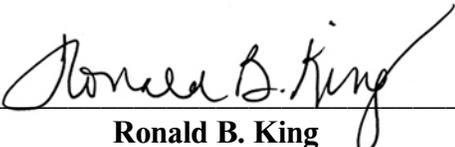




The relief described hereinbelow is **SO ORDERED**.

Signed August 18, 2017.



Ronald B. King
Chief United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re: § Chapter 11
§
CROSSROADS SYSTEMS, INC. § Case No. 17-5196
§
Debtor. §
§

**ORDER (I) AUTHORIZING THE MAILING OF NOTICES, (II) ESTABLISHING A
BAR DATE FOR FILING PROOFS OF CLAIM, (III) ESTABLISHING
RAMIFICATIONS FOR FAILURE TO TIMELY FILE CLAIMS, (IV) APPROVING
CONSOLIDATED NOTICE OF (A) CASE COMMENCEMENT AND (B) BAR
DATE, AND (V) APPROVING NOTICE PROCEDURES**

[Docket No. 7]

On August 17, 2017, the Court conducted a hearing to consider the *Debtor's Emergency Motion for Order (I) Authorizing the Mailing of Notices, (II) Establishing a Bar Date for Filing Proofs of Claim, (III) Establishing Ramifications for Failure to Timely File Claims; (IV) Approving Consolidated Notice of (A) Case Commencement and (B) Bar Date, and*

(V) *Approving Notice Procedures* (the “Motion”),¹ filed by the above-captioned debtor (the “Debtor”). The Court finds that: (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is in the best interests of the Debtor, its estate, and its creditors; (iv) proper and adequate notice of the Motion has been given and no other or further notice is necessary; and (v) upon the record herein after due deliberation thereon, good and sufficient cause exists for the granting of the relief as set forth herein.

Therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Debtor’s proposed counsel, Eric Terry Law, PLLC, or such copy service as it may select, is authorized to mail the notice of commencement of the Chapter 11 Case, and other notices, to creditors and parties-in-interest.
3. With the exception of governmental entities to which the Government Bar Date (as defined in Paragraph 16 herein) would apply, the last day for filing proofs of claim in the above-captioned Chapter 11 Case is September 13, 2017, which is thirty-one (31) days after the Petition Date (the “Bar Date”).
4. In accordance with Bankruptcy Rule 9007, the form of consolidated notice of (1) case commencement, (2) Bar Date, and (3) trading restrictions, attached hereto as **Exhibit A** (the “Notice”) is incorporated herein by reference and approved. Based upon the foregoing Bar Date, the Debtor will serve the Notice no later than three days after entry of this Order (the

¹ Capitalized terms not otherwise defined herein shall have the meaning assigned to them in the Motion.

“Mailing Date”), by United States mail, first class postage prepaid, at the expense of the estate, to all of the following whose addresses are known by the Debtor:

- a. all known creditors;
- b. all holders of Convertible Preferred Stock in the Debtor;
- c. all employees of the Debtor;
- d. all parties that have requested special notice;
- e. all registered holders of Common Stock; and.
- f. all transfer agents through the Debtor’s noticing agent Broadridge.

5. The Publication Notice, substantially in the form annexed hereto as **Exhibit B**, is approved and shall be published on at least one (1) day in the national edition of one of the following newspapers: The Wall Street Journal, The New York Times, or USA Today, with the publication date to occur not less than seven (7) days following the entry of this Order.

6. A proof of claim will be deemed timely and properly filed if it is filed with the Clerk of the United States Bankruptcy Court for the Western District of Texas, so that it is actually received by no later than the Bar Date as established by this Order.

7. The following persons or entities are **not** required to file a proof of claim on or before the Bar Date:

- a. any person or entity that has already properly filed, with the Clerk of the United States Bankruptcy Court for the Western District of Texas, a proof of claim against the Debtor using a claim form that substantially conforms to Official Form 410;
- b. any person or entity whose claim has been paid by the Debtor;

c. any professionals whose retention in the Chapter 11 Case have been approved by the Court; and

d. The U.S. Trustee.

