SCHWARTZ, SEDELMAN@MILBANK.COM            | E-mail          |
| 66803   | MILBANK, TWEED, HADLEY & MCCLOY LLP, SCOTT EDELMAN, JSCHWARTZ@MILBANK.COM                  | E-mail          |

Subtotal for this group: 7

# **EXHIBIT C**

| Svc Lst | Name and Address of Served Party  | Mode of Service     |
|---------|---|---------------------|
| 66813   | ATRIUM HOLDING COMPANY, (RE: JD HOLDINGS LLC), BRIAN CAMERON, GENERAL COUNSEL, 1114<br>AVENUE OF THE AMERICAS, 38TH FL, NEW YORK, NY, 10036-7703                              | US Mail (1st Class) |
| 66813   | BRYAN CAVE LLP, (RE: GREAT SOUTHERN BANK), WILLIAM J. MALONEY, 1200 MAIN ST STE 3800, KANSAS CITY, MO, 64105-2339   | US Mail (1st Class) |
| 66812   | BRYAN CAVE LLP, WILLIAM J. MALONEY, WJMALONEY@BRYANCAVE.COM   | E-mail              |
| 66812   | GREAT SOUTHERN BANK, KWILSON@GREATSOUTHERNBANK.COM  | E-mail              |
| 66813   | GREAT SOUTHERN BANK, C/O J. KEVIN WILSON, 11050 ROE AVE STE 200, OVERLAND PARK, KS, 66211-1200  | US Mail (1st Class) |
| 66813   | GREENE COUNTY ASSESSOR OFFICE, 940 N BOONVILLE AVE, ROOM 37, SPRINGFIELD, MO, 65802-3802  | US Mail (1st Class) |
| 66813   | JD HOLDINGS LLC, JED SCHWARTZ, ESQ., 28 LIBERTY ST FL 46, NEW YORK, NY, 10005-1445  | US Mail (1st Class) |
| 66813   | MARGOLIES, JONATHAN, (RE: JD HOLDINGS LLC), SKELLY BUILDING, SUITE 350, (KS FED 70693), 605 W 47TH ST, KANSAS CITY, MO, 64112-1951  | US Mail (1st Class) |
| 66813   | MCDOWELL RICE SMITH & BUCHANAN, (RE: JD HOLDINGS LLC), JONATHAN MARGOLIES (MO 30770), SKELLY BUILDING, SUITE 350 (KS FED 70693), 605 WEST 47TH STREET, KANSAS CITY, MO, 64112 | US Mail (1st Class) |
| 66813   | MILBANK TWEED HADLEY & MCCLOY LLP, (RE: JD HOLDINGS LLC), MARK SHINDERMAN, 2029 CENTURY PARK E STE 3300, 33RD FLOOR, LOS ANGELES, CA, 90067-3019                              | US Mail (1st Class) |
| 66813   | MILBANK, TWEED, HADLEY & MCCLOY, LLP, (RE: JD HOLDINGS LLC), JED MASTREN SCHWARTZ, SCOTT EDELMAN, 28 LIBERTY ST FL 47, NEW YORK, NY, 10005-1445                               | US Mail (1st Class) |

Subtotal for this group: 11

# **EXHIBIT D**

| Svc Lst | Name and Address of Served Party  | Mode of Service     |
|---------|---|---------------------|
| 66804   | ATRIUM HOLDING COMPANY, (RE: JD HOLDINGS LLC), BRIAN CAMERON, GENERAL COUNSEL, 1114<br>AVENUE OF THE AMERICAS, 38TH FL, NEW YORK, NY, 10036-7703                              | US Mail (1st Class) |
| 66804   | CONCORD SPECIALTY RISK, 14 PENN PLAZA, 225 W. 34TH ST., STE 1510, NEW YORK, NY, 10122   | US Mail (1st Class) |
| 66804   | JD HOLDINGS LLC, JED SCHWARTZ, ESQ., 28 LIBERTY ST FL 46, NEW YORK, NY, 10005-1445  | US Mail (1st Class) |
| 66804   | MARGOLIES, JONATHAN, (RE: JD HOLDINGS LLC), SKELLY BUILDING, SUITE 350, (KS FED 70693), 605 W 47TH ST, KANSAS CITY, MO, 64112-1951  | US Mail (1st Class) |
| 66804   | MCDOWELL RICE SMITH & BUCHANAN, (RE: JD HOLDINGS LLC), JONATHAN MARGOLIES (MO 30770), SKELLY BUILDING, SUITE 350 (KS FED 70693), 605 WEST 47TH STREET, KANSAS CITY, MO, 64112 | US Mail (1st Class) |
| 66804   | MILBANK TWEED HADLEY & MCCLOY LLP, (RE: JD HOLDINGS LLC), MARK SHINDERMAN, 2029 CENTURY PARK E STE 3300, 33RD FLOOR, LOS ANGELES, CA, 90067-3019                              | US Mail (1st Class) |
| 66804   | MILBANK, TWEED, HADLEY & MCCLOY, LLP, (RE: JD HOLDINGS LLC), JED MASTREN SCHWARTZ, SCOTT EDELMAN, 28 LIBERTY ST FL 47, NEW YORK, NY, 10005-1445                               | US Mail (1st Class) |

Subtotal for this group: 7