In re: Oreck Corporation Debtor

Case No. 13-04006-KML Chapter 11

CERTIFICATE OF NOTICE

User: jlm5452 District/off: 0650-3 Page 1 of 5 Date Rcvd: Feb 13, 2014 Form ID: pdf001 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 15, 2014. 565 Marriott Dr., Suite 300, Nasvhille, TN 37214-5022

+Oreck Corporation,

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

DEREK W EDWARDS

DIANE W SANDERS

derek.edwards@wallerlaw.com,

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 15, 2014 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 13, 2014 at the address(es) listed below: ALEXANDRA E. DUGAN on behalf of Defendant Oreck Merchandising, LLC adugan@babc.com ALEXANDRA E. DUGAN on behalf of Debtor Vecteur, LLC adugan@babc.com Oreck Holdings, LLC adugan@babc.com Oreck Sales, LLC adugan@babc.com ALEXANDRA E. DUGAN on behalf of Debtor ALEXANDRA E. DUGAN on behalf of Debtor ALEXANDRA E. DUGAN on behalf of Debtor Oreck Merchandising, LLC adugan@babc.com ALEXANDRA E. DUGAN on behalf of Debtor Oreck Direct, LLC adugan@babc.com ALEXANDRA E. DUGAN on behalf of Debtor ASP Oreck, Inc. adugan@babc.com ALEXANDRA E. DUGAN Oreck Manufacturing Co. adugan@babc.com on behalf of Debtor ALEXANDRA E. DUGAN on behalf of Debtor Oreck Corporation adugan@babc.com ALEXANDRA E. DUGAN on behalf of Defendant Oreck Corporation adugan@babc.com ALEXANDRA E. DUGAN on behalf of Debtor Oreck HomeCare, LLC adugan@babc.com 8600 Associates Limited Partnership bdh@h3gm.com, on behalf of Creditor BARBARA DALE HOLMES usbcmail@h3gm.com 3600 Colonnade, LLC bdh@h3gm.com, usbcmail@h3gm.com Equity One (Southeast Portfolio), Inc. bdh@h3gm.com, BARBARA DALE HOLMES on behalf of Creditor on behalf of Creditor BARBARA DALE HOLMES usbcmail@h3gm.com BARBARA DALE HOLMES on behalf of Creditor Cole MT Chandler (Gateway) AZ, LLC bdh@h3gm.com, usbcmail@h3gm.com BARBARA DALE HOLMES on behalf of Creditor Tamarack Village Shopping Center bdh@h3gm.com, usbcmail@h3gm.com BARBARA DALE HOLMES on behalf of Creditor 8600 Colonnade LLC bdh@h3gm.com, usbcmail@h3gm.com BETH ROBERTS DERRICK on behalf of U.S. Trustee US TRUSTEE beth.r.derrick@usdoj.gov Passco Companies LLC brian.huben@kattenlaw.com, BRIAN DAVID HUBEN on behalf of Creditor dustin.branch@kattenlaw.com;carole.levine@kattenlaw.com;donna.carolo@kattenlaw.com BRIAN DAVID HUBEN on behalf of Creditor The Macerich Company brian.huben@kattenlaw.com, dustin.branch@kattenlaw.com;carole.levine@kattenlaw.com;donna.carolo@kattenlaw.com BRIAN DAVID HUBEN on behalf of Creditor UCR Asset Services brian.huben@kattenlaw.com, dustin.branch@kattenlaw.com;carole.levine@kattenlaw.com;donna.carolo@kattenlaw.com CHARLES M WALKER on behalf of U.S. Trustee US TRUSTEE charles.walker@usdoj.gov Lowenstein Sandler, LLP dpuryear@puryearlawgroup.com ommittee Official Committee of Unsecured Creditors on behalf of Attorney DANIEL HAYS PURYEAR DANIEL HAYS PURYEAR on behalf of Creditor Committee dpuryear@puryearlawgroup.com DANIEL HAYS PURYEAR on behalf of Financial Advisor Gavin/Solmonese, LLC dpuryear@puryearlawgroup.com DANIEL HAYS PURYEAR on behalf of Attorney Daniel H. Puryear dpuryear@puryearlawgroup.com on behalf of Interested Party Oreck Acquisition Holdings LLC DAVID W HOUSTON, IV dhouston@burr.com, mmayes@burr.com;fdelawal@burr.com;nashburrecf@gmail.com DENNIS W LOUGHLIN on behalf of Creditor Johnson Electric North America dloughlin@wnj.com, robinclark@wnj.com

