

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Balance Point LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 21-11279 (JKS)

(Jointly Administered)

NOTICE OF EFFECTIVE DATE

PLEASE TAKE NOTICE that an order (the “**Confirmation Order**”) of the Honorable J. Kate Stickles, United States Bankruptcy Judge for the District of Delaware, confirming and approving the *Debtors’ Modified Amended Subchapter V Plan of Reorganization* [Docket No. 254] (including all exhibits thereto and as the same may be amended, modified, or supplemented from time to time, the “**Plan**”) was entered on June 9, 2022 [Docket No. 263].²

PLEASE TAKE FURTHER NOTICE that, all conditions precedent to effectiveness pursuant to Article XII of the Plan have been satisfied or waived. Therefore, September 1, 2022, is the Effective Date of the Plan.

PLEASE TAKE FURTHER NOTICE that the Plan and its provisions, including the releases, exculpation, and injunction provisions, are binding on, among others, the Debtors, all Holders of Claims and Interests (irrespective of whether such Claims or Interests are impaired under the Plan or whether the Holders of such Claims have voted to accept or reject the Plan), each person or entity acquiring property under the Plan, and any and all non-Debtor parties to executory contracts and unexpired leases with the Debtors, as provided in the Plan.

PLEASE TAKE FURTHER NOTICE all Professional Final Fee Applications (the “**Final Fee Applications**”) must be filed no later than October 17, 2022 (*i.e.*, on the first business day that is forty-five (45) days after the Effective Date). The procedures for processing Final Fee Applications are set forth in the Plan. If a Professional does not timely submit a Final Fee Application, such Professional shall be forever barred from seeking payment of such Professional Fee Claim from the Debtors or their Estates.

PLEASE TAKE FURTHER NOTICE that, except with respect Professional Fee Claims, Claims that arise in the ordinary course of business, or as otherwise set forth in the Plan, requests for payment of Administrative Expense Claims against the Debtors that arose on or before the day immediately preceding the Effective Date (the “**Administrative Claims Period**”) must be filed with the Bankruptcy Court and served on the Debtors no later than October 3, 2022 (*i.e.*, on the first business day that is thirty (30) days after the Effective Date) (the “**Administrative Expense**

¹ The Debtors in these subchapter V cases, along with the last four digits of each Debtor’s federal tax identification number, are Balance Point LLC (5908) and MECTA Corporation (8275). The Debtors’ mailing address is 19799 SW 95th Avenue, Suite B, Tualatin, Oregon 97062.

² All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Plan and Confirmation Order.

Bar Date”). Holders of Administrative Expense Claims that arose, accrued or otherwise became due during the Administrative Claims Period who do not file requests for the allowance and payment thereof on or before the Administrative Expense Bar Date shall forever be barred from asserting such Administrative Expense Claims against the Debtors or their Estates.

PLEASE TAKE FURTHER NOTICE that as set forth in Article VIII of the Plan, all Executory Contracts and Unexpired Leases which have not been rejected prior to the Effective Date are deemed assumed, effective as of the date of entry of the Confirmation Order. Under the Plan, the deadline to file a proof of Claim relating to a Claim arising from rejection under the Plan was July 10, 2022 (*i.e.*, before the date that is thirty (30) days after the later of (i) the date of entry of a Confirmation Order with respect to the Plan; or (ii) the effective date of rejection of such Executory Contract or Unexpired Lease).

PLEASE TAKE FURTHER NOTICE that after the Effective Date, to continue to receive notice pursuant to Bankruptcy Rule 2002, all Creditors and other parties in interest must file a renewed notice of appearance with the Bankruptcy Court requesting receipt of documents pursuant to Bankruptcy Rule 2002.

PLEASE TAKE FURTHER NOTICE that copies of the Confirmation Order and Plan and can be obtained by: (a) writing to Balance Point LLC et al., c/o Stretto, 410 Exchange, Suite 100, Irvine, California 92602; (b) calling (855) 771-3742 (toll free) or (949) 208-7897 (international); or (c) by visiting the Case Website at <https://cases.stretto.com/BalancePoint/>.

[signature page follows]

Dated: September 1, 2022
Wilmington, Delaware

Respectfully submitted,

POLSINELLI PC

/s/ Shanti M. Katona

Shanti M. Katona (Del. Bar No. 5352)
222 Delaware Avenue, Suite 1101
Wilmington, Delaware 19801
Telephone: (302) 252-0920
Facsimile: (302) 252-0921
skatona@polsinelli.com

-and-

Jeremy R. Johnson (Admitted *Pro Hac Vice*)
600 3rd Avenue, 42nd Floor
New York, New York 10016
Telephone: (212) 684-0199
Facsimile: (212) 684-0197
jeremy.johnson@polsinelli.com

*Counsel to the Debtors and
Debtors in Possession*