

LOWENSTEIN SANDLER LLP

Kenneth A. Rosen, Esq.
Jeffrey D. Prol, Esq.
Nicole Fulfree, Esq.
Michael Papandrea, Esq.
One Lowenstein Drive
Roseland, New Jersey 07068
(973) 597-2500 (Telephone)
(973) 597-2400 (Facsimile)

*Counsel to the Debtors and
Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:	Chapter 11
Mountain Creek Resort, Inc., <i>et al.</i> , ¹	Case No. 17-19899 (SLM)
Debtors.	(Jointly Administered)
	Re: Docket Nos. 1219 and 1220

**NOTICE OF (I) ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER (A) APPROVING THE DEBTORS’ DISCLOSURE
STATEMENT ON A FINAL BASIS AND (B) CONFIRMING THE DEBTORS’
THIRD MODIFIED SECOND AMENDED JOINT PLAN OF
REORGANIZATION; AND (II) OCCURRENCE OF THE EFFECTIVE DATE**

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. **Plan Confirmation.** On February 26, 2020, the Court entered an order (the “Confirmation Order”) [Docket No. 1220] approving the Debtors’ Disclosure Statement on a final basis and confirming the *Debtors’ Third Modified Second Amended Joint Plan of Reorganization* (the “Plan”) [Docket No. 1219].²

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Mountain Creek Resort, Inc. (4557), Mountain Creek Services Inc. (3228), Mountain Creek Management, LLC (1394), Mountain Creek Mountainslide, LLC (1545), Mountain Leasing LLC (6057), and Appalachian Liquors Corporation (954).

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Confirmation Order or, if not defined therein, the Plan.

2. **Copies of the Plan and Confirmation Order.** The Plan is attached to the Confirmation Order as Exhibit A. The Confirmation Order, the Plan, and the other documents filed in the Chapter 11 Cases are available free of charge by visiting <https://cases.primeclerk.com/mountaincreek> or by calling 1-844-721-3906 (toll free from the U.S. and Canada); or 844-721-3906 (international) or by e-mail at mountaincreekinfo@primeclerk.com. You may also obtain copies of any pleadings by visiting the Court's website at <https://ecf.njb.uscourts.gov>. A PACER password is needed to access documents on the Court's website.

3. **Effective Date.** On February 27, 2020, the Effective Date of the Plan occurred. All conditions precedent to the Effective Date set forth in section 8.2 of the Plan have been satisfied or waived pursuant to section 8.3 of the Plan.

4. **Professional Fee Claims / Final Fee Applications.** All final applications by Professionals for compensation and reimbursement of expenses incurred in connection with the Chapter 11 Cases shall be filed with the Bankruptcy Court and served on the Reorganized Debtors within 60 days following the Effective Date (*i.e.*, by no later than April 27, 2020), notwithstanding any prior notices, Bankruptcy Rules, or Local Rules to the contrary. All such final applications shall be subject to approval by the Bankruptcy Court after notice and a hearing in accordance with the procedures established by the Bankruptcy Code and prior orders of the Bankruptcy Court in the Chapter 11 Cases.

5. **General Administrative Expense Claims.** Except as otherwise provided in the Confirmation Order or the Plan, all requests for payment of a General Administrative Expense Claim incurred after August 15, 2019³ must be filed, in substantially the form of the Administrative Claim Request Form attached as Exhibit B to the Confirmation Order (and as available on Prime Clerk LLC's website referenced above), with the Claims and Solicitation Agent and served on the Reorganized Debtors and the Plan Administrator no later than 30 calendar days after the Effective Date of the Plan (*i.e.*, by no later than March 30, 2020), unless otherwise ordered by the Bankruptcy Court. Holders of General Administrative Expense Claims incurred after August 15, 2019 that are required to, but do not, file and request payment of such General Administrative Expense Claim(s) by the Administrative Expense Claim Bar Date shall be forever barred, estopped, and enjoined from asserting such General Administrative Expense Claims against the Debtors or their property and such General Administrative Expense Claims shall be deemed disallowed in full.