on behalf of Creditor Round Rock ISD austin.bankruptcy@publicans.com on_behalf of Creditor Nueces County austin.bankruptcy@publicans.com DIANE W SANDERS Doc 1219 Filed 02/15/14 Entered 02/16/14 00:27:30 Desc Case 3:13-bk-04006 Imaged Certificate of Notice Page 1 of 9

on behalf of Creditor General Electric Capital Retail Bank

Chris.cronk@wallerlaw.com;bk@wallerlaw.com;nancy.easterling@wallerlaw.com;jnolan@pszjlaw.com

District/off: 0650-3 User: ilm5452 Page 2 of 5 Date Royd: Feb 13, 2014

Form ID: pdf001 Total Noticed: 1

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)
              DONALD J RAFFERTY on behalf of Interested Party SI Jacobson Manufacturing Company
               DRAFFERTY@CTKS.COM
              DUSTIN P BRANCH
                              on behalf of Creditor
                                                        UCR Asset Services dustin.branch@kattenlaw.com
                                on behalf of Creditor
              DUSTIN P BRANCH
                                                        Passco Companies LLC dustin.branch@kattenlaw.com
                               on behalf of Creditor
                                                        The Macerich Company dustin.branch@kattenlaw.com
              DUSTIN P BRANCH
              DUSTIN P BRANCH
                               on behalf of Creditor
                                                        Deutsche Asset Wealth Management
               dustin.branch@kattenlaw.com
              Daniel I Waxman
                               on behalf of Creditor
                                                        Lead Plaintiffs and Putative Class
               bvp@kirtlandpackard.com
                               on behalf of Creditor
              David L POLLACK
                                                        Novi Town Center Investors, LLC pollack@ballardspahr.com
              David L POLLACK
                                on behalf of Creditor
                                                       Brixmor Property Group, Inc. pollack@ballardspahr.com
              ELLEN B VERGOS
                               on behalf of Creditor Edward Paragin evergos@wyattfirm.com,
               sstuart@wyattfirm.com
              ELLEN B VERGOS
                              on behalf of Creditor
                                                       Lead Plaintiffs and Putative Class evergos@wyattfirm.com,
               sstuart@wyattfirm.com
              ELLEN B VERGOS
                               on behalf of Creditor Gina Chenier evergos@wyattfirm.com, sstuart@wyattfirm.com
                                                           Latta evergos@wyattfirm.com, sstuart@wyattfirm.com
              ELLEN B VERGOS
                               on behalf of Creditor Teri
              ELLEN B VERGOS
                               on behalf of Creditor Greg
                                                          Ruscitti evergos@wyattfirm.com,
               sstuart@wyattfirm.com
              ELLEN B VERGOS
                               on behalf of Creditor Scott Stiepleman evergos@wyattfirm.com,
               sstuart@wyattfirm.com
              ELLEN B VERGOS
                               on behalf of Creditor Linda Gonzalez evergos@wyattfirm.com,
               sstuart@wyattfirm.com
              ELLEN B VERGOS
                               on behalf of Creditor Gaya Yosri evergos@wyattfirm.com, sstuart@wyattfirm.com
                               on behalf of Creditor DDR Corp. ECotton@ddr.com
              ERIC C. COTTON
                               on behalf of Creditor
                                                        Zhao Hui Filters (US) Inc. ebarnes@stites.com,
              ERIKA R. BARNES
               Nashvillebankruptcyfilings@stites.com
                              on behalf of Creditor
              ERIKA R. BARNES
                                                        Wells Fargo Equipment Finance, a division of Wells
               Fargo Bank, N.A. ebarnes@stites.com, Nashvillebankruptcyfilings@stites.com
              ERIKA R. BARNES on behalf of Creditor
                                                        Empire Die Casting Co., Inc. ebarnes@stites.com,
               Nashvillebankruptcyfilings@stites.com
              ERIN ELIZABETH BRODERICK
                                        on behalf of Creditor
                                                                Simatelex Manufactory Company Limited
               erin.broderick@bakermckenzie.com
              FAISAL DELAWALLA on behalf of Interested Party
                                                                  Oreck Acquisition Holdings LLC
               fdelawal@burr.com, dhouston@burr.com;mmayes@burr.com
              H ELIZABETH WELLER
                                  on behalf of Creditor
                                                          City of Frisco dallas.bankruptcv@lgbs.com
                                   on behalf of Creditor
              H ELIZABETH WELLER
                                                           Hood CAD dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Smith County dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Gregg County dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Cypress Fairbanks ISD dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Harris County dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Bexar County dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           TARRANT COUNTY dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Fort Bend County dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
                                                           Nueces County dallas.bankruptcy@lgbs.com
                                   on behalf of Creditor
              H ELIZABETH WELLER
                                                           Round Rock ISD dallas.bankruptcy@lgbs.com
                                   on behalf of Creditor
                                                           Montgomery County dallas.bankruptcy@lgbs.com
              H ELIZABETH WELLER
                                   on behalf of Creditor
              H ELIZABETH WELLER
                                                           Dallas County dallas.bankruptcy@lgbs.com
              ILEANA MARIA HERNANDEZ
                                       on behalf of Creditor
                                                               Karlen Williams Graybill Advertising, Inc.
               ihernandez@manatt.com
              JASON M BERGERON
                                 on behalf of Creditor
                                                        RPAI US Management, LLC jbergeron@fbtlaw.com,
               sfarrell@fbtlaw.com;pharris@fbtlaw.com
              JAY W HURST
                           on behalf of Creditor TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
               jay.hurst@texasattorneygeneral.gov,
                                                    sherri.simpson@texasattorneygeneral.gov
              JEFFREY KURTZMAN on behalf of Creditor
                                                          Springfield South, L.P. jkurtzma@klehr.com
              JOHN C HAYWORTH on behalf of Creditor
                                                       Karlen Williams Graybill Advertising, Inc.
              jhayworth@walkertipps.com, gfarmer@walkertipps.com

