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HONORABLE WHITMAN L. HOLT

**UNITED STATES BANKRUPTCY COURT**
**EASTERN DISTRICT OF WASHINGTON**

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|---|---|
| In re:<br><br>ICAP ENTERPRISES, INC., et al.,<br><br>Debtors.[1] | Chapter 11<br><br>Lead Case No. 23-01243-WLH11<br>Jointly Administered<br><br>**NOTICE OF (I) CONFIRMATION OF THE SECOND MODIFIED SECOND AMENDED JOINT CHAPTER 11 PLAN AND (II) OCCURRENCE OF THE EFFECTIVE DATE** |

[1] The Debtors (along with their case numbers) are iCap Enterprises, Inc. (23-01243-11); iCap Pacific NW Management, LLC (23-01261-11); iCap Vault Management, LLC (23-01258-11); iCap Vault, LLC (23-01256-11); iCap Vault 1, LLC (23-01257-11); Vault Holding 1, LLC (23-01265-11); iCap Investments, LLC (23-01255-11); iCap Pacific Northwest Opportunity and Income Fund, LLC (23-01248-11); iCap Equity, LLC (23-01247-11); iCap Pacific Income 4 Fund, LLC (23-01251-11); iCap Pacific Income 5 Fund, LLC (23-01249-11); iCap Northwest Opportunity Fund, LLC (23-01253-11); 725 Broadway, LLC (23-01245-11); Senza Kenmore, LLC (23-01254-11); iCap Campbell Way, LLC (23-01250-11); UW 17th Ave, LLC (23-01267-11); iCap Broadway, LLC (23-01252-11); VH 1121 14th LLC (23-01264-11); VH Senior Care LLC (23-01266-11); VH Willows Townhomes LLC (23-01262-11); iCap @ UW, LLC (23-01244-11); VH 2nd Street Office, LLC (23-01259-11); VH Pioneer Village LLC (23-01263-11); iCap Funding LLC (23-01246-11); iCap Management LLC (23-01268-11); iCap Realty, LLC (23-01260-11); Vault Holding, LLC (23-01270-11); iCap Pacific Development LLC (23-01271-11); iCap Holding LLC (23-01272-11); iCap Holding 5 LLC (23-01273-11); iCap Holding 6 LLC (23-01274-11); Colpitts Sunset, LLC (23-01432-11); CS2 Real Estate Development LLC (23-01434-11); and iCap International Investments, LLC (23-01464-11).

**PLEASE TAKE NOTICE** that on October 18, 2024, the Honorable Whitman L. Holt, United States Bankruptcy Judge for the United States Bankruptcy Court for the Eastern District of Washington (the "Bankruptcy Court"), entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Second Modified Second Amended Joint Chapter 11 Plan of Liquidation of iCap Enterprises, Inc. and its Affiliated Debtors Proposed by the Debtors and Official Committee of Unsecured Creditors* [ECF No. 1414] (the "Confirmation Order") in these Chapter 11 Cases. Pursuant to the Confirmation Order, the Bankruptcy Court confirmed the *Second Modified Second Amended Joint Chapter 11 Plan of Liquidation of iCap Enterprises, Inc. and its Affiliated Debtors Proposed by the Debtors and Official Committee of Unsecured Creditors* [ECF No. 1360] (as modified by the Confirmation Order, the "Plan"), which is attached as **Exhibit A** to the Confirmation Order.[2]

**PLEASE TAKE FURTHER NOTICE** that the Effective Date of the Plan occurred on **November 13, 2024**. Each of the conditions precedent to the Effective Date enumerated in Article IX.A of the Plan have been satisfied or waived in accordance with the Plan and the Confirmation Order.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Confirmation Order, the release, exculpation, and injunction provisions in Article X of the Plan (as modified by the Confirmation Order) are now in full force and effect.

**PLEASE TAKE FURTHER NOTICE** that any requests asserting Administrative Expense Claims arising from the Petition Date through and including the Effective Date, excluding (a) Claims of Professional Persons in the Chapter 11 Cases and (b) claims arising in the ordinary course of business, must be filed no later than **December 16, 2024**.

[2] Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Plan.