6. **Claims Objection Deadline.** The deadline to object to Claims shall be the date that is 180 days after the Effective Date (*i.e.*, by no later than August 25, 2020) or such later date as may be approved by the Bankruptcy Court upon motion. The Claims Objection Deadline shall automatically be extended upon the Reorganized Debtors' filing of a motion to extend the Claims Objection Deadline, pending the resolution of such motion.

³ General Administrative Expense Claims incurred on or before August 15, 2019 were required to be filed by no later than September 18, 2019 or such General Administrative Expense Claims are barred and unenforceable against the Debtors, or their respective successors, assigns, or assets pursuant to this Court's order entered on August 16, 2019 [Docket No. 976].

7. **Executory Contracts to be Rejected.** Except as otherwise provided in the Plan, each Executory Contract shall be deemed automatically rejected pursuant to sections 365 and 1123 of the Bankruptcy Code as of the Confirmation Date (*i.e.*, the date of entry of this Confirmation Order), unless any such Executory Contract: (i) is listed on the Assumption List contained on Exhibit A to the Plan Supplement; (ii) has been previously assumed by the Debtors by Final Order of the Bankruptcy Court or has been assumed by the Debtors by order of the Bankruptcy Court as of the Effective Date, which order becomes a Final Order after the Effective Date; (iii) is an Insurance Policy; or (iv) is otherwise assumed pursuant to the terms of the Plan. The Confirmation Order constitutes an order of the Bankruptcy Court approving such rejections pursuant to sections 365 and 1123 of the Bankruptcy Code, effective as of the Confirmation Date. The counterparties to Executory Contracts that are deemed to be rejected as of the Confirmation Date shall have the right to assert any Claim on account of the rejection of such Executory Contracts subject to compliance with the requirements in the Plan and Confirmation Order.

8. **Executory Contracts to be Assumed.** On the Effective Date, each Executory Contract listed on the Assumption List attached as Exhibit A to the Plan Supplement shall be assumed and shall vest in and be fully enforceable by the Debtors or their assignee (if any) in accordance with its terms, except as modified by the provisions of the Plan or any order of the Bankruptcy Court authorizing or providing for its assumption or applicable federal law. Assumption of any Executory Contract pursuant to the Plan or otherwise shall result in the full release and satisfaction of any cure amount, Claims, or defaults, whether monetary or nonmonetary, including defaults of provisions restricting the change-in-control or ownership-interest composition or other bankruptcy-related defaults, arising under any assumed Executory Contract at any time prior to the effective date of assumption or assumption and assignment. All cure amounts indicated on the Assumption List shall be paid by no later than 30 days after the Effective Date (*i.e.*, by no later than March 30, 2020).

9. **Rejection Damages Bar Date.** Except to the extent that another bar date applies pursuant to an Order of the Bankruptcy Court, all Proofs of Claim with respect to Claims arising from the rejection of Executory Contracts under the Plan must be filed with the Clerk of the Bankruptcy Court, 50 Walnut Street, Newark, New Jersey 07102, and served on the Reorganized Debtors, within 21 days from the entry of the Confirmation Order (*i.e.*, by no later than March 18, 2020), or such Claim shall be forever barred and shall not be entitled to a distribution or enforceable against the Debtors and its successors, assigns or its assets.

10. **Post-Effective Date Notice Pursuant to Bankruptcy Rule 2002.** After the Effective Date, to continue to receive notice of documents pursuant to Bankruptcy Rule 2002, all creditors and other parties in interest (except those listed in the Confirmation Order) must file a renewed notice of appearance requesting receipt of documents pursuant to Bankruptcy Rule 2002.

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Dated: February 28, 2020

LOWENSTEIN SANDLER LLP

/s/ Jeffrey D. Prol

Kenneth A. Rosen, Esq.

Jeffrey D. Prol, Esq.

Nicole Fulfree, Esq.

Michael Papandrea, Esq.

One Lowenstein Drive

Roseland, New Jersey 07068

(973) 597-2500 (Telephone)

(973) 597-2400 (Facsimile)

krosen@lowenstein.com

jprol@lowenstein.com

nfulfree@lowenstein.com

mpapandrea@lowenstein.com

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