

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

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In re:	:	Chapter 11
	:	
SUNTECH AMERICA, INC., <u>et al.</u> ,	:	Case No. 15-10054 (CSS)
	:	
Debtors. ¹	:	Jointly Administered
	:	Re: Docket No. 415
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**ORDER (I) APPROVING
ADEQUACY OF DISCLOSURES
IN THE COMBINED DISCLOSURE STATEMENT
AND CHAPTER 11 PLAN OF LIQUIDATION, (II) APPROVING
SOLICITATION PROCEDURES, (III) SETTING CONFIRMATION HEARING
DATE AND RELATED DEADLINES, AND (IV) GRANTING RELATED RELIEF**

This matter coming before the Court on the motion (the “Motion”)² of the above-captioned debtors and debtors in possession (the “Debtors”) for entry of an order (i) approving the disclosures in the Combined Plan and Disclosure Statement as containing adequate information within the meaning of section 1125(a) of the Bankruptcy Code and approving the Disclosure Statement Hearing Notice, (ii) approving the Solicitation Procedures, (iii) setting the date and time for the Confirmation Hearing and approving certain related deadlines and the Confirmation Hearing Notice, and (iv) granting related relief; the Court having reviewed the Motion and all pleadings related thereto, if any; the Court finding that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2), and (c) notice of the Motion and the Disclosure Statement Hearing, including the Disclosure Statement Hearing Notice, was adequate under the

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 Motion, or if not defined therein, in the Combined Plan and Disclosure Statement.

circumstances; and the Court further finding and concluding that the Combined Plan and Disclosure Statement sufficiently describes, among other things, the Debtors, the Chapter 11 Cases, and the Combined Plan and Disclosure Statement therefore (i) allows holders of Claims and Equity Interests in the Voting Classes to make an informed judgment about the Combined Plan and Disclosure Statement and (ii) contains “adequate information” as that term is defined in Bankruptcy Code section 1125(a); and the Court having determined that the legal and factual bases set forth in the Motion establish cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. The disclosures in the Combined Plan and Disclosure Statement are approved as containing adequate information pursuant to section 1125 of the Bankruptcy Code, and the Debtors are authorized to use the Combined Plan and Disclosure Statement in connection with the solicitation of votes in favor of the Combined Plan and Disclosure Statement.
3. The following dates are hereby established:

Milestone	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)

Milestone	Date
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)

4. The Confirmation Hearing Notice, in the form attached hereto as Exhibit 1, is hereby approved.

5. The Publication Notice, in the form attached hereto as Exhibit 2, is hereby approved. The Debtors are authorized and directed to publish the Publication Notice in one of the national editions of USA Today, The Wall Street Journal, or The New York Times at least twenty-eight (28) days prior to the Plan Objection Deadline.

6. The Debtors will file the Plan Supplement with this Court on or before February 2, 2016.

7. The Voting Procedures are hereby approved.

8. With respect to any transferred Claim in a Voting Class, the transferee will be entitled to receive a Solicitation Package and cast a Ballot on account of the transferred Claim only if all actions necessary to effect the transfer of the Claim pursuant to Bankruptcy Rule 3001(e) have been completed on or before the Voting Record Date. In the event a Claim is transferred after the transferor has completed a Ballot, the transferee of such Claim shall also be bound by any vote made on the Ballot by the transferor.

9. The Debtors shall serve the Solicitation Packages by regular U.S. Mail only on the holders of Claims and Equity Interests in the Voting Classes as of the Voting Record Date.

10. The Debtors shall serve the Solicitation Packages (except Ballots) by regular U.S. Mail on the Core Parties.

11. In accordance with Bankruptcy Rule 2002, the Debtors shall serve the Confirmation Hearing Notice by regular U.S. Mail on the Notice Parties; provided, however, that such service shall be made only upon parties that have not received the Confirmation Hearing Notice pursuant to paragraphs 8 and 9 of this Order. Other than the Core Parties and the holders of Claims and/or Equity Interests in the Voting Classes as of the Voting Record Date, all other Notice Parties shall only receive a copy of the Confirmation Hearing Notice and shall not receive copies of the Combined Plan and Disclosure Statement and/or the Disclosure Statement Order unless such parties request such documents in accordance with the procedures set forth in the Confirmation Hearing Notice.

