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9 ET Solar, Inc.

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND DIVISION**

13 ET SOLAR, INC.,

14 Debtor,

Case No. 17-43031 CN

Chapter 11

15 Date: November 8, 2018

16 Time: 10:00 a.m.

17 Place: Courtroom 215

1300 Clay Street

18 Oakland, California

19 **NOTICE OF HEARING ON (1) CONFIRMATION OF PLAN OF REORGANIZATION;**
20 **AND (2) OPPORTUNITY FOR OVERBID ON NEW EQUITY**
21 **OF REORGANIZED DEBTOR**
(11 U.S.C. SECTIONS 1129(a), (b))

22 TO ALL CREDITORS AND OTHER PARTIES IN INTEREST, ALL PARTIES
23 REQUESTING SPECIAL NOTICE, THE SECURITIES AND EXCHANGE COMMISSION, THE
UNITED STATES TRUSTEE, AND THEIR RESPECTIVE COUNSEL:

24 The Debtor's Chapter 11 Plan (September 11, 2018) (the "Plan") and Disclosure Statement
25 for Debtor's Plan of Reorganization (September 11, 2018) (the "Disclosure Statement") having been
26 filed on September 11, 2018,

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1 **NOTICE IS HEREBY GIVEN THAT:**

2 1. The hearing to confirm the Plan under Bankruptcy Code section 1129(a) and, if
3 necessary, Bankruptcy Code section 1129(b) is set for November 8, 2018 at 10:00 a.m. The location
4 is Courtroom 215, 1300 Clay Street, Oakland, California.

5 2. If you are entitled to vote you will receive a solicitation package which shall include a
6 copy of (a) this Notice, (b) an order approving the Disclosure Statement, (c) the Disclosure
7 Statement, (d) the Plan, and (e) a ballot. The ballot contains specific voting instructions. Failure to
8 follow the voting instructions may disqualify your vote. All filed documents may be examined by
9 accessing the Court’s website: <http://www.canb.uscourts.gov>. To access documents on the Court’s
10 website, you will need a PACER password and login, which can be obtained at
11 www.pacer.psc.uscourts.gov.

12 3. November 1 , 2018 is (1) the last day for filing and serving objections to the Plan, and
13 (2) ballots for acceptance or rejection of the Plan. **Ballots must be physically received by**
14 **November 1, 2018, or your vote will not be counted.** Only ballots delivered by mail, courier
15 service, hand delivery or email will be counted. Ballots delivered by facsimile shall not be counted.
16 Ballots and objections should be sent to the following person at the following address:

17 **Robert G. Harris, Esq.**
18 **Binder & Malter, LLP**
19 **2775 Park Avenue**
 Santa Clara, CA 95050

20 4. Requests for copies of the Plan and any amendments filed before the hearing thereon
21 should be mailed to the Debtor at the address of the undersigned counsel. If you wish to receive a
22 copy of any supplemental or amended filings, it is important that you advise the undersigned
23 counsel in writing of your address.

24 **OPPORTUNITY FOR OVERBID TO PURCHASE NEW EQUITY**

25 PLEASE TAKE FURTHER NOTICE THAT the \$100,000 New Value Contribution set
26 forth in the Plan is subject to overbid at the time of hearing on confirmation of the Plan. **Any party**
27 **interested in overbidding to acquire the New Equity, a 100% interest in the Reorganized**
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1 **Debtor, must attend the Plan confirmation hearing and make an overbid of at least \$125,000**
2 **payable in cash. Bidding following the initial overbid shall be in increments of \$25,000.**

3 Dated: October 3, 2018

BINDER & MALTER, LLP

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By: /s/ Robert G. Harris
Robert G. Harris

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Attorneys for Debtor and Debtor-in-Possession
ET Solar, Inc.

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