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**PLEASE TAKE FURTHER NOTICE** that Professional Persons retained in these Chapter 11 Cases requesting compensation or reimbursement for services performed and expenses incurred prior to the Effective Date must file with the Bankruptcy Court, and serve on: (a) the iCap Trustees, (i) Pivot Management Group, LLC, 1230 Rosecrans Ave., Suite 530, Manhattan Beach, CA 90266 (Attn: Lance Miller (Lance.miller@pivotgrp.com)) and (ii) B. Riley Advisory Services, 19800 MacArthur Boulevard, Suite 820, Irvine, CA 92612 (Attn: Seth R. Freeman (SFreeman@brileyfin.com)); (b) counsel to the Debtors, O'Melveny & Myers LLP (i) 400 South Hope Street, Suite 1900, Los Angeles, CA 90071 (Attn: Julian Gurule (jgurule@omm.com)) and (ii) 1301 Avenue of the Americas, Suite 1700, New York, NY 10019 (Attn: Diana Perez (dperez@omm.com)); (c) counsel to the Unsecured Creditors' Committee, (i) Bush Kornfeld LLP, 601 Union Street, Suite 5000, Seattle, WA 98101 (Attn: Armand J. Kornfeld (jkornfeld@bskd.com) and Aimee S. Willig (awillig@bskd.com)) and (ii) K&L Gates, 925 Fourth Avenue, Suite 2900, Seattle, WA 98104 (Attn: John T. Bender (John.Bender@klgates.com)); (d) the Office of the United States Trustee, United States Department of Justice, 920 West Riverside Avenue, Room 593, Spokane, WA 99201 (Attn: Gary W. Dyer (Gary.W.Dyer@usdoj.gov)); and (e) such other Persons who are designated by the Bankruptcy Rules, the Confirmation Order, or other order of the Bankruptcy Court, a final request for compensation and reimbursement of expenses in the Chapter 11 Cases by no later than **January 13, 2025**, unless otherwise agreed by the Debtors or the iCap Trustees, as applicable. Objections to any Claims of Professional Persons must be filed with the Bankruptcy Court and served on the iCap Trustees and the applicable Professional Person no later than fourteen (14) days after service of such applicable final fee application, unless otherwise ordered by the Bankruptcy Court.



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**PLEASE TAKE FURTHER NOTICE** that except as otherwise provided in the Plan or the Confirmation Order, all executory contracts and unexpired leases of the Debtors entered into prior to the Petition Date have been rejected pursuant to the Plan. If your contract or lease is rejected, you may have a Claim resulting from that rejection. The deadline to file a proof of Claim in connection with any executory contract or unexpired lease rejected under the Plan must be filed so it is actually received by the Claims Agent no later than thirty (30) days after service of this Notice of Effective Date. **Any Claim arising from the rejection of an executory contract or unexpired lease for which a proof of Claim is not filed and served by the deadline stated in this paragraph shall not receive or be entitled to receive any payment or Distribution from the Debtors or the iCap Trust with respect to such Claim in the Chapter 11 Cases**.

**PLEASE TAKE FURTHER NOTICE** that, notwithstanding Bankruptcy Rules 3020(e), 6004(h), or 7062 or otherwise, upon the occurrence of the Effective Date, the terms of the Plan shall be immediately effective and enforceable and deemed binding upon the Debtors, and any and all Holders of Claims or Equity Interests (irrespective of whether such Claims or Equity Interests are deemed to have accepted the Plan), all Persons and Entities that are party, or subject, to the settlements, compromises, releases, and injunctions described in the Plan, each Person acquiring property under the Plan, and the respective heirs, executors, administrators, successors or assigns, affiliates, officers, directors, agents, representatives, attorneys, beneficiaries, or guardians, if any, with respect to the foregoing.

**PLEASE TAKE FURTHER NOTICE** that the Confirmation Order and the Plan are available for inspection. Copies of the Confirmation Order and the Plan are available (i) upon request by emailing or calling the Claims Agent at iCap@bmcgroup.com or at (888) 909-0100, (ii) for a fee, on the United States

Bankruptcy Court PACER website at http://www.waeb.uscourts.gov, or (iii) free of charge on the Debtors' case website at https://cases.creditorinfo.com/iCap.

**PLEASE TAKE FURTHER NOTICE** that the Plan and the Confirmation Order contain other provisions that may affect your rights. You are encouraged to review the Plan and the Confirmation Order in their entirety.

DATED this 14th day of November 2024.

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By */s/ Oren B. Haker*
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