

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

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 In re: : Chapter 11  
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**Baxano Surgical, Inc.** : **14-12545 (CSS)**  
 :  
 Debtor. :  
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**NOTICE OF COMMENCEMENT OF CHAPTER 11 BANKRUPTCY CASE(S),  
MEETING OF CREDITORS AND FIXING OF CERTAIN DATES**

On **November 12, 2014**, the above-captioned debtor and debtor-in-possession in the above-captioned case (the “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101 through 1330 (the “Bankruptcy Code”). The Debtor, and its respective, address, case number and federal tax identification number(s) are as follows:

<u>DEBTOR</u> (Other names, if any, used by the Debtor in the last 6 years appear in brackets)	<u>ADDRESS</u>	<u>CASE NO.</u>	<u>EID #</u>
<b>Baxano Surgical, Inc. (Transl Inc.)</b>	<b>110 Horizon Drive, Suite 230, Raleigh, NC27615</b>	<b>14-12545</b>	<b>33- 0909022</b>

**DATE, TIME AND LOCATION OF MEETING OF CREDITORS. Wednesday, 12/10/2014 at 2:00 PM, 844 King Street, Room 2112, Wilmington, DE 19801).**

**DEADLINE TO FILE A PROOF OF CLAIM.** Notice of a deadline will be sent at a later time.

**NAME, ADDRESS AND TELEPHONE NUMBER OF TRUSTEE.** None appointed to date.

**COUNSEL FOR THE DEBTOR(S).**  
 (Pending Court order)  
**Stevens & Lee, P.C.**  
**1105 North Market Street, 7th Floor**  
**Wilmington, DE 19801**

**COMMENCEMENT OF CASES.** Petition(s) for reorganization under chapter 11 of the Bankruptcy Code have been filed in this Court by the Debtor(s) listed above, and orders for relief have been entered. You will not receive notice of all documents filed in this case. All documents filed with the Court, including lists of the Debtor(s)’ property and debts, are available for inspection at the Office of the Clerk of the Bankruptcy Court. In addition, such documents may be available at [www.deb.uscourts.gov](http://www.deb.uscourts.gov).

PURPOSE OF CHAPTER 11 FILING. Chapter 11 of the U.S. Bankruptcy Code enables a debtor to reorganize pursuant to a plan. A plan is not effective unless approved by the court at a confirmation hearing. Creditors will be given notice concerning any plan, or in the event the case is dismissed or converted to another chapter of the Bankruptcy Code. The Debtors will remain in possession of their property and will continue to operate any business unless a trustee is appointed.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom a debtor owes money or property. Under the Bankruptcy Code, a debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting a debtor to demand repayment, taking action against a debtor to collect money owed to creditors or to take property of a debtor, and starting or continuing foreclosure actions or repossessions. If unauthorized actions are taken by a creditor against a debtor, the Court may penalize that creditor. A creditor who is considering taking action against a debtor or the property of a debtor should review § 362 of the Bankruptcy Code and may wish to seek legal advice. The staff of the Clerk of the Bankruptcy Court are not permitted to give legal advice.

MEETING OF CREDITORS. The Debtor(s)' representative, as specified in Rule 9001(5) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), is required to appear at the meeting of creditors on the date and at the place set forth above for the purpose of being examined under oath. Attendance by creditors at the meeting is welcomed, but not required. At the meeting, the creditors may examine the Debtor(s) and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors.

CLAIMS. Schedules of creditors will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not listed as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in these cases. Creditors whose claims are not scheduled or whose claims are listed as disputed, contingent, or unliquidated as to amount and who desire to participate in the cases or share in any distribution must file their proofs of claim. A creditor who desires to rely on the schedule of creditors has the responsibility for determining that the claim is listed accurately. **Separate notice of the deadlines to file proofs of claim and proof of claim forms will be provided to the Debtor(s)' known creditors.** Proof of claim forms also are available in the clerk's office of any bankruptcy court. Proof of Claim forms are also available from the Court's web site at [www.deb.uscourts.gov](http://www.deb.uscourts.gov). Pending Court approval, Rust Omni is the claims agent in this case and can provide a proof of claim form if you cannot obtain one from your local bankruptcy court can be reached as follows: Rust Consulting Omni Bankruptcy, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367  
Phone: (818) 906-8300, [www.omnimgt.com](http://www.omnimgt.com)

DISCHARGE OF DEBTS. Confirmation of chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor, except as provided in the plan.

For the Court: \_\_\_\_\_/s/ David D. Bird\_\_\_\_\_  
Clerk of the U.S. Bankruptcy Court

Dated: November 20, 2014