

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: SUNTECH AMERICA, INC., <u>et al.</u> , Debtors. ¹	X : : : : : : X	Chapter 11 Case No. 15-10054 (CSS) Jointly Administered Re: Docket Nos. 398 & 476
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**NOTICE OF (I) APPROVAL OF
ADEQUACY OF THE DISCLOSURES IN
THE COMBINED DISCLOSURE STATEMENT
AND CHAPTER 11 PLAN OF LIQUIDATION,
(II) ESTABLISHMENT OF SOLICITATION AND VOTING
PROCEDURES, (III) SCHEDULING OF CONFIRMATION
HEARING, AND (IV) ESTABLISHMENT OF NOTICE AND
OBJECTION PROCEDURES FOR CONFIRMATION OF THE COMBINED
DISCLOSURE STATEMENT AND CHAPTER 11 PLAN OF LIQUIDATION**

PLEASE TAKE NOTICE that on November 17, 2015, the above-captioned debtors (the “**Debtors**”) filed the *Debtors’ Combined Disclosure Statement and Chapter 11 Plan of Liquidation* [Docket No. 398] (the “**Combined Plan and Disclosure Statement**”)². On January 14, 2016, the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) entered an order [Docket No. 476] (the “**Disclosure Statement Order**”) that, among other things, approved the disclosures in the Combined Plan and Disclosure Statement as containing “adequate information,” and authorized the Debtors to begin soliciting votes in favor of the Combined Plan and Disclosure Statement in accordance with the terms of the Disclosure Statement Order.

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of the Debtors’ federal tax identification numbers, are Suntech America, Inc. (9235) and Suntech Arizona, Inc. (0353). The Debtors’ mailing address is 2721 Shattuck Ave., #304, Berkeley, CA 94705.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Combined Plan and Disclosure Statement.

PLEASE TAKE FURTHER NOTICE that the Disclosure Statement Order established the following key dates and deadlines:

Milestone³	Date
Voting Record Date	January 13, 2016
Date Solicitation will Commence	January 19, 2016
3018 Motion Deadline	February 9, 2016
3018 Objection Deadline	February 16, 2016
Plan Supplement Filing Deadline	February 2, 2016
Voting Deadline	February 16, 2016
Plan Objection Deadline	February 16, 2016 at 4:00 p.m. (ET)
Deadline to File Memoranda of Law and/or Affidavits in Support of Confirmation of the Combined Plan and Disclosure Statement	February 23, 2016 at 12:00 p.m. (ET)
Deadline to File Replies to any Objections to the Combined Plan and Disclosure Statement	February 23, 2016 at 12:00 p.m. (ET)
Voting Report Filing Deadline	February 23, 2016 at 12:00 p.m. (ET)
Confirmation Hearing	February 25, 2016 at 2:00 p.m. (ET)

PLEASE TAKE FURTHER NOTICE that (i) the Bankruptcy Court will hold a hearing to consider confirmation of the Combined Plan and Disclosure Statement (the “**Confirmation Hearing**”) on **February 25, 2016 at 2:00 p.m. (ET)** before The Honorable Christopher S. Sontchi, United States Bankruptcy Judge, in the Bankruptcy Court, located at 824 North Market Street, 5th Floor, Courtroom 6, Wilmington, Delaware 19801 and (ii) the deadline for filing objections to confirmation of the Combined Plan and Disclosure Statement is **February 16, 2016**

³ On or within two (2) Business Days of the Effective Date, the Debtors will file and serve a notice of occurrence of the Effective Date, which will include the Administrative Expense Bar Date and the Rejection Bar Date.

at 4:00 p.m. (ET) (the “**Objection Deadline**”). The Confirmation Hearing may be continued from time to time without further notice other than the announcement by the Debtors of the adjourned date(s) at the Confirmation Hearing or any continued hearing or as indicated in any notice of agenda of matters scheduled for hearing filed with the Bankruptcy Court. The Debtors may modify the Combined Plan and Disclosure Statement, if necessary, prior to, during, or as a result of the Confirmation Hearing in accordance with the terms of the Combined Plan and Disclosure Statement without further notice.

PLEASE TAKE FURTHER NOTICE that the Combined Plan and Disclosure Statement provides for the following classifications and treatment of claims and equity interests:

Class	Type	Status under Plan	Voting Status	Estimated Recovery to Holders of Allowed Claims and Equity Interests
1	Secured Claims	Unimpaired	Deemed to Accept	100%
2	Priority Non-Tax Claims	Unimpaired	Deemed to Accept	100%
3	General Unsecured Claims (other than those in Class 4)	Impaired	Entitled to Vote	30%
4	General Unsecured Claims of Solyndra and Wuxi	Impaired	Entitled to Vote	2.86%
5	Products Liability Claims	Impaired	Entitled to Vote	Subject to insurance recoveries
6	Affiliate Claims	Impaired	Entitled to Vote	Undetermined
7	Intercompany Claims	Impaired	Deemed to Reject	0%
8	Equity Interests	Impaired	Entitled to Vote	Undetermined

PLEASE TAKE FURTHER NOTICE that holders of claims or equity interests in Classes 3, 4, 5, 6, and/or 8 as of January 13, 2016 are entitled to vote. If you hold such a claim or equity interest, you will receive a solicitation package (the “**Solicitation Package**”) which shall include (i) a disk containing PDF copies of the Combined Plan and Disclosure Statement and the Disclosure Statement Order, (ii) this Notice, (iii) a ballot, and (iv) and a letter from the Committee urging creditors to vote in favor of the Combined Plan and Disclosure Statement.