JOHN FRANCIS BURY on behalf of Creditor Teton LLC jfb@mbblegal.net

JOHN HAYDEN ROWLAND on behalf of Interested Party Black Diamond Cor
                                                                    Black Diamond Commercial Finance, LLC
               businessbknash@bakerdonelson.com
              JOHN P DILLMAN
                              on behalf of Creditor
                                                       Fort Bend County houston_bankruptcy@publicans.com
              JOHN P DILLMAN
                               on behalf of Creditor
                                                       Cypress Fairbanks ISD houston_bankruptcy@publicans.com
              JOHN P DILLMAN
                               on behalf of Creditor
                                                       Harris County houston_bankruptcy@publicans.com
              JOHN P DILLMAN
                               on behalf of Creditor
                                                       Montgomery County houston_bankruptcy@publicans.com
                                     on behalf of Interested Party
                                                                      Microsoft Corporation and Microsoft
              JOSEPH E SHICKICH, JR
               Licensing GP jshickich@riddellwilliams.com, ctracy@riddellwilliams.com
              JOSEPH P RUSNAK on behalf of Creditor
                                                        Microsoft Licensing, GP JRUSNAK@TEWLAWFIRM.com,
               thobbs@tewlawfirm.com
              JOSEPH R. PROCHASKA
                                    on behalf of Interested Party
                                                                    Eaton Vance Institutional Senior Loan Fund
               joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com
              JOSEPH R. PROCHASKA
                                   on behalf of Interested Party
                                                                    Eaton Vance VT Floating-Rate Income Fund
               joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com
                                   on behalf of Interested Party
              JOSEPH R. PROCHASKA
                                                                     Eaton Vance CDO VIII Ltd.
               joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com
                                    on behalf of Interested Party
              JOSEPH R. PROCHASKA
                                                                    Tralee CDO I Ltd joeprochaska@ptqflegal.com,
               ecfmiddle@ptqflegal.com
              JOSEPH R. PROCHASKA
                                    on behalf of Interested Party
                                                                    Nationwide Mutual Insurance Company
                                           ecfmiddle@ptqflegal.com
               joeprochaska@ptqflegal.com,
                                  Doc 1219 Filed 02/15/14 Entered 02/16/14 00:27:30 Desc
        Case 3:13-bk-04006
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District/off: 0650-3 User: jlm5452 Page 3 of 5 Date Rcvd: Feb 13, 2014

