

NOTICE OF CLAIMS PROCESS AND INSTRUCTIONS FOR CLAIM FORM

UNITED STATES DISTRICT COURT Northern District of California

SECURITIES AND EXCHANGE COMMISSION

vs.

SILICONSAGE BUILDERS, LLC, et al.

Case No. 3:20-cv-09247-SI

GENERAL INFORMATION

PLEASE TAKE NOTICE THAT the claims process in the above-captioned case has begun. Claimants are invited to submit claims as provided for below, and via the associated Claim Form.

David P. Stapleton (the "Receiver") is the Court-appointed receiver in the above-captioned case. He is responsible for reviewing Claim Forms, and when appropriate, objecting to claims. The purpose of the Claim Form is to help the Receiver learn who you are, how much you are owed, the reason(s) you have a claim, and how the Receiver can contact you. **Unless otherwise ordered by the Court, if you fail to submit a Claim Form by December 13, 2022, you will lose your right to receive any distributions from the Receiver or the receivership estate and your claim will be forever barred.**

- 1. WHO MUST FILE A CLAIM FORM?** You must file a Claim Form if you believe you have any claim against:
SiliconSage Builders, LLC, or any of the affiliated entities identified in Section 2.b. of the accompanying Claim Form (collectively, the "Companies".)

This includes any claim that you are owed money by any of the Companies; assert any interest in any of the Companies or in any of its assets or in any claim against any of the Companies or any entity under its control; or assert any claim of any sort against any of the Companies whether such claim is based upon contract, tort, contribution, indemnity, reimbursement, subrogation theories or other legal or equitable theory. Claim Forms must be submitted by claimants who were creditors or investors of any type, including employees of the Companies. If you are an investor in or a creditor of more than one of the Companies or affiliates or subsidiaries, please file a separate Claim Form for each and every claim or interest you allege to have against them or any of them.
Failure to submit a signed Claim Form and supporting documentation will result in the denial of your claim.
- 2. CONSENT TO JURISDICTION OF THE COURT AND THE CONSEQUENCES THEREOF.** If you submit a Claim Form in this case, you consent to the jurisdiction of United States District Court for the Northern District of California ("District Court") for all purposes, agree to be bound by its decisions, including a determination, among other things, as to the validity and amount of your claim against the Companies, their affiliates, subsidiaries or other persons or entities as identified in paragraph 1. By submitting a Claim Form, you agree to be bound by the actions of the District Court even if that means that a claim is limited or denied, and further agree that your participation in any distribution of the receivership estate may exclude or prevent you from pursuing other remedies.
- 3. HOW ARE CLAIMS SUBMITTED?** Claimants can submit a completed Claim Form, along with all supporting documentation, by mail to **David P. Stapleton, Receiver; ATTN: SILICON CLAIMS; 514 Via De La Valle, Suite 210, Solana Beach, California 92075** or by email to **claims@stapletoninc.com**. Please submit only one Claim Form per claim. Please do **not** send or file Claim Forms with the Court.
- 4. WHAT IS THE DEADLINE TO SUBMIT THIS CLAIM FORM?** The Claim Form must be **received** by the Receiver, by **December 13, 2022**. Please note that, unless the Court orders otherwise, any late-filed claim will be denied.
- 5. SUPPORTING DOCUMENTS.** You must attach to the Claim Form copies of all documents that show that the Companies owe the debts or amounts claimed, or if the documents are too lengthy, a summary of those documents. If supporting documents are not available, you must attach an explanation of why they are not available. Failure to provide such documents may result in the denial of your claim. Please also complete the enclosed W-9 Form to facilitate distributions.
- 6. ADDITIONAL INFORMATION.** Additional information regarding filing the Claim Form, along with additional blank forms, can be obtained at <https://siliconsagereceivership.com> or you may write to the Receiver at the following address: **David P. Stapleton, Receiver; ATTN: SILICON CLAIMS; 514 Via De La Valle, Suite 210, Solana Beach, California 92075**.
- 7. TAX AND LEGAL ADVICE.** The Receiver cannot provide tax or legal advice. You are encouraged to seek independent advice regarding tax and legal issues in regard to filing your claim.

INSTRUCTIONS

1. **Information about Claimant.** Complete this section giving the name, address, telephone number and email address of the Claimant who is asserting a claim against the Companies, and any account or reference number associated with such debt. If the Claimant is an entity, please provide contact information for an authorized representative. If the claim is being submitted for an IRA account, please indicate as such and provide the IRA custodian name and mailing address.
2. **Claim information.**
 - 2a. **Basis of Claim.** Please indicate the basis of your claim in this section. If the basis of the claim is an investment, you must complete section 3.
 - 2b. **Which Companies did you contract with or owes you money.** Please identify the Companies which you contracted with or which you believe owes you the money on your claim.
 - 2c. **Amount of Claim:** Identify the amount of your claim.
 - 2d. **Other liable parties.** Please identify any other party you believe may be liable to you on the claim.
 - 2e. **Pending Legal Action.** If you have commenced a legal action against any of the above-captioned defendants or any Receivership Entity or Company, please provide the details of said legal action here. Please attach any additional pages of description and supporting documentation. Also, please provide any information regarding court judgments obtained against any of the above-captioned defendants.
 - 2f. **Security interest.** Please mark the applicable box if you contend your claim is subject to a security interest, and attach copies of all security agreements and other documents that evidence the claim of secured status and any evidence of perfection.
 - 2g. **Claim above principal amount.** Check the box if your claim amount includes interest or other charges, such as attorneys' fees, loss profits, or late fees in addition to the principal amount of your claim, and attach an itemized statement of all such additional charges.Please feel free to provide additional pages of explanation or narrative discussing your claim.
3. **Investor claimant information.**
 - 3a. Please provide the requested information related to your investment, including all monies paid by you to the defendants. Please include a copy of your most recent account statement, if available.
 - 3b. Provide the totals for each of the categories listed of all amounts paid to you for your investment. Please also attach a list of any such payments and provide detail information regarding the amounts paid to you in your supporting documents.
4. **Supporting Documentation.** In addition to filing out the Claim Form, you must provide supporting documentation evidencing your claim. Investors should submit their Subscription Agreement, last account statement, and evidence of payment. Other claimants should submit supporting documentation such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, or evidence of perfection of liens. The Receiver may choose to redact personally identifying information in accordance with federal court rules should filing of any documents with the Court become necessary. Please also complete and return the enclosed W-9 to facilitate distributions.
5. **Third Party Actions.** If you have asserted any claims for damages related to your claim against third parties, please check the box and attach a brief description and state the amount of money recovered, if any.
6. **Signature(s).** Sign the Claim Form and indicate your title, if applicable.
7. **Date.** Indicate the date on which you completed and signed the Claim Form.
8. **Submit Claim Form.** Submit completed Claim Forms, along with all supporting documentation, by mail to: **David P. Stapleton, Receiver; ATTN: SILICON CLAIMS; 514 Via De La Valle, Suite 210, Solana Beach, California 92075** or by email to: claims@stapletoninc.com.

Please submit only one claim form per claim. Please **do not** send or file claim forms with the Court.
9. **Acknowledgment of Receipt of Claim.** To receive an acknowledgement of receipt of your Claim Form if you submit by mail, enclose a stamped, self-addressed envelope and an additional copy of the Claim Form. Claim Forms submitted by email will receive an acknowledgment of receipt by return email.