

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

In re:

Baxano Surgical, Inc.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 14-12545 (CSS)

**Re: D.I. Nos. 570 and 596**

**NOTICE OF (I) OCCURRENCE OF PLAN EFFECTIVE DATE  
(II) ESTABLISHMENT OF THE BAXANO LIQUIDATING TRUST,  
AND (III) BAR DATES FOR CERTAIN ADMINISTRATIVE CLAIMS  
AND PROFESSIONAL ADMINISTRATIVE CLAIMS**

**A. Notice of Occurrence of Effective Date**

PLEASE TAKE NOTICE that, on July 24, 2015, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered the *Order Confirming the Second Amended Chapter 11 Plan of Reorganization Proposed by Baxano Surgical, Inc.* [D.I. 596] (the “Confirmation Order”), which confirmed the *Second Amended Chapter 11 Plan of Baxano Surgical, Inc.* [D.I. 570] (the “Plan”).<sup>2</sup>

PLEASE TAKE NOTICE FURTHER that, as of August 10, 2015, all conditions to the Effective Date of the Plan set forth in Section 6.1 of the Plan have been satisfied, and, accordingly, August 10, 2015, is the Effective Date of the Plan.

**B. Establishment of the Baxano Liquidating Trust**

PLEASE TAKE NOTICE FURTHER that upon the Effective Date the Baxano Liquidating Trust was established as the successor to the Debtor.

<sup>1</sup> The last four digits of the Debtor’s tax identification number are 9022. The Debtor’s mailing address is P.O. Box 98386, Raleigh, North Carolina 27624.

<sup>2</sup> Unless otherwise defined herein, capitalized terms have the meaning ascribed to them in the Plan.

**C. Notice of Administrative Claim Bar Date**

PLEASE TAKE NOTICE FURTHER that, pursuant to Paragraph 5 of the Confirmation Order, proofs of all Administrative Claims (including requests for payment thereof) that accrued from and after June 1, 2015 through the Effective Date (the “Post-June 1, 2015 Administrative Claims”) must be (1) filed **on or before October 9, 2015 at 4:00 p.m. (ET)** (the “Post-June 1, 2015 Administrative Claim Bar Date”) with Rust Consulting/Omni Bankruptcy at: 5955 De Soto Avenue, Suite 100, Woodland Hills, California 91367, and (2) served on undersigned counsel and on the Baxano Liquidating Trust, Attn: John Palmer, 1441 Knightsbridge Dr., Blue Bell PA 19422, so as to be received on or before the Post-June 1, 2015 Administrative Claim Bar Date.

**PLEASE TAKE NOTICE FURTHER THAT THE FAILURE TO PROPERLY FILE AND SERVE PROOF OF OR A REQUEST FOR PAYMENT OF A POST-JUNE 1, 2015 ADMINISTRATIVE CLAIM ON OR BEFORE THE POST-JUNE 1, 2015 ADMINISTRATIVE CLAIM BAR DATE SHALL RESULT IN SUCH POST-JUNE 1, 2015 ADMINISTRATIVE CLAIM BEING DEEMED FOREVER BARRED AND DISALLOWED AUTOMATICALLY WITHOUT THE NEED FOR ANY OBJECTION FROM THE BAXANO LIQUIDATING TRUST OR ANY OTHER PARTY IN INTEREST OR ANY ACTION BY THE BANKRUPTCY COURT.**

**D. Notice of Bar Dates for Filing Professional Administrative Claims**

PLEASE TAKE NOTICE FURTHER that all applications for final allowances of compensation and reimbursement of expenses pursuant to sections 327, 328, 330, 503(b) and 1103 of title 11 of the United States Code for professional services rendered up to the Confirmation Date (each, a “Final Fee Application”) must be (1) filed with the Bankruptcy Court, **on or before September 9, 2015 at 4:00 p.m. (ET)** (the “Professional Administrative Claim Bar Date”) and (2) served on undersigned counsel and on the Baxano Liquidating Trust,

Attn: John Palmer, 1441 Knightsbridge Dr., Blue Bell PA 19422, so as to be received on or before the Professional Administrative Claim Bar Date.

**PLEASE TAKE NOTICE FURTHER THAT THE FAILURE TO TIMELY FILE AND SERVE ANY FINAL FEE APPLICATION IN ACCORDANCE HERewith SHALL RESULT IN THE PROFESSIONAL CLAIM BEING FOREVER BARRED AND DISCHARGED.**

Dated: August 10, 2015

STEVENS & LEE, P.C.

By /s/ John D. Demmy

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