Form ID: pdf001 Total Noticed: 1

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)
             JOSEPH R. PROCHASKA
                                   on behalf of Interested Party
                                                                   Eaton Vance Short Duration Diversified
              Income Fund joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com
             JOSEPH R. PROCHASKA
                                   on behalf of Creditor
                                                          Gleacher Products Corp joeprochaska@ptgflegal.com,
              ecfmiddle@ptqflegal.com
             JOSEPH R. PROCHASKA
                                  on behalf of Interested Party
                                                                   Eaton Vance Senior Income Trust
               {\tt joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com}
                                   on behalf of Interested Party
             JOSEPH R. PROCHASKA
                                                                   Flagship CLO V joeprochaska@ptqflegal.com,
              ecfmiddle@ptqflegal.com
             JOSEPH R. PROCHASKA
                                   on behalf of Interested Party
                                                                   Grayson & Co. joeprochaska@ptqflegal.com,
              ecfmiddle@ptqflegal.com
             JOSEPH R. PROCHASKA
                                   on behalf of Interested Party
                                                                   Senior Debt Portfolio
              joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com
             JOSEPH R. PROCHASKA
                                   on behalf of Interested Party
                                                                   Eaton Vance Limited Duration Income Fund
               {\tt joeprochaska@ptqflegal.com}, {\tt ecfmiddle@ptqflegal.com}
             JOSEPH R. PROCHASKA
                                  on behalf of Interested Party
                                                                   Nationwide Life Insurance Company
               joeprochaska@ptqflegal.com, ecfmiddle@ptqflegal.com
                                   on behalf of Interested Party
             JOSEPH R. PROCHASKA
                                                                   Eaton Vance CDO IX Ltd
               joeprochaska@ptqflegal.com,
                                          ecfmiddle@ptqflegal.com
                            on behalf of Creditor
             KATIE L MASON
                                                     Richter Realty & Investment, Inc. kmason@reinhartlaw.com
             KATIE L MASON
                             on behalf of Creditor
                                                    Judge Enterprises, LLC kmason@reinhartlaw.com
             LINDA W. KNIGHT on behalf of Creditor QVC, INC. LKNIGHT@GSRM.COM, BKE@GSRM.COM
             LLOYD E MUELLER
                               on behalf of U.S. Trustee
                                                           US TRUSTEE Lloyd.E.Mueller@usdoj.gov
             M TAYLOR HARRIS, JR
                                  on behalf of Creditor
                                                           QVC, INC. THARRIS@GSRM.COM,
              BKE@GSRM.COM; lrobertson@gsrm.com
             MARIE KIMBERLY STAGG
                                   on behalf of Creditor Coway Co., Ltd. kstagg@dickinson-wright.com,
              lmarler@dickinsonwright.com
             MARY LAUREN TEAGUE
                                  on behalf of Creditor Scripps Networks Interactive, Inc.
              Lexbankruptcy@wyattfirm.com
             MATTHEW ADAMSON
                                on behalf of Interested Party Center Place Shopping Center LLC
              madamson@jbsl.com
                                                              SVF HIGHLAND RIDGE, LLC mcollins@manierherod.com,
             MICHAEL EDWARD COLLINS
                                      on behalf of Creditor
              TN44@ecfcbis.com;acarper@manierherod.com;rmiller@manierherod.com
             MICHAEL EDWARD COLLINS
                                     on behalf of Creditor
                                                             USAA Real Estate Company
              mcollins@manierherod.com, TN44@ecfcbis.com;acarper@manierherod.com;rmiller@manierherod.com
             MICHAEL EDWARD COLLINS on behalf of Creditor
                                                             HR NASH, LLC mcollins@manierherod.com,
              MICHAEL F MCGRATH
                                on behalf of Creditor
                                                         Tamarack Village Shopping Center
              mfmcgrath@ravichmeyer.com