8. Notwithstanding anything contained herein to the contrary, the last day for any entity asserting a claim by reason of the rejection of an executory contract or unexpired lease is the later of (i) the Bar Date, (ii) the Rejection Claim Bar Date identified in the Prepackaged Plan, or (iii) the first business day that is at least thirty (30) calendar days after the mailing of the notice of entry of any order approving the rejection of an executory contract or lease, as the bar date for filing claims arising out of the rejection of an executory contract or unexpired lease.

9. Notwithstanding anything contained herein to the contrary, the last day for any entity asserting a claim arising from the recovery of a voidable transfer will be the later of (i) the Bar Date, or (ii) the first business day that is at least thirty (30) calendar days after the mailing of notice of entry of any order approving the avoidance of the transfer.

10. Notwithstanding anything contained herein to the contrary, the last day for any entity asserting a claim arising from the assessment of certain taxes as described in Bankruptcy Code § 502(i) will be the later of (i) the Bar Date, or (ii) the first business day that is at least ninety (90) calendar days after the date the relevant tax claim is assessed.

11. If an amendment to the bankruptcy schedules of assets and liabilities (the “Schedules”) reduces the liquidated amount of a scheduled claim, or reclassifies a scheduled, undisputed, liquidated, non-contingent claim as disputed, unliquidated, or contingent, the affected claimant may file a proof of claim on the later of (1) the Bar Date or (2) thirty (30) days after the mailing of the notice of such amendment. Creditors are not entitled to an extension of the Bar

Date if a schedule amendment increases the scheduled amount of an undisputed, liquidated, non-contingent claim.

12. If a timely-filed claim is transferred, the transferee must both (i) file a notice of transfer of the claim with the Clerk, in accordance with Bankruptcy Rule 3001(e) and (ii) serve a copy of the notice of transfer on the Debtor's counsel addressed as follows:

Eric Terry
Eric Terry Law, PLLC
3511 Broadway
San Antonio, Texas 78209

13. Neither the Bar Date nor any other deadline established in this Order applies to requests for the payment of administrative expenses arising in this Chapter 11 Case under Bankruptcy Code §§ 503, 507(a)(1), 330(a), 331, and/or 364.

14. Holders of equity securities of the Debtor need not file a proof of interest; provided, however, that an equity security holder must file a proof of claim to the extent that such equity security holder asserts any rights as a creditor against the Debtor.

15. If a creditor fails to timely file a proof of claim in the Chapter 11 Case in compliance with the procedures and deadlines established by this Order, and such creditor's claim is not listed in the Schedules, is listed in the Schedules for \$0.00, or is listed in the Schedules as disputed, unknown, contingent, or unliquidated, then except as otherwise provided under applicable law, any claim of such creditor is discharged, and such creditor is forever barred from (a) asserting its claim, whether directly or indirectly, against the Debtor, its successors, and assigns or its respective property (or filing a proof of claim with respect thereto), (b) participating in any distribution in the Chapter 11 Case on account of such claim, (c) voting with respect to any Chapter 11 plan or plans filed in the Chapter 11 Case, and (d) receiving any distribution under any such Chapter 11 plan or plans. In addition, such creditor need not receive any further notices regarding its claim and will

be bound by the terms of any Chapter 11 plan or plans that may be confirmed in the Chapter 11 Case.

16. Notwithstanding anything contained herein to the contrary, governmental units will have until February 12, 2018, which is the first business day that is 180 days after the Petition Date, to file proofs of claim against the Debtor (the “Government Bar Date”); provided, that the foregoing is without prejudice to the right of governmental units to seek, upon notice and a hearing, an extension of the Government Bar Date and the right of the Debtor to object to any such extension request.

17. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

18. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

END OF ORDER

Submitted by:

Eric Terry
Texas Bar No. 00794729
ERIC TERRY LAW, PLLC
3511 Broadway
San Antonio, Texas 78209
Telephone: (210) 468-8274
Facsimile: (210) 319-5447
eric@ericterrylaw.com

**PROPOSED ATTORNEY FOR
THE DEBTOR-IN-POSSESSION**

**EXHIBIT A
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS SAN
ANTONIO DIVISION**

In re:	§	Chapter 11
	§	
CROSSROADS SYSTMES, INC.	§	Case No. 17-51926
	§	
Debtor.	§	
	§	

**NOTICE OF COMMENCEMENT OF CHAPTER 11 CASE
AND PROOF OF CLAIM BAR DATE**

PLEASE TAKE NOTICE THAT on August 13, 2017 (the “Petition Date”), Crossroads Systems, Inc., a Delaware corporation (the “Debtor”), filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 through 1330 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division (the “Court”).