12. The Ballot is hereby approved.

13. The process described in paragraph 26 of the Motion by which holders of Claims and/or Equity Interests may cast their Ballots via electronic means is hereby approved.

14. The following tabulation procedures (the “**Tabulation Procedures**”) are hereby approved:

- (a) Unless otherwise provided in these Tabulation Procedures, a Claim will be deemed temporarily allowed for voting purposes only in an amount equal to:
 - (i) the liquidated, non-contingent, undisputed amount of such Claim as set forth in the Debtors’ Schedules if no proof of Claim has been timely filed in respect of such Claim; or
 - (ii) if a proof of Claim has been timely filed in respect of such Claim, the liquidated and non-contingent amount set forth in such proof of Claim.
- (b) If a Claim is deemed allowed under the Combined Plan and Disclosure Statement or in a Final Order of the Court entered prior to the Voting Record Date, such Claim is allowed for voting purposes in the deemed allowed

amount set forth in the Combined Plan and Disclosure Statement or such Final Order.

- (c) If a Claim for which a proof of Claim has been timely filed asserts both liquidated and unknown, unliquidated, undetermined, and/or contingent amounts, such Claim will be temporarily allowed for voting purposes, and not for purposes of allowance or distribution, in the liquidated amount
- (d) If a Claim for which a proof of Claim has been timely filed asserts wholly unknown, unliquidated, undetermined, and/or contingent amounts, such Claim will be temporarily allowed for voting purposes only, and not for purposes of allowance or distribution and accorded one vote and valued at an amount equal to one dollar (\$1.00).
- (e) If a holder of a Claim or Equity Interest identifies a Claim or Equity Interest amount in its Ballot that is different than the amount otherwise calculated in accordance with the Tabulation Procedures, the Claim will be temporarily allowed for voting purposes in the amount calculated in accordance with the Tabulation Procedures.
- (f) Creditors with Claims that have been indefeasibly paid, in full or in part, shall only be permitted to vote on the unpaid amount of such Claim, if any, to accept or reject the Combined Plan and Disclosure Statement.
- (g) Duplicate Claims within the same Voting Class, whether against a single Debtor or multiple Debtors, listed in the Debtors' Schedules or in timely-filed proofs of Claim, will be deemed temporarily allowed for voting purposes only in an amount equal to one such Claim and not in an amount equal to the aggregate of such Claims.
- (h) Creditors will not be entitled to vote Claims to the extent such Claims have been superseded and/or amended by other Claims filed by or on behalf of such creditors, regardless of whether the Debtors have objected to such earlier filed Claim.
- (i) If the Debtors have served an objection or request for estimation as to a Claim at least ten (10) calendar days before the Voting Deadline, such Claim is temporarily disallowed for voting purposes only and not for purposes of allowance or distribution, except to the extent and manner as set forth in such objection.
- (j) Claims filed for \$0.00 are not entitled to vote.
- (k) The voter must complete each section of the Ballot, including, without limitation, certifying the amount of its Claim or Equity Interest, voting to accept or reject the Combined Plan and Disclosure Statement, completing the requested identification information, and signing and dating the Ballot. If the party executing the Ballot is signing as a trustee, executor, administrator, guardian, attorney-in-fact, officer of a corporation, or acting in a fiduciary or representative capacity, such party should indicate such capacity when signing and, if required or requested by the Voting Agent, the Debtors, or the

Court, must submit evidence satisfactory to the requesting party to so act on behalf of the holder of the Claim or Equity Interest.

