

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	
)	Chapter 11
ALEXANDER E. JONES,)	
Debtor.)	Case No. 22-33553 (CML)
)	
)	

NOTICE WITH RESPECT TO CREDITORS’ PLAN

PLEASE TAKE NOTICE that on January 22, 2024, the Official Committee of Unsecured Creditors (the “Committee”) appointed in the above captioned chapter 11 case (the “Jones Case”), the Connecticut Plaintiffs,¹ and the Texas Plaintiffs² (collectively, the “Creditor Plan Proponents”) filed the *Creditors’ Non-Uniform Individual Chapter 11 Plan of Liquidation for Alexander E. Jones* [ECF No. 562] (as may be amended, the “Creditors’ Plan”).

PLEASE TAKE FURTHER NOTICE that on January 22, 2024, the Creditor Plan Proponents filed the *Specific Disclosure Statement for the Creditors’ Non-Uniform Individual Chapter 11 Plan of Liquidation for Alexander E. Jones* [ECF No. 563] (as may be amended, the “Specific Disclosure Statement”).

PLEASE TAKE FURTHER NOTICE that on January 25, 2024, the United States Bankruptcy Court for the Southern District of Texas (the “Court”) entered the *Order (I) Approving the Disclosure Statement on a Conditional Basis; (II) Approving the Solicitation Procedures; (III) Approving the Form of Ballot and Opt-Out Form; and (IV) Approving Certain Dates and Deadline in Connection with Solicitation of the Creditors’ Plan* [ECF No. 578], conditionally approving the Specific Disclosure Statement for use by the Creditor Plan Proponents in soliciting acceptances or rejections of the Creditors’ Plan.

PLEASE TAKE FURTHER NOTICE that on January 29, 2024, the Creditor Plan Proponents filed the *Notice of Filing of Solicitation Version of the Specific Disclosure Statement for the Creditors’ Non-Uniform Chapter 11 Plan of Liquidation for Alexander E. Jones* [ECF No. 587], attached to which was the solicitation version of the Creditors’ Plan.

PLEASE TAKE FURTHER NOTICE that on February 2, 2024, counsel to the Committee filed the *Affidavit of Service of Solicitation Materials* [ECF No. 596] indicating that

¹ The “Connecticut Plaintiffs” are (i) David Wheeler; (ii) Francine Wheeler; (iii) Mark Barden; (iv) Jacqueline Barden; (v) Nicole Hockley; (vi) Ian Hockley; (vii) Jennifer Hensel; (viii) Donna Soto; (ix) Carlee Soto-Parisi; (x) Carlos M. Soto; (xi) Jillian Soto Marino; (xii) William Aldenberg; (xiii) William Sherlach; (xiv) Robert Parker; and (xv) Erica Ash.

² The “Texas Plaintiffs” are: (i) Neil Heslin; (ii) Scarlett Lewis; (iii) Leonard Pozner; (iv) Veronique De La Rosa; and (v) the Estate of Marcel Fontaine.

the solicitation versions of the Creditors' Plan and Specific Disclosure Statement had been served as provided therein.

PLEASE TAKE FURTHER NOTICE that on February 16, 2024, counsel to the Committee filed the *Declaration of Sara L. Brauner Regarding the Solicitation of Votes and Tabulation of Ballots and Opt-Out Forms Submitted in Connection with the Creditors' Non-Uniform Chapter 11 Plan of Alexander E. Jones* [ECF No. 604] indicating that the plan had been approved by virtually all creditors entitled to vote.³

PLEASE TAKE FURTHER NOTICE that on May 24, 2024, the Creditor Plan Proponents filed a further revised version of the Creditors' Plan reflecting certain changes to account for informal comments from various parties in interest [ECF No. 679] to be considered at the hearing previously set for June 14, 2024.

PLEASE TAKE FURTHER NOTICE that, notwithstanding overwhelming creditor support for the Creditors' Plan, in light of current circumstances in the Jones Case, the Creditor Plan Proponents do not intend to pursue confirmation of the Creditors' Plan and, instead, support conversion of the Jones Case to chapter 7. For the avoidance of doubt, however, the Creditor Plan Proponents reserve all rights with respect to the Creditors' Plan.