TO ALL INTERESTED PARTIES:

COMMENCEMENT OF CASE. Pursuant to Bankruptcy Code §§ 1107 and 1108, the Debtor is authorized to continue to operate its business and manage its properties as a debtor-in-possession. The Debtor’s case is being administered under the style *In re Crossroads Systems, Inc.*, Case No. 17-51926. You will not receive notice of all documents filed in this case. All documents filed by the Debtor, including lists of property and debts, will be available for download at <https://www.crossroads.com> as well as at the Office of the Clerk listed below.

INFORMATION CONCERNING THIS CASE. Because the Court’s General Order regarding administrative procedures for electronic case filing governs these cases, the Court’s docket sheet and documents filed electronically are also accessible at the Court’s Internet site, www.txnb.uscourts.gov, through an account obtained from PACER Service Center at 1-800-676-6856.

CREDITORS AND PARTIES IN INTEREST MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the Debtor owes money or property or anyone who has a claim or may have a claim against the Debtor that arose at the time of or before the Petition Date. Under the Bankruptcy Code, the Debtor is granted certain protection against creditors and other parties in interest. Common examples of prohibited actions by creditors and other parties in interest are contacting the Debtor to demand repayment, taking action against the Debtor to collect money owed to creditors or to take property of the Debtor, and starting or continuing foreclosure actions, or repossessions. If unauthorized actions are taken by a creditor or other party in interest against the Debtor, the Court may penalize that creditor or party in interest. A creditor or other party in interest who is considering taking action against the Debtor or its property should review Bankruptcy Code § 362 and may wish to seek legal advice. **The staff of the bankruptcy court and the United States Trustee’s Office are not permitted to give legal advice to creditors or other parties in interest.**

NOTICE OF MEETING OF CREDITORS. Pursuant to the *Order Approving Debtor’s Emergency Motion for an Order (I) Combining the Hearing on the Joint Prepackaged Plan of the Debtor and Disclosure Statement and (II) Granting Related Relief*, **a meeting of creditors and equity security holders pursuant to Bankruptcy Code § 341 will be conducted in the chapter 11 case on September 11, 2017 at 9:30 a.m. on at 615 E. Houston Street, Room 333, San Antonio, TX 78205.**

PROOF OF CLAIM. The Court presiding over the above-captioned chapter 11 case has entered its *Order (I) Authorizing the Mailing of Notices, (II) Establishing a Bar Date for Filing Proofs of Claim, (III) Establishing Ramifications for Failure to Timely File Claims, (IV) Approving Consolidated Notice of (A) Case Commencement and (B) Bar Date, and (V) Approving Notice Procedures* (the “Order”) establishing **September 13, 2017 (the “Claims Bar Date”)** as the deadline for creditors of the Debtor to file proofs of claim against the Debtor’s estate. A proof of claim is a signed statement describing a creditor’s claim. Creditors receiving this notice by mail should

receive a proof of claim form. If you need additional proof of claim forms, you may contact the Debtor's counsel, Eric Terry Law, PLLC Att: Eric Terry, 3511 Broadway, San Antonio, Texas 78209, or by email at eric@ericterrylaw.com.

Under the Bankruptcy Code and as utilized in this notice and the Order, the term "claim" has been given the broadest possible definition, and includes any right to payment, whether in contract, tort, or by statute, and whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, priority, or unsecured as of the Petition Date for the Debtor.

The Debtor filed its Schedules of Assets and Liabilities on August 13, 2017 (the "Schedules"). The Schedules may be amended from time to time. The Schedules and any amendments thereto may be viewed at the following website: <https://www.crossroads.com> and can also be inspected at the office of the Clerk of the Bankruptcy Court, Hipolito F. Garcia Federal Building and United States Courthouse, 615 East Houston Street, Room 597, San Antonio, Texas 78205, or viewed on the Court's web site at <http://www.txwb.uscourts.gov/> through an account obtained from PACER Service Center at 1-800-676-6856. If your claim is listed in the Schedules, and is not listed as disputed, contingent or unliquidated, your claim will be allowed in the amount scheduled unless you file a proof of claim, or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a proof of claim.