             MICHAEL G ABELOW
                                on behalf of Creditor
                                                        155 West 68th Street Associates, LLC
              mabelow@sherrardroe.com, neads@sherrardroe.com
             MICHAEL G ABELOW on behalf of Creditor
                                                        Ogden CAP Properties, LLC mabelow@sherrardroe.com,
              neads@sherrardroe.com
             MITCHELL CRAIG SMITH on behalf of Creditor
                                                          Park Associates mcsmith@millermartin.com,
              sdiegel@millermartin.com
             NATHANIEL METZ on behalf of Creditor
                                                      QVC, INC. nmetz@saul.com
             PHILIP L ROBERTSON
                                  on behalf of Creditor
                                                         Patchogue Realty Associates, LLC
              {\tt probertson@robertsonlg.com}
             PHILIP L ROBERTSON
                                  on behalf of Creditor Simatelex Manufactory Company Limited
              probertson@robertsonlg.com
                                  on behalf of Creditor
             PHILIP L ROBERTSON
                                                         Exton/Whiteland Devco probertson@robertsonlg.com
             RICHARD A STIEGLITZ
                                   on behalf of Interested Party
                                                                   Eaton Vance CDO IX Ltd
              rstieglitz@cahill.com, mmcloughlin@cahill.com
              RICHARD A STIEGLITZ on behalf of Interested Party rstieglitz@cahill.com, mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                                                   Nationwide Life Insurance Company
             RICHARD A STIEGLITZ
                                  on behalf of Interested Party
                                                                   Eaton Vance Limited Duration Income Fund
              rstieglitz@cahill.com, mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                   on behalf of Interested Party
                                                                   Flagship CLO V rstieglitz@cahill.com,
              mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                   on behalf of Interested Party
                                                                   Eaton Vance VT Floating-Rate Income Fund
               rstieglitz@cahill.com, mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                   on behalf of Creditor
                                                           Gleacher Products Corp rstieglitz@cahill.com,
              mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                  on behalf of Interested Party
                                                                   Senior Debt Portfolio rstieglitz@cahill.com,
              mmcloughlin@cahill.com
             RICHARD A STIEGLITZ on behalf of Interested Party
                                                                   Eaton Vance Institutional Senior Loan Fund
              {\tt rstieglitz@cahill.com, mmcloughlin@cahill.com}
             RICHARD A STIEGLITZ
                                  on behalf of Interested Party
                                                                   Eaton Vance CDO VII Ltd
              rstieglitz@cahill.com, mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                   on behalf of Interested Party
                                                                   Grayson & Co. rstieglitz@cahill.com,
              mmcloughlin@cahill.com
             RICHARD A STIEGLITZ
                                   on behalf of Interested Party
                                                                   Eaton Vance Senior Income Trust
              rstieglitz@cahill.com, mmcloughlin@cahill.com
                                   on behalf of Interested Party
                                                                   Eaton Vance Short Duration Diversified
             RICHARD A STIEGLITZ
              Income Fund rstieglitz@cahill.com, mmcloughlin@cahill.com
                                   on behalf of Interested Party
             RICHARD A STIEGLITZ
                                                                   Nationwide Mutual Insurance Company
              rstieglitz@cahill.com,
             RICHARD A STIEGLITZ
                                   on behalf of Interested Party
                                                                   Tralee CDO I Ltd rstieglitz@cahill.com,
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Form ID: pdf001 Total Noticed: 1

