

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:

KALOS CAPITAL, INC.,

Debtor.

Chapter 11

Case No. 22-58326-SMS

NOTICE OF CHAPTER 11 BANKRUPTCY CASE

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Please read both pages carefully. To protect your rights, consult an attorney.

On October 17, 2022 (the “**Petition Date**”), Kalos Capital, Inc. (the “**Debtor**”), filed a voluntary petition for relief under chapter 11, subchapter V, of title 11 of the United States Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Northern District of Georgia (the “**Court**”). Todd Eugene Hennings was appointed as subchapter V trustee. On October 21, 2022, the Court entered an order [Docket. No. 29] the (“**Bar Date Order**”) establishing **NOVEMBER 30, 2022 AT 5:00 P.M., PREVAILING EASTERN TIME** (the “**Bar Date**”) as the date by which parties holding prepetition claims against the Debtor must file a proof of claim (“**Proof of Claim**”) and limiting notice to creditors in this case. Pursuant to the Bar Date Order, the Claims Bar Date is the last date for all entities (other than governmental units) holding claims against the Debtor, including, without limitation, secured claims, unsecured priority claims, and unsecured non-priority claims, that arose or are deemed to have arisen prior to the commencement of this case on the Petition Date.

Except for governmental units, any person or entity with a claim against the Debtor: (a) not listed in the Debtor’s bankruptcy schedules; or (b) with claims scheduled as disputed, contingent, or unliquidated, or (c) with claims in different amounts different from that listed in the Debtor’s bankruptcy schedules, **MUST FILE A PROOF OF CLAIM ON OR BEFORE THE CLAIMS BAR DATE**. Any entity that has previously filed a Proof of Claim is not required to file an additional Proof of Claim. All entities holding or asserting an equity interest in the Debtor must file a proof of interest before the Claims Bar Date, except that any entity identified in the List of Equity Holders filed by the Debtor with the Court pursuant to Bankruptcy Rule 1007 need not file a proof of interest. Each Proof of Claim (including supporting documentation) must be filed so as to be *received*, on or before the applicable Bar Date by (i) electronically using the interface available on the Notice and Claims Agent’s website at <https://cases.stretto.com/KalosCapital>; or (ii) first-class U.S. Mail, overnight mail, or other hand-delivery system, which Proof of Claim must include an *original* signature, at the following address: Kalos Capital, Inc., Claims Processing Center, c/o Stretto, Inc., 410 Exchange, Suite 100, Irvine, California 92602. Proofs of claim submitted by facsimile or electronic mail will *not* be accepted and will *not* be deemed timely **FILED**. If you have any questions, please contact Stretto’s dedicated Hotline Numbers at: 855.393.0282 (Toll-Free) or 949.404.3306 (International).

Proof of claim forms can be found at <https://cases.stretto.com/KalosCapital>.

ANY PERSON OR ENTITY WITH A CLAIM AS DESCRIBED ABOVE WHO FAILS TO TIMELY FILE AND SERVE A PROOF OF CLAIM MAY BE FOREVER BARRED FROM PARTICIPATING IN THE DEBTOR’S CHAPTER 11 CASE WITH RESPECT TO VOTING ON ANY PLAN AND WITH RESPECT TO ANY DISTRIBUTION, OR IN ANY OTHER REGARD AND SUCH CLAIM MAY BE DEEMED TO HAVE BEEN WAIVED.

NOTHING HEREIN SHALL PREJUDICE THE DEBTOR'S RIGHT TO OBJECT TO ANY PROOF OF CLAIM, WHETHER FILED OR SCHEDULED, ON ANY GROUNDS.

NOTICE IS FURTHER GIVEN OF THE FOLLOWING DATES AND DEADLINES:

PROOF OF CLAIM DEADLINE	November 30, 2022 at 5:00 p.m. (EST)
MEETING OF CREDITORS	November 16, 2022 at 1:00 p.m. Meeting will be telephonic. To attend, Dial: 888-902-9750 and enter: 9635734, when prompted for participation code. The Debtor's representative must attend and be questioned under oath. Creditors may attend, but are not required to do so.
STATUS CONFERENCE pursuant to 11 U.S.C. § 1188(a)	December 5, 2022, at 10:00 a.m. Location: Courtroom 1201, Russell Federal Building, 75 Ted Turner Drive SW, Atlanta, GA 30303.
DEADLINE TO OBJECT TO SMALL BUSINESS DEBTOR DESIGNATION AND SUBCHAPTER V ELECTION.	Interim Rule 1020(b) sets a deadline for any party in interest to file an objection to the debtor's statement that it is a small business debtor or a debtor entitled to elect the application of Subchapter V of chapter 11 which is no later than 30 days after the conclusion of the meeting of creditors held under section 341(a) of the Code, or within 30 days after any amendment by the debtor of his statement, whichever is later.
DEADLINE TO MAKE AN ELECTION UNDER 11 U.S.C. § 1111(b).	The deadline for a secured party to make an election under 11 U.S.C. § 1111(b) is fixed as 14 days after a plan is filed, unless the Court directs otherwise.
CREDITORS WITH A FOREIGN ADDRESS	If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.
FILING A CHAPTER 11 BANKRUPTCY CASE	Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. The debtor will generally remain in possession of the property and may continue to operate the debtor's business.
DISCHARGE OF DEBTS	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.

NOTICE IS FURTHER GIVEN that pursuant to the Bar Date Order, notice of this Bankruptcy Case is limited and you will only receive this Initial Notice by mail. Copies of the Debtor's Schedules, the Bar Date Order, and other information regarding this chapter 11 case is available for inspection free of charge on the Claims and Noticing Agent's website at <https://cases.stretto.com/KalosCapital>. The Schedules and other filings in this chapter 11 case also are available for a fee at the Court's website at <https://ecf.ganb.uscourts.gov/>. NO FURTHER NOTICE SHALL BE GIVEN UNLESS YOU TAKE SOME ACTION TO PARTICIPATE IN THIS CASE.

NOTICE IS FURTHER GIVEN that on October 17, 2022 the Debtor filed its Plan of Liquidation (the "Plan"). The Plan, among other things, proposes to make distributions on allowed claims. The Plan includes a release of the Debtor and third parties related to the Debtor from any and all claims and causes of action that such holders would have been legally entitled to assert. A copy of the Plan can be found at the Claims and Noticing Agent's website. PLEASE READ AND REVIEW THE PLAN CAREFULLY AS YOUR RIGHTS MAY BE AFFECTED BY THE PLAN.

*****IF YOU WERE A CLIENT OF KALOS CAPITAL, YOUR BROKERAGE ACCOUNT IS HELD AT THE CUSTODIAN, you can contact your financial professional or the custodian directly for service with your account.***** For National Financial Services (NFS) the contact number is 800-801-9942; For RBC the contact number is 612-371-7830; For Equity Trust or EAS the contact number is 877-819-8918 or email easserviceteam@equityadvisorsolutions.com Again, **your account is held at a custodian**. You can either contact your financial professional or the custodian for assistance.