If you assert a claim against the Debtor, you must file a proof of claim if:

- (a) your claim has not been listed by the Debtor in the Schedules;
- (b) you disagree with the amount of the claim scheduled by the Debtor in the Schedules;
- (c) the Debtor has scheduled your claim as unknown, disputed, contingent or unliquidated;
- (d) you believe your claim to be a secured claim, and the Debtor has not so scheduled your Claim; or
- (e) you believe your claim to be entitled to priority under the Bankruptcy Code, and the Debtor has not so scheduled your claim.

If you fail timely to file a proof of claim, and your claim is not scheduled, is scheduled for \$0.00, or is scheduled as disputed, unknown, contingent or unliquidated in the Schedules, unless otherwise provided under applicable law:

- (a) Your claim will be disallowed and you will not receive any distribution under any plan(s) that may be confirmed in the chapter 11 case; and
- (b) You nevertheless will be bound by the terms of any plan(s) that may be confirmed in the chapter 11 case.

Special Claims. For claims arising from rejection of executory contracts or unexpired leases pursuant to Bankruptcy Code § 365, the last day to file a proof of claim is the later of either (1) the Claims Bar Date, (2) the Rejection Claim Bar Date identified in the Prepackaged Plan, or (3) the first business day that is at least thirty (30) calendar days after the mailing of the notice of entry of any order approving the rejection of an executory contract or lease.

For claims arising from recovery by the Debtor of estate property transferred to you by the Debtor prior to the Petition Date as a voidable transfer, the last day to file a proof of claim is the later of (i) Claims Bar Date, or (ii) the first business day that is at least thirty (30) calendar days after the mailing of the notice of entry of an order or judgment avoiding a transfer.

For claims arising from the assessment of certain taxes as described in Bankruptcy Code § 502(i), the last day to file a proof of claim is the later of (i) Claims Bar Date, or (ii) the first business day that is at least ninety (90) calendar days after the date the relevant tax claim is assessed.

The last day to file a proof of claim in the Debtor's case pursuant to Rule 3004 of the Federal Rules of Bankruptcy Procedure is governed by the terms of Bankruptcy Rule 3004.

Pursuant to Bankruptcy Rule 3002(c)(1), the last date and time for filing proofs of claim by governmental units (as defined in Bankruptcy Code § 101(27)) is **February 12, 2018**.

The Order does not establish any deadline for the payment of administrative expenses arising under Bankruptcy Code §§ 503, 507(a)(1), 507(b), 330(a), 331 or 364. Parties should review the Prepackaged Plan for administrative claim deadlines.

The following persons and entities need **not** file a proof of claim by the Claims Bar Date:

- (a) any person or entity that has already properly filed, with the Clerk of the United States Bankruptcy Court for the Western District of Texas, a proof of claim against the Debtor using a claim form which substantially conforms to Official Form No. 10;
- (b) any person or entity whose claim has been paid by the Debtor;
- (c) any professionals whose retention in the chapter 11 case has been approved by the Court; and
- (d) The United States Trustee.

Instructions for Filing Proofs of Claim and Consequences for Failure to Timely File Claim. Any proof of claim filed after the Claims Bar Date or other applicable deadline will be disallowed. Any person or entity that is required by the Order to file a proof of claim and fails to do so by the Claims Bar Date or other applicable deadline set forth herein shall not be treated as a creditor for purposes of voting or receiving distributions in the case, and any claim of such person or entity will be discharged and forever barred unless otherwise provided under applicable law. Each creditor and recipient of this Notice and their respective agents and attorneys have an affirmative duty to review this notice, and timely file any proof of claim on or before the Claims Bar Date or other applicable deadline, or be forever barred from filing or asserting any such claim unless otherwise provided by applicable law. Each creditor and recipient of this notice is personally responsible for reviewing this notice and timely filing any proof of claim and should not rely upon their respective agents and attorneys to meet the deadlines specified in this notice.