- (l) The voter must vote all of its Claims or Equity Interests either to accept or reject the Combined Plan and Disclosure Statement. Accordingly, a Ballot that partially rejects and partially accepts the Combined Plan and Disclosure Statement will not be counted.
- (m) For purposes of the numerosity requirement of section 1126(c) of the Bankruptcy Code, separate Claims held by a single creditor in a single Voting Class shall be aggregated as if such creditor held one Claim in the Voting Class, and the votes related to such Claims shall be treated as a single vote to accept or reject the Combined Plan and Disclosure Statement.
- (n) If multiple Ballots are received from the same voter with respect to the same Claim or Equity Interest prior to the Voting Deadline, the last properly executed Ballot timely received will be deemed to reflect such voter's intent and will supersede and revoke any prior Ballot received.
- (o) If a creditor simultaneously casts inconsistent Ballots, such Ballots shall not be counted.
- (p) Delivery of a defective or irregular Ballot will not be deemed to have been made until such defect or irregularity has been cured or waived by the Debtors, in consultation with the Committee. Any waiver by the Debtors of defects or irregularities in any Ballot will be detailed in the voting report filed with this Court by the Voting Agent. Neither the Debtors, the Voting Agent nor any other Entity, will be under any duty to provide notification of defects or irregularities with respect to delivered Ballots, nor will any of them incur any liability for failure to provide such notification.
- (q) In addition, the following Ballots will not be counted in determining the acceptance or rejection of the Combined Plan and Disclosure Statement:
 - (i) any Ballot that is illegible or contains insufficient information to permit the identification of the holder;
 - (ii) any Ballot that (a) does not indicate an acceptance or rejection of the Combined Plan and Disclosure Statement, (b) indicates both an acceptance and rejection of the Combined Plan and Disclosure Statement, and/or (c) partially accepts and partially rejects the Combined Plan and Disclosure Statement;
 - (iii) any Ballot cast by a person who does not hold, or represent a person that holds, a Claim or Equity Interest in a Voting Class as of the Voting Record Date;
 - (iv) any Ballot received after the Voting Deadline will not be counted unless the Debtors have granted an extension in writing (including e-mail) with respect to such Ballot. The voter may choose the method of delivery of its Ballot to the Voting Agent at its own risk.

Delivery of the Ballot will be deemed made only when the original properly executed Ballot is actually received by the Voting Agent;

- (v) any Ballot delivered by facsimile transmission, e-mail, or any other means not specifically approved herein;
- (vi) any Ballot sent to a person other than the Voting Agent; and
- (vii) any Ballot (that is submitted in paper form) not bearing an original signature.

15. The Voting Agent will identify each ballot that was not counted due to defect or irregularity and will identify the specific defect or irregularity in the voting report, which will be filed with this Court by the Voting Agent on or before February 23, 2016 at 12:00 p.m.

16. The terms of this Order shall be effective immediately upon its entry.

17. This Court shall retain jurisdiction to enforce the terms of this Order and any disputes arising hereunder.

Dated: 1/14, 2016
Wilmington, Delaware



THE HONORABLE CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE

Exhibit 1

Confirmation Hearing Notice

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

----- X
In re: : Chapter 11
: :
SUNTECH AMERICA, INC., et al., : Case No. 15-10054 (CSS)
: :
Debtors.¹ : Jointly Administered
: Re: Docket Nos. 398 & _____
----- X

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 [•], 2016, the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) entered an order [Docket No. ____] (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:

Milestone ³	Date
Voting Record Date	[•]
Date Solicitation will Commence	[•]
3018 Motion Deadline	[•]
3018 Objection Deadline	[•]
Plan Supplement Filing Deadline	[•]
Voting Deadline	[•]
Plan Objection Deadline	[•]
Deadline to File Memoranda of Law and/or Affidavits in Support of Confirmation of the Combined Plan and Disclosure Statement	[•]
Deadline to File Replies to any Objections to the Combined Plan and Disclosure Statement	[•]
Voting Report Filing Deadline	[•]
Confirmation Hearing	[•]

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 [•], 2016 at [•] (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 [•], 2016 at 4:00 p.m. (ET) (the

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.