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)
                   ROBERT A GUY on behalf of Creditor
                                                                          Deutsche Asset Wealth Management bguy@fbtlaw.com,
                     {\tt ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fbtlaw.com;ejokinen@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com;aBerkowitz@proskauer.com
                     tlaw.com
                   ROBERT A GUY
                                       on behalf of Creditor RPAI US Management, LLC bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                     tlaw.com
                   ROBERT A GUY
                                      on behalf of Creditor Brixmor Property Group, Inc. bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                   ROBERT A GUY
                                        on behalf of Creditor
                                                                          The Macerich Company bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                   ROBERT A GUY
                                        on behalf of Creditor
                                                                         PFP Columbus II, LLC bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                     tlaw.com
                   ROBERT A GUY on behalf of Creditor 3M Corp. bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                     tlaw.com
                   ROBERT A GUY
                                        on behalf of Creditor Novi Town Center Investors, LLC bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                     tlaw.com
                   ROBERT A GUY
                                        on behalf of Creditor UCR Asset Services bguy@fbtlaw.com,
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                                      on behalf of Creditor Passco Companies LLC bguy@fbtlaw.com,
                   ROBERT A GUY
                     ldavis@fbtlaw.com;bmassaro@fbtlaw.com;ejokinen@proskauer.com;ABerkowitz@proskauer.com;sfarrell@fb
                     tlaw.com
                   ROBERT J WELHOELTER ROBERT J WELHOELTER
                                                  on behalf of Plaintiff
                                                                                     OAC Acquisition Company LLC rjwelho@gmail.com
                                                  on behalf of Plaintiff
                                                                                    ROYAL APPLIANCE MFG CO rjwelho@gmail.com
                   ROBERT J WELHOELTER
                                                  on behalf of Interested Party
                                                                                               HOOVER INC rjwelho@gmail.com
                   ROBERT J WELHOELTER
                                                                                               ROYAL APPLIANCE MFG CO rjwelho@gmail.com
                                                  on behalf of Interested Party
                   ROBERT L LEHANE on behalf of Creditor Regency Centers, L.P.
                     kdwbankruptcydepartment@kelleydrye.com
                   ROBERT L LEHANE on behalf of Creditor
                                                                             DDR Corp. kdwbankruptcydepartment@kelleydrye.com
                                                on behalf of Creditor Committee Springfield Square South, L.P.
                   ROBIN BICKET WHITE
                    rwhite@fbtlaw.com, bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
ROBIN BICKET WHITE on behalf of Creditor Passco Companies
                                                                                  Passco Companies LLC rwhite@fbtlaw.com,
                   ROBIN BICKET WHITE
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                                on behalf of Creditor
                                                                                  BRE DDR Riverdale Village Inner Ring, LLC
                     rwhite@fbtlaw.com, bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  Regency Centers, L.P. rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  UCR Asset Services rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  The Macerich Company rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  Inland Western Gurnee, L.L.C. rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  Springfield Square South, L.P. rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  PFP Columbus II, LLC rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  3M Corp. rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  3M Company rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  Regency Centers Corporation rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  Gwinnett Prado, L.P. rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  Deutsche Asset Wealth Management rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  Jardel Co., Inc. rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                  WRI-URS South Hill, LLC rwhite@fbtlaw.com,
                    bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  DDRTC Fayette Pavilion I and II LLC
                     \verb|rwhite@fbtlaw.com|, & bmassaro@fbtlaw.com|; sfarrell@fbtlaw.com|
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                 Novi Town Center Investors, LLC rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                               on behalf of Creditor
                                                                                  Microban (Americas), a division of Microban Products
                     Company rwhite@fbtlaw.com, bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE on behalf of Creditor
                                                                                 Brixmor Property Group, LLC rwhite@fbtlaw.com,
                     bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                   ROBIN BICKET WHITE
                                                                                  Inland Western Oswego Douglass, L.L.C.
                                                on behalf of Creditor
                                                bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
                     rwhite@fbtlaw.com,
                   ROBIN BICKET WHITE
                                                on behalf of Creditor
                                                                                 RPAI US Management, LLC rwhite@fbtlaw.com,
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Form ID: pdf001 Total Noticed: 1

