

MCDERMOTT WILL & EMERY LLP

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
AGERA ENERGY LLC, <i>et al.</i> , ¹)	Case No. 19-23802 (RDD)
)	
Debtors.)	(Jointly Administered)
)	

**NOTICE OF OCCURRENCE OF EFFECTIVE DATE OF
MODIFIED SECOND AMENDED JOINT CHAPTER 11 PLAN OF
LIQUIDATION OF AGERA ENERGY LLC, ET AL. DATED JUNE 16, 2020**

PLEASE TAKE NOTICE that on June 16, 2020, the United States Bankruptcy Court for the Southern District of New York entered an order (the “Confirmation Order”) [Docket. No. 777], confirming the *Modified Second Amended Joint Chapter 11 Plan of Liquidation of Agera Energy LLC, et al.*, dated June 16, 2020 (the “Plan”)² [Docket No. 774].

¹ The Debtors, together with the last four digits of each Debtor’s federal tax identification number, are: Agera Energy LLC (8122); Agera Holdings, LLC (3335); energy.me midwest llc (9484); Aequitas Energy, Inc. (7988); Utility Recovery LLC (4351); and Agera Solutions LLC (8749). The location of the Debtors’ corporate headquarters and the service address for all Debtors is 555 Pleasantville Road, S-107, Briarcliff Manor, NY 10510.

² Capitalized terms used but not defined herein have the meanings ascribed to such terms in the Plan.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 7.2 of the Plan, all conditions precedent to the Effective Date have been satisfied or waived, and the Effective Date occurred on July 8, 2020.

PLEASE TAKE FURTHER NOTICE that as a result of the occurrence of the Effective Date, the Liquidation Trust was established and the Liquidation Trustee was appointed for purposes set forth in the Plan and Liquidation Trust Agreement, as applicable.

PLEASE TAKE FURTHER NOTICE that pursuant to paragraph 3 of the Confirmation Order and section 12.6 of the Plan, except as provided in section 1141(d)(3) of the Bankruptcy Code, the Plan shall be binding upon the Debtors, all holders of Claims against the Debtors and Interests in the Debtors, and any other party in interest in the Bankruptcy Cases and their respective successors and assigns, regardless of whether the holders of such Claims, Interests, or obligations or any party in interest have accepted the Plan or filed a proof of claim in the Bankruptcy Cases.

PLEASE TAKE FURTHER NOTICE pursuant to paragraph 27 of the Confirmation Order and section 2.4 of the Plan, all parties seeking approval and/or payment of a Professional Fee Claim shall file and serve an application for final allowance of compensation for services rendered and reimbursement of expenses incurred prior to the Effective Date and in connection with the preparation and prosecution of such final application **no later than August 10, 2020**. The application shall be served on the Liquidation Trustee, the U.S. Trustee, and any other Person entitled to notice pursuant to Bankruptcy Rule 2002. Objections to such Professional Fee Claims, if any, must be filed and served **no later than August 27, 2020**.

PLEASE TAKE FURTHER NOTICE that Claims arising out of the rejection of any executory contract or unexpired lease pursuant to Article 6 of the Plan must file a proof of claim

substantially in the form of Official Form 410 with the Claims Agent and serve it upon counsel to the Liquidation Trustee **no later than August 7, 2020**. Any Claim not filed within such time shall be forever barred and shall not be enforceable against the Debtors, their properties, successors and assigns, the Estates, or the Liquidation Trust. Proofs of claim must be filed either electronically through <https://case.stretto.com/agera/fileclaim> or by mailing the original proof of Claim either by U.S. Postal Service mail or overnight delivery to: (1) the United States Bankruptcy Court, Southern District of New York; (2) Agera Claims Processing Center, c/o Stretto, 410 Exchange, Ste. 100, Irvine, CA 92602; or (3) by delivering the original proof of claim by hand to the United States Bankruptcy Court, Southern District of New York Southern District of New York, 300 Quarropas Street, Room 248, White Plains, NY 10601. You may obtain a proof of claim form at <https://cases.stretto.com/agera> or (b) <http://www.uscourts.gov/forms/bankruptcy-forms>. You may also obtain a proof of claim form from any bankruptcy court clerk's office, from your lawyer, or from certain business supply stores.

PLEASE TAKE FURTHER NOTICE that the Confirmation Order and the Plan are each on file with the Clerk of the Bankruptcy Court, and may be examined by interested parties at the Office of the Clerk of the Bankruptcy Court, United States Bankruptcy Court, Southern District of New York, 300 Quarropas Street, White Plains, NY 10601, during regular business hours. Copies of the Confirmation Order and the Plan may also be obtained free of charge by visiting the website of Stretto, the Debtors' agent supervising the solicitation, tabulation, and balloting process at <http://cases.stretto.com/agera>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

Dated: July 9, 2020
New York, NY

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

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