[The remainder of this page is left blank intentionally.]

³ Of the 23 ballots distributed in respect of the Creditors' Plan, 21 ballots were returned, and each returned ballot was a vote in favor of such plan. One unreturned ballot belongs to a creditor that withdrew its claim shortly after solicitation. The other unreturned ballot belongs to the City of Austin in the amount of \$86.60.

Dated: June 7, 2024

/s/ Marty L. Brimmage, Jr.

AKIN GUMP STRAUSS HAUER & FELD LLP

Marty L. Brimmage, Jr.
Texas Bar No. 00793386
2300 N. Field Street, Suite 1800
Dallas, Texas 75201
Telephone: (214) 969-2800
Fax: (214) 969-4343
E-mail: mbrimmage@akingump.com

-and-

David M. Zensky (admitted *pro hac vice*)
Sara L. Brauner (admitted *pro hac vice*)
Katherine Porter (admitted *pro hac vice*)
Anna Kordas (admitted *pro hac vice*)
Melanie A. Miller (admitted *pro hac vice*)
One Bryant Park
New York, NY 10036
Telephone: (212) 872-1000
Fax: (212) 872-1002
E-mail: dzensky@akingump.com
E-mail: sbrauner@akingump.com
E-mail: kporter@akingump.com
E-mail: akordas@akingump.com
E-mail: melanie.miller@akingump.com

***Counsel to the Official Committee of Unsecured
Creditors of Alexander E. Jones***

/s/ Ryan E. Chapple

CAIN & SKARNULIS PLLC

Ryan E. Chapple
State Bar No. 24036354
303 Colorado Street, Suite 2850
Austin, TX 78701
Telephone: (512) 477-5000
Fax: (512) 477-5011
E-mail: rchapple@cstrial.com

KOSKOFF KOSKOFF & BIEDER, PC

Alinor C. Sterling (admitted *pro hac vice*)
350 Fairfield Avenue
Bridgeport, CT 06604
Telephone: (203) 336-4421
E-mail: asterling@koskoff.com

**PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP**

Kyle J. Kimpler (admitted *pro hac vice*)
Leslie E. Liberman (admitted *pro hac vice*)
Vida Robinson (admitted *pro hac vice*)
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Fax: (212) 757-3990
E-mail: kkimpler@paulweiss.com
E-mail: lliberman@paulweiss.com
E-mail: virobinson@paulweiss.com

Co-Counsel to the Connecticut Plaintiffs

/s/ Avi Moshenberg

LAWSON & MOSHENBERG PLLC

Avi Moshenberg
State Bar No. 24083532
801 Travis Street, Suite 2101, #838
Houston, TX 77002
Telephone: (713) 449-9644
E-mail: avi.Moshenberg@lmbusinesslaw.com

**CHAMBERLAIN, HRDLICKA,
WHITE, WILLIAMS & AUGHTRY, PC**

Jarrod B. Martin
State Bar No. 24070221
1200 Smith Street, Suite 1400
Houston, TX 77002
Telephone: (713) 356-1280
Fax: (713) 658-2553
E-mail: jarrod.martin@chamberlainlaw.com

WILLKIE FARR & GALLAGHER LLP

Jennifer J. Hardy
State Bar No. 24096068
600 Travis Street
Houston, TX 77002
Telephone: (713) 510-1766
Fax: (713) 510-1799
E-mail: jhardy2@willkie.com

WILLKIE FARR & GALLAGHER LLP

Rachel C. Strickland (admitted *pro hac vice*)
Stuart R. Lombardi (admitted *pro hac vice*)
Ciara A. Sisco (admitted *pro hac vice*)
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 728-8000
Fax: (212) 728-8111
E-mail: rstrickland@willkie.com
E-mail: slombardi@willkie.com
E-mail: csisco@willkie.com

Co-Counsel to the Texas Plaintiffs

CERTIFICATE OF SERVICE

I certify that on June 7, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Marty L. Brimmage, Jr.
Marty L. Brimmage, Jr.