PROOFS OF CLAIM MUST BE FILED SO THAT THEY ARE ACTUALLY RECEIVED BY THE COURT ON OR BEFORE THE CLAIMS BAR DATE, SEPTEMBER 13, 2017, EXCEPT AS STATED HEREIN. PROOFS OF CLAIM MAY BE FILED ELECTRONICALLY ON THE COURT'S WEB SITE LOCATED AT [HTTPS://ECF.TXWB.USCOURTS.GOV/CGI-BIN/AUTOFILINGCLAIMS.PL](https://ecf.txwb.uscourts.gov/cgi-bin/autofilingclaims.pl) OR BY MAIL, IN PERSON, BY PERSONAL SERVICE OR FEDERAL EXPRESS ADDRESSED TO:

**Clerk, U.S. Bankruptcy Court
Hipolito F. Garcia Federal Building and United States Courthouse
615 East Houston Street, Room 597
San Antonio, Texas 78205**

You are encouraged to use the enclosed form of proof of claim. Pursuant to Bankruptcy Code § 502(b), amounts due shall be stated in lawful currency of the United States as of the Petition Date. Do not file your proof of claim with, or send copies of proofs of claim to, the Debtor. Pursuant to the Order, proofs of claim not filed with (i.e., actually received by) the Clerk of the Bankruptcy Court by the applicable deadline shall be deemed not to be properly or timely filed. To receive an acknowledgment that your proof of claim has been received by the Clerk of the Bankruptcy Court and filed, you must provide with your original proof of claim one additional copy and a postage-paid, self-addressed envelope.

Amendments to Claims, Amendments to Schedules, and Claim Transfers. After the deadline for filing claims, a creditor may not seek to amend a claim deemed filed on its behalf under Bankruptcy Code § 1111(a) by virtue of the

listing of such claim by the Debtor in their respective Schedules if such amendment increases the amount of the claim.

Following notice of any amendment to the Schedules reducing the amount of a scheduled claim, or that reclassifies a scheduled, undisputed, liquidated or non-contingent claim as disputed, unliquidated or contingent, any creditor so affected shall have until the later of (i) the Claims Bar Date, or (ii) thirty (30) days after the mailing of notice of the amendment, to file a proof of claim; provided, however, that following the Claims Bar Date, proofs of claim filed as a result of amendments to the Schedules shall be limited in amount to the amount previously scheduled by the Debtor, unless the creditor has otherwise timely filed a proof of claim. No extension of time is granted if the Debtor's amendment to its Schedules increases the claim deemed filed under Bankruptcy Code § 1111(a). Amendments to the Schedules regarding creditors who previously have filed proofs of claim shall not affect any proof of claim already on file or extend the deadline for filing proofs of claim. Nothing set forth herein shall be deemed to preclude the Debtor from objecting to any claim, whether scheduled or filed, on any grounds.

If a timely filed claim is transferred, the transferee must both (i) file a notice of transfer of the claim with the Clerk of the Bankruptcy Court, in accordance with Bankruptcy Rule 3001(e), by forwarding such notice to the Clerk of the Bankruptcy Court at its address indicated above, and (ii) serve a copy of the notice of transfer on the Debtor's counsel addressed to Eric Terry, Eric Terry Law, PLLC, 3511 Broadway, San Antonio, Texas 78209.

Equity Interest Holders. Pursuant to Bankruptcy Rule 3003(b)(2), it is not necessary for an equity security holder to file a proof of interest based solely upon such interest; provided, however, that if an equity holder asserts any rights as a creditor of a Debtor, a proof of claim is required, except as set forth herein.

Trading Restrictions. The Court has entered the *Interim Order Establishing Notification and Hearing Procedures for Transfers of Certain Equity Securities* (the "Trading Order"). The Trading Order establishes required procedures for trading equity securities of the Debtor. Equity Interest Holders should carefully review the Trading Order, which is being separately served upon them and will be available for download at <https://www.crossroads.com>.

Warrant/Option Holders. The Debtor has filed the *Debtor's Motion for an Order (i) Authorizing the Debtor to Reject Warrant/Option Agreements and (ii) Estimating Rejection Claims (the "Warrant/Option Rejection Motion")*. Holders of warrants and/or options are not required to file a proof of claim. However, holders of warrants and/or options should review the Warrant/Option Rejection Motion, which describes how they will be paid if the Prepackaged Plan is confirmed. If the holders of warrants and/or options disagree with the proposed treatment, they must file an objection to the Warrant/Option Rejection Motion by **September 5, 2017**. The Warrant/Option Rejection Motion is available for download at <https://www.crossroads.com>.