“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 [•], 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 [•], 2016 at 5:00 p.m. (MT) (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 five (5) business 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: _____, 2016
Wilmington, Delaware

RICHARDS, LAYTON & FINGER, P.A.

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

Exhibit 2

Publication Notice

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

-----	X	
In re:	:	Chapter 11
	:	
SUNTECH AMERICA, INC., <u>et al.</u> ,	:	Case No. 15-10054 (CSS)
	:	
Debtors. ¹	:	Jointly Administered
	:	Re: Docket No. ____
-----	X	

**NOTICE OF (I) APPROVAL OF ADEQUACY OF DISCLOSURES IN
COMBINED PLAN AND DISCLOSURE STATEMENT AND (II) CONFIRMATION HEARING**

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] (as may be amended or modified, the “**Combined Plan and Disclosure Statement**”). On [·], 2016, the Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) entered an order [Docket No. ____] (the “**Disclosure Statement Order**”) that approved the adequacy of the disclosures in the Combined Plan and Disclosure Statement and authorized the Debtors to begin soliciting votes in favor of the Combined Plan and Disclosure Statement.

PLEASE TAKE FURTHER NOTICE that (i) the Bankruptcy Court will hold a hearing to consider confirmation of the Combined Plan and Disclosure Statement on [·], 2016 at [·] (ET) before the Honorable Christopher S. Sontchi, United States Bankruptcy Judge, in the Bankruptcy Court, located at 824 North Market Street, Wilmington, Delaware 19801 and (ii) the deadline for filing objections to the confirmation of the Combined Plan and Disclosure Statement is [·], 2016 at [·] (ET) (the “**Objection Deadline**”).

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.

PLEASE TAKE FURTHER NOTICE that holders of claims and/or equity interests in Classes 3, 4, 5, 6, and/or 8 as of [-], 2016 are entitled to vote. Holders of such claims and/or equity interests received a solicitation package (a “**Solicitation Package**”) that included (i) a disc containing PDF copies of the Combined Plan and Disclosure Statement and the Disclosure Statement Order, (ii) a version of this Notice, (iii) a ballot, and (iv) a letter from the Creditors’ Committee urging creditors to vote in favor of the Combined Plan and Disclosure Statement. **If you believe you are entitled to vote on the Combined Plan and Disclosure Statement and have not received a Solicitation Package, including a ballot, please contact the Debtors’ solicitation agent, UpShot Services LLC (“UpShot”), immediately.** The deadline to vote on the Combined Plan and Disclosure Statement is [-], 2016 at 5:00 p.m. (MT).

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 to the Debtors, Richards, Layton & Finger, P.A., 920 N. King Street, Wilmington, Delaware 19801, Attn: Zachary I. Shapiro, (ii) counsel to the Creditors’ Committee, (a) Sheppard, Mullin, Richter & Hampton LLP, 30 Rockefeller Plaza, New York, New York 10112, Attn.: Craig A. Wolfe and Malani J. Cademartori and (b) Pepper Hamilton LLP, Hercules Plaza, Suite 5100, 1313 N. Market Street, Wilmington, Delaware 19899, Attn.: David M. Fournier., and (iii) the Office of the United States Trustee for the District of Delaware, 844 N. King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Tiiara N.A. Patton, by no later than the Objection Deadline.

PLEASE TAKE FURTHER NOTICE that copies of the Combined Plan and Disclosure Statement and the Disclosure Statement Order, among other documents filed in the Debtors’ chapter 11 cases, are available for viewing or downloading, free of charge, on the

Debtors' restructuring website, at www.upshotservices.com/SuntechUS, or can be obtained by contacting UpShot via telephone ((855) 812-6112) or email (suntechinfo@upshotservices.com).

Date: [·], 2016
Wilmington, Delaware

RICHARDS, LAYTON & FINGER, P.A.

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