General information about this bankruptcy case can be found on the claims and noticing agent's website: https://dm.epiq11.com/case/buckingham/info.

Buckingham Bankruptcy – Frequently Asked Questions (FAQ)
August 4, 2026

1. What has the Debtor filed regarding a plan?

The Debtor filed its Combined Disclosure Statement and Chapter 11 Plan of Liquidation on June 10, 2026 [Docket No. 437] (the "Plan and Disclosure Statement"). The first part is the Plan, which explains how any remaining money or property will be divided after most of the assets have already been sold. The second part is the Disclosure Statement, which provides background information to help creditors understand the Plan and decide whether to approve it.

Before creditors can vote, the court must first give temporary (interim) approval of the Disclosure Statement. This means the court decides that the document includes enough information for creditors to review the Plan and make an informed decision.

On July 8, 2026 [Docket No. 496], the Court granted interim approval of the Disclosure Statement, meaning the Court determined that the document includes enough information for creditors to review the Plan and make an informed decision. This approval also authorized the Debtor to begin sending out solicitation packages to creditors entitled to vote.

2. Under the proposed Plan, what happens to the money reserved for unsecured creditors from the sales process?

Under the Debtor's proposed Plan, the approximately $7.2 million[1] of sale proceeds allocated by UMB Bank, N.A. ("UMB" or, in its capacity as trustee under the bond indenture, the "Bond Trustee") for the benefit of unsecured creditors would (a) fund any allowed administrative expenses above $1.5 million payable to estate professionals who represent the Official Committee of Unsecured Creditors (the "Committee"), (b) fund any expenses of the Liquidation Trustee who would be appointed to potentially pursue causes of action for the benefit of unsecured creditors, and (c) fund distributions to unsecured creditors (other than with respect to any deficiency claims held by the Bond Trustee and bondholders).

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[1] The Sale Order [Docket No. 266] contemplated that $7,391,075 of the sale proceeds (the "GUC Allocation") would be held in escrow for the benefit of unsecured creditors. Following closing, however, Focus SH Acquisitions LLC (the "Purchaser") did not pay the full purchase price reflected in the Sale Order, resulting in a reduction of approximately $350,000. Approximately $175,000 of that reduction was allocated to the GUC Allocation. Accordingly, the amount currently reserved for the benefit of unsecured creditors is approximately $7.2 million.

Because the Plan has not been approved by the Court, all proposed treatment is subject to negotiation and may change before confirmation. Counsel for the Committee will continue to monitor developments and provide updates as the terms are finalized.

It is currently unclear whether the Debtor will be able to confirm the Plan. If the Debtor is unable to do so, the case could be converted to chapter 7, at which point a trustee would be appointed to administer and distribute any remaining assets, including these funds, in accordance with the Bankruptcy Code.

3. What is the Solicitation Procedures Motion?

The Debtor filed the Solicitation Procedures Motion [Docket No. 438] on June 10, 2026, asking the Court to approve how voting on the Plan will occur. This motion does not approve the Plan itself, it only sets the voting process and timeline.

4. Has the Plan been approved?

The Court has granted interim approval of the Disclosure Statement. This motion does not approve the Plan itself.

The deadline to vote, opt into the Plan releases, and object to confirmation is August 14, 2026, at 4:00 p.m. CT. And the hearing to consider confirmation of the Plan is August 21, 2026, at 9:30 a.m. CT.

5. What is happening now in the case?

The Court has approved the Solicitation Procedures and granted interim approval of the Disclosure Statement at the hearing held on July 9, 2026. As a result, the Debtor is now authorized to send solicitation packages, including the Plan, Disclosure Statement, and voting ballots to creditors who are entitled to vote on the Plan. Those creditors fall into two classes:

- Class 2 – Secured Bondholder Claims; and
- Class 4 – General Unsecured Claims (which includes resident entrance fee refund claims and other unsecured claims)
    - Bondholder deficiency claims are included in Class 4 but do not share in the GUC Allocation; they are entitled only to a pro rata share of any net recoveries from retained causes of action.