WILLIAM L NORTON, III

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)
              ROBIN BICKET WHITE on behalf of Creditor Grant One Associates, L.P. rwhite@fbtlaw.com,
               bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
              ROBIN BICKET WHITE on behalf of Creditor DDR Corp. rwhite@fbtlaw.com,
               bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
               ROBIN BICKET WHITE on behalf of Creditor Jartown, L.P. rwhite@fbtlaw.com,
               bmassaro@fbtlaw.com;sfarrell@fbtlaw.com
              SEAN CHARLES KIRK on behalf of Creditor
                                                             Centennial Lakes Plaza, LLC skirk@bonelaw.com
               SEAN CHARLES KIRK
                                   on behalf of Interested Party
                                                                     Center Place Shopping Center LLC
                skirk@bonelaw.com
               SUSAN L. LISSANT on behalf of Creditor Missouri Department of Revenue mdtn@dor.mo.gov
               TARA E NAUFUL on behalf of Creditor Sonoco Products Company tara.nauful@arlaw.com,
                candice.carter@arlaw.com
               THEODORE A COHEN on behalf of Creditor
                                                            Coway Co., Ltd. tcohen@sheppardmullin.com
              THOMAS H. FORRESTER on behalf of Creditor
US TRUSTEE ustpregion08.na.ecf@usdoi.gov
                                                               QVC, INC. TForrester@GSRM.COM, BKE@GSRM.COM
              VICTOR W NEWMARK on behalf of Creditor Otay Main Street, LLC vnewmark@evict.net,
               bankruptcy@evict.net
               VICTOR W NEWMARK on behalf of Creditor SFERS Real Estate Corp. J vnewmark@evict.net,
               bankruptcy@evict.net
               VICTORIA ANNE REARDON
                                       on behalf of Creditor
                                                                  State of Michigan Department of Treasury
                reardonv@michigan.gov, jacksons@michigan.gov
               WILLIAM FREDERICK MCCORMICK
                                             on behalf of Creditor
                                                                       Tennessee Department of Revenue
               agbanklundin@ag.tn.gov
              WILLIAM L NORTON, III on behalf of Debtor Oreck Sales, LLC bnorton@babc.com
WILLIAM L NORTON, III on behalf of Defendant Oreck Merchandising, LLC bnorton@babc.com
              WILLIAM L NORTON, III
              WILLIAM L NORTON, III
                                       on behalf of Debtor ASP Oreck, Inc. bnorton@babc.com
              WILLIAM L NORTON, III
                                       on behalf of Debtor
                                                                Oreck Manufacturing Co. bnorton@babc.com
                                       on behalf of Debtor
              WILLIAM L NORTON, III
                                                                Oreck Holdings, LLC bnorton@babc.com
               WILLIAM L NORTON, III
                                        on behalf of Debtor
                                                                Oreck Corporation bnorton@babc.com
               WILLIAM L NORTON, III
                                       on behalf of Debtor Oreck HomeCare, LLC bnorton@babc.com
               WILLIAM L NORTON, III
                                       on behalf of Debtor Oreck Merchandising, LLC bnorton@b on behalf of Debtor Oreck Direct, LLC bnorton@babc.com
                                        on behalf of Debtor
                                                                Oreck Merchandising, LLC bnorton@babc.com
               WILLIAM L NORTON, III
                                       on behalf of Attorney Bradley Arant Boult Cummings LLP bnorton@babc.com on behalf of Debtor Vecteur, LLC bnorton@babc.com
              WILLIAM L NORTON, III
              WILLIAM L NORTON, III
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on behalf of Defendant Oreck Corporation bnorton@babc.com

TOTAL: 189

Keith M. Lundin
U.S. Bankruptcy Judge

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Dated: 2/13/2014

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

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ORECK CORPORATION, et al., 1

Debtors.

Chapter 11 Case No. 13-04006

Judge Lundin (Jointly Administered)

ORDER PURSUANT TO FED. R. BANKR. P. 9019 APPROVING COMPROMISE AND SETTLEMENT WITH BLACK DIAMOND CAPITAL MANAGEMENT, LLC; BLACK DIAMOND COMMERCIAL FINANCE, L.L.C.; GSC ACQUISITION HOLDINGS LLC; PETER FRANK; AND RUSSELL SPIELER AND AFFILIATES AND EMPLOYEES THEREOF AND GRANTING RELATED RELIEF

Upon consideration of the motion (the "Motion")² of the Debtors and the Committee for entry of an order for the entry of an order, pursuant to Bankruptcy Rule 9019, approving a compromise and settlement with Black Diamond, the Oreck Directors and the related parties identified in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157(a) and (b) and 1334(b); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2) in which the Court may enter a final order; and venue being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that granting the relief requested in the Motion is in the best interests of the Debtors, their estates and creditors; and any

The Debtors are as follows: Oreck Corporation, ASP Oreck, Inc., Oreck Direct, LLC, Oreck Merchandising, LLC, Oreck HomeCare, LLC, Vecteur, LLC, Oreck Holdings, LLC, Oreck Manufacturing Company, and Oreck Sales, LLC.