PLEASE TAKE FURTHER NOTICE THAT SECTION XII. OF THE COMBINED PLAN AND DISCLOSURE STATEMENT CONTAINS RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS, AND SECTION XII.C. OF THE COMBINED PLAN AND DISCLOSURE STATEMENT CONTAINS THIRD PARTY RELEASES. YOU ARE ADVISED TO REVIEW AND CONSIDER THE COMBINED PLAN AND DISCLOSURE STATEMENT CAREFULLY, INCLUDING SUCH RELEASE, EXCULPATION AND INJUNCTION PROVISIONS, BECAUSE YOUR RIGHTS MIGHT BE AFFECTED THEREUNDER.

PLEASE TAKE FURTHER NOTICE that the deadline to vote on the Combined Plan and Disclosure Statement is February 16, 2016 (the “**Voting Deadline**”). The Debtors’ solicitation agent, UpShot Services LLC (“**UpShot**”), must receive your ballot by the Voting Deadline, otherwise your vote may not be counted. Please review the ballot(s) and the attached instructions for how to vote on the Combined Plan and Disclosure Statement. Failure to follow the voting instructions may disqualify your vote. **You may submit your ballot electronically in lieu of mailing a paper ballot. If you wish to do so, please visit the following website address and follow the instructions thereon: <http://www.upshotservices.com/SuntechUS>.**

PLEASE TAKE FURTHER NOTICE that at least fourteen (14) days prior to the Voting Deadline, the Debtors will file with the Bankruptcy Court the Plan Supplement, which, among other things, will identify the material terms of the Plan Administrator's compensation. A copy of the Plan Supplement will be available for viewing or downloading, free of charge, fourteen (14) days before the Voting Deadline, (i) on the Debtors' restructuring website, at <http://www.upshotservices.com/SuntechUS>, or (ii) can be obtained by contacting UpShot at (855) 812-6112 or via email to suntechinfo@upshotservices.com.

PLEASE TAKE FURTHER NOTICE that any objection to confirmation of the Combined Plan and Disclosure Statement must be filed with the Bankruptcy Court and served upon (i) counsel for the Debtors, Richards, Layton & Finger, P.A., One Rodney Square, 920 N. King Street, Wilmington, Delaware 19801 (Attn.: Mark D. Collins, Esq., Paul N. Heath, Esq., and Zachary I. Shapiro, Esq.), Facsimile: 302-651-7701, E-mail: collins@rlf.com, heath@rlf.com, shapiro@rlf.com; (ii) the U.S. Trustee, J. Caleb Boggs Federal Building, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801 (Attn.: Tiiara N.A. Patton, Esq.), Facsimile: 302-573-6497, Email: tiiara.patton@usdoj.gov; and (iii) counsel for the Committee, (a) Sheppard, Mullin, Richter & Hampton LLP, 30 Rockefeller Plaza, New York, New York 10112 (Attn.: Craig A. Wolfe, Esq. and Malani J. Cademartori, Esq.), Facsimile: 212-653-8701, E-mail: cwolfe@sheppardmullin.com, mcademartori@sheppardmullin.com and (b) Pepper Hamilton LLP, Hercules Plaza, Suite 5100, 1313 N. Market Street, Wilmington, Delaware 19899 (Attn.: David M. Fournier, Esq.), Facsimile: 302-421-8390, E-mail: fournierd@pepperlaw.com, by no later than the Objection Deadline.

PLEASE TAKE FURTHER NOTICE that in accordance with the Disclosure Statement Order, only certain parties in interest are receiving copies of the Combined Plan and

Disclosure Statement, the Disclosure Statement Order, and a ballot. Such documents, however, (i) are available for viewing or downloading, free of charge, on the Debtors' restructuring website, at <http://www.upshotservices.com/SuntechUS>, or (ii) or can be obtained by contacting UpShot at (855) 812-6112 or via email to suntechinfo@upshotservices.com.

IF YOU BELIEVE YOU ARE ENTITLED TO VOTE ON THE COMBINED PLAN AND DISCLOSURE STATEMENT AND DID NOT RECEIVE A SOLICITATION PACKAGE, INCLUDING A BALLOT, PLEASE CONTACT UPSHOT IMMEDIATELY.

Date: January 14, 2016
Wilmington, Delaware

RICHARDS, LAYTON & FINGER, P.A.

/s/ Rachel L. Biblo

Mark D. Collins (No. 2981)
Paul N. Heath (No. 3704)
Zachary I. Shapiro (No. 5103)
Rachel L. Biblo (No. 6012)
920 N. King Street
Wilmington, Delaware 19801
Telephone: 302-651-7700
Facsimile: 302-651-7701
E-mail: collins@rlf.com
heath@rlf.com
shapiro@rlf.com
biblo@rlf.com

Counsel for Debtors and Debtors in Possession