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the Court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The Debtor will remain in possession of its property and will continue to operate its business unless a trustee is appointed.

COUNSEL FOR THE DEBTOR. The attorney for the Debtor is Eric Terry Law, PLLC, 3511 Broadway, San Antonio, Texas 78209.

Dated: August 18, 2017.
San Antonio, Texas

Yvette Taylor, Clerk
United States Bankruptcy Court
Western District of Texas
615 East Houston Street, Room 597
San Antonio, Texas 78205

**EXHIBIT B
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS SAN
ANTONIO DIVISION**

In re: § Chapter 11
CROSSROADS SYSTEMS, INC. §
Debtor. § Case No. 17-51926
§
§

**NOTICE OF COMMENCEMENT OF CASE, BAR DATE FOR FILING PROOFS OF CLAIM, AND
COMBINED HEARING TO CONSIDER (I) APPROVAL OF DISCLOSURE STATEMENT WITH
RESPECT TO JOINT PREPACKAGED PLAN OF THE DEBTOR AND
(II) CONFIRMATION OF JOINT PREPACKAGED PLAN OF THE DEBTOR**

PLEASE TAKE NOTICE THAT on August 13, 2017 (the “Petition Date”), Crossroads Systems, Inc., a Delaware corporation, debtor-in-possession in the above-captioned bankruptcy proceeding (the “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) commencing the above-captioned case (the “Chapter 11 Case”). Concurrently with the commencement of the Chapter 11 Case, the Debtor filed the *Prepackaged Plan of Reorganization for Crossroads Systems, Inc. Under Chapter 11 of the United States Bankruptcy Code* (as modified, amended, or supplemented from time to time, the “Prepackaged Plan”)¹ and the *Disclosure Statement Under 11 U.S.C. § 1125 in Support of the Prepackaged Plan of Reorganization for Crossroads Systems, Inc. Under Chapter 11 of the United States Bankruptcy Code* (as modified, amended, or supplemented from time to time, the “Disclosure Statement”).

PLEASE TAKE FURTHER NOTICE THAT:

1. **Non-Solicitation of Votes.** Except for Class 5 Preferred Interests, all classes of Claims and Interests under the Prepackaged Plan are unimpaired and deemed to accept the Prepackaged Plan. Because none of the classes of Claims and Interests under the Prepackaged Plan are impaired except for Class 5 Preferred Interests, the Debtor is not required to solicit acceptances of the Prepackaged Plan, and the Debtor will not be circulating ballots or otherwise soliciting votes to accept the Prepackaged Plan to classes other than Class 5 Preferred Interests.
2. **Solicitation of Votes for Class 5.** Because Class 5 is impaired under the Prepackaged Plan, the Debtor is required to solicit the votes of Class 5 Preferred Interests. The Debtor began soliciting votes of Class 5 before the Petition Date. The Debtor has the requisite amount of votes to demonstrate acceptance by Class 5.
3. **Disclosure Statement and Prepackaged Plan Hearing.** A hearing will be held before the Honorable Judge Ronald B. King, United States Bankruptcy Judge, in Courtroom No. 1 of the Hipolito F. Garcia Federal Building and United States Courthouse, 615 East Houston Street, San Antonio, Texas 78205, on **September 18, 2017, at 10:30 a.m. (CDT)** (the “Combined Hearing”) to consider entry of an order, among other things, determining that the Disclosure Statement contains “adequate information” within the meaning ascribed to such term in Bankruptcy Code § 1125, approving the Disclosure Statement, and confirming the Prepackaged Plan. The Debtor may modify the Prepackaged Plan, if necessary, prior to, during, or because of the Combined Hearing, in accordance with the terms of the Prepackaged Plan. The Debtor will file any modifications to the Prepackaged Plan with the Court prior to the Hearing.
4. **Copies of the Prepackaged Plan and Disclosure Statement.** Any party in interest that wishes to obtain a copy of the Plan and Disclosure Statement should contact Eric Terry Law, PLLC Attn: Eric Terry, at 210.468.8274 or via email at: eric@ericterryllaw.com. Copies can also be downloaded from <https://www.crossroads.com>. **You will not receive a copy of the Prepackaged Plan and Disclosure Statement unless you request a copy or download it from the website.**

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Prepackaged Plan.