² Capitalized terms used but not defined herein shall have the same meanings ascribed to them in the Motion.

objections filed with respect to the Motion having been withdrawn or overruled by the Court; and notice of the Motion being sufficient under the circumstances; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

- 1. The Motion is granted as set forth herein.
- 2. The Settlement is authorized and approved as follows:
- (a) Within three (3) business days of the date this order becomes a final order (the date of such payment, "<u>Effective Date</u>"), the Black Diamond Funds shall pay \$401,500 (the "<u>Cash Payment</u>") to the Debtors' estates for ultimate distribution to unsecured creditors pursuant to the terms of a plan or further order of this Court.
- (b) On the Effective Date, Black Diamond hereby waives any and all unsecured claims it may have against any of the Debtors, including, without limitation, any deficiency claims it may have in connection with the Prepetition First Lien Credit Facility and/or the DIP Facility, and the Filed BD Claims. On the Effective Date, all of the Filed BD Claims are hereby deemed expunged without further order of this Court.
- c) On the Effective Date, the Committee and each of the Debtors and their estates, and their respective affiliates, successors and assigns (collectively, the "Releasing Parties"), do hereby unconditionally, absolutely and irrevocably remise, release, acquit, waive and forever discharge Black Diamond and its direct and indirect past, present and future directors, officers, managers, employees, agents, members, partners, representatives, affiliates, subsidiaries, parents, advisors, attorneys, insurers, including without limitation the Oreck Directors, and the respective successors and assigns thereof, Wells Fargo, as predecessor with respect to the Prepetition First Lien Credit Facility, and all of the Debtors' current and former directors and officers (collectively, the "Released Parties") of, from and against any and all claims, demands, debts, obligations, costs, liabilities, promises, duties, agreements, warranties, damages, and consequential damages, actions and causes of action whatsoever, of every kind or

nature, whether in law or in equity, or whether in tort or in contract, pursuant to statute or law, actual or contingent, suspected or claimed, accrued or unaccrued, contingent or vested, known or unknown, that the Releasing Parties now have or ever had against any or all of the Released Parties prior to and through the Effective Date (collectively, the "Released Claims").

- (d) Each Oreck Party further agrees that it, she or he will not institute any claim, controversy, demand, suit or action against any of the Released Parties with respect to any Released Claim, and covenants and agrees not to (i) join, assist, aid or act in concert in any manner whatsoever with any other person or other entity in the making of any claim or demand or in the bringing of any proceeding or action in any manner whatsoever against the Released Parties in relation to any of the Released Claims or (ii) make any claim or to take any proceedings in respect of the Released Claims against any other person or entity who might claim contribution, indemnity or declaratory or other relief from and of any of the Released Parties.
- 3. The Court hereby retains jurisdiction to the fullest extent permitted by applicable law to enforce the waiver of claims, release and covenant not to sue provided for in this Order
- 4. The form and manner of notice of the Motion is hereby determined to be sufficient and adequate.
 - 5. This Order shall be effective immediately upon its entry by the Court.
- 6. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE

APPROVED FOR ENTRY:

/s/William L. Norton III

William L. Norton, III (#010075)
BRADLEY ARANT BOULT CUMMINGS LLP
Roundabout Plaza

1600 Division Street Suite 700

Nashville, Tennessee 37203 Telephone: (615) 252-2397 E-mail: bnorton@babc.com

Attorney for the Debtors]

/s/ Daniel McGuire

Winston & Strawn LLP 35 W. Wacker Drive Chicago, IL 60601 (312) 558-6154 – Telephone (312) 558-5700 – Facsimile dmcguire@winston.com

Counsel for Black Diamond

/s/ Daniel H. Puryear

Daniel H. Puryear; No. 18190 The Puryear Law Group 102 Woodmont Boulevard Woodmont Centre, Suite 520 Nashville, TN 37205 (615) 630-6601 – Telephone (615) 630-6602 – Facsimile dpuryear@puryearlawgroup.com

- and -

Sharon L. Levine, Esq. Lowenstein Sandler LLP 65 Livingston Avenue Roseland, New Jersey 07068 (973) 597-2500 - Telephone (973) 597-2400 - Facsimile slevine@lowenstein.com

Counsel for the Official Committee of Unsecured Creditors

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.