5. **Objection Deadline and Procedures.** Objections, if any, to approval of the Disclosure Statement and/or confirmation of the Prepackaged Plan must: (a) be in writing; (b) state the name and address of the objecting party and the amount and nature of the claim or interest of such party; (c) state with particularity the basis and nature of any objection to the Disclosure Statement and/or the Prepackaged Plan and/or proposed modification to the Prepackaged Plan; and (d) be filed, together with proof of service, with the Court and served so that they are actually received by the following parties no later than **September 14, 2017** : (i) counsel for the Debtor, Eric Terry, Eric Terry Law, PLLC, 3511 Broadway, San Antonio, Texas 78209, eric@ericterrylaw.com; (ii) counsel for 210: Gibson, Dunn & Crutcher LLP, Attn: Michael A. Rosenthal and Matthew G. Bouslog, 200 Park Avenue, New York, New York 10166-0193; and (iii) Office of the United States Trustee for the Western District of Texas, 615 E. Houston Street, Suite 533, San Antonio, Texas 78205. Failure to file and serve any objection to the Disclosure Statement and/or the Prepackaged Plan in conformity with the foregoing procedures may result in the objecting party not being heard at the hearing.
6. **ARTICLE IX OF THE PREPACKAGED PLAN CONTAINS CERTAIN RELEASES, EXCULPATIONS AND INJUNCTIONS. YOU ARE ENCOURAGED TO REVIEW THE TERMS OF THE PREPACKAGED PLAN.**
7. **Bar Date for Filing Claims.** Pursuant to the Court's *Order (I) Authorizing the Mailing of Notices, (II) Establishing a Bar Date for Filing Proofs of Claim; (III) Establishing Ramifications for Failure to Timely File Claims; (IV) Approving Consolidated Notice of (A) Case Commencement and (B) Bar Date, and (V) Approving Notice Procedures* (the "Bar Date Order"), **September 13, 2017 (the "Claims Bar Date")** was established as the deadline for creditors of the Debtor to file proofs of claim against the Debtor's estate. If you need a proof of claim form, you may contact the Debtor's counsel, Eric Terry, Eric Terry Law, PLLC, 3511 Broadway, San Antonio, Texas 78209, eric@ericterrylaw.com.
8. **Trading Restrictions.** The Court has entered the *Interim Order Establishing Notification and Hearing Procedures for Transfers of Certain Equity Securities* (the "Trading Order"). The Trading Order establishes required procedures for trading equity securities of the Debtor. Equity Interest Holders should carefully review the Trading Order, which is being separately served upon them and will be available for download at <https://www.crossroads.com>.
9. **Additional Information.** For more information about the Combined Hearing, or for copies of the Prepackaged Plan or Disclosure Statement, Bar Date Order or proof of claim form, parties should contact Eric Terry Law, PLLC, Attention: Eric Terry, via facsimile at 210.319.5447 or via phone at 210-468-8274 or via email eric@ericterrylaw.com.
10. **Warrant/Option Holders.** The Debtor has filed the *Debtor's Motion for an Order (i) Authorizing the Debtor to Reject Warrant/Option Agreements and (ii) Estimating Rejection Claims (the "Warrant/Option Rejection Motion")*. Holders of warrants and/or options are not required to file a proof of claim. However, holders of warrants and/or options should review the Warrant/Option Rejection Motion, which describes how they will be paid if the Prepackaged Plan is confirmed. If the holders of warrants and/or options disagree with the proposed treatment, they must file an objection to the Warrant/Option Rejection Motion **by September 5, 2017**. The Warrant/Option Rejection Motion is available for download at <https://www.crossroads.com>.
11. The Combined Hearing may be adjourned from time to time without further notice to parties in interest other than by an announcement in Court of such adjournment on the date scheduled for the Combined Hearing or as indicated in any notice of agenda of matters scheduled for hearing filed by the Debtor with the Court.

Dated: August 18, 2017

ERIC TERRY LAW, PLLC

By: /s/ Eric Terry
Eric Terry, Proposed Attorney for the Debtor