The deadline to vote, opt into the Plan releases, and object to confirmation is August 14, 2026, at 4:00 p.m. CT. And the hearing to consider confirmation of the Plan is August 21, 2026, at 9:30 a.m. CT.

6. What does the Plan propose at a high level?

The Plan is a liquidation plan, meaning the Debtor will wind down its remaining affairs and distribute available value to creditors. Key features include:

- Creation of a Liquidation Trust to receive and administer the GUC Allocation and Retained Causes of Action.
- Appointment of a Liquidation Trustee to administer the Liquidation Trust, reconcile claims, pursue litigation, and make distributions to administrative claimants and creditors.
- Transfer of retained litigation claims and causes of action to the Liquidation Trust.
- Potential distribution of any litigation recoveries (net of expenses) to holders of allowed general unsecured claims and Bond Deficiency Claims.
- Continued claims reconciliation and objection process following confirmation.

7. What are the estimated recoveries under the Plan?

Based on the Modified Plan and Disclosure Statement, the estimated recoveries are:

- Class 2 (Secured Bondholder Claims): approximately **56.2%–56.3%**
- Class 4 (General Unsecured Claims): approximately **3.2%**
- Class 1 and Class 3 claims: expected to be paid in full

These estimates may increase or decrease depending on the final amount of allowed claims, administrative expenses, and the outcome of any litigation pursued by the Liquidation Trust.

8. What is the UMB Motion?

UMB, the senior secured lender and bond trustee, filed a motion on June 16, 2026 [Docket No. 447] (the "UMB Motion") sought authorization to receive approximately $95.6 million in net sale proceeds (plus interest) on account of its asserted first-priority secured bond claim.

On July 10, 2026 [Docket No. 518] the Court entered an order granting the UMB Motion. The Court directed the Debtor to distribute the net proceeds in the amount of $95,631,802 plus accrued interest to UMB as Trustee within two business days of entry of the order.

9. What happened with the challenges to UMB's liens?

The Committee and certain parties filed motions seeking standing to challenge UMB's liens. On May 29, 2026, the Court denied those standing motions. No other challenges were brought before the deadline. As a result, UMB contends its lien position is final.

10. What reserve remains for the estate?

UMB has agreed to allow approximately $4.3 million to remain in the estate to fund certain administrative and wind-down expenses under a budget.

11. What are the key milestones in the case?

- **July 8, 2026:** The Court granted interim approval of the Disclosure Statement
- **July 10, 2026:** The Court entered an order granting the UMB Motion

- **July 29, 2026:** Deadline for Creditors to File Rule 3018 Motions
- **July 31, 2026:** Deadline for Debtor to File Plan Supplement
- **August 5, 2026:** Deadline for Debtors to Respond to Rule 3018 Motions
- **August 14, 2026, at 4:00 p.m. (prevailing Central Time):** Deadline to Vote, Opt into the Plan Releases, and Object to Confirmation
- **August 19, 2026:** Deadline for Debtor to File Confirmation Brief, Proposed Confirmation Order, Voting Ballot Report, and Reply to Plan/Disclosure Statement
- **August 21, 2026 at 9:30 a.m. (prevailing Central Time):** Confirmation Hearing

12. How much of my claim will I get back—and when?

The timing and amount of any distribution to general unsecured creditors will depend on several factors, including the outcome of the confirmation process, the resolution of administrative expenses and professional fees, and the results of litigation pursued by the Liquidation Trustee. At this time, the estimated recovery is approximately 3.0% – 3.2%, though that figure could increase or decrease. The process from confirmation through initial distribution is estimated to take anywhere from six months to a year.

13. How much of my refund claim will I get?

Entrance fee refund claims are treated as general unsecured claims under the Plan. The amount you receive will depend on your pro rata share of the GUC Allocation and any net proceeds recovered by the Liquidation Trust through litigation. Based on current estimates, the recovery is approximately 3%, but that could go up or down on what the Liquidation Trustee is able to recover through litigation over time.

14. What do I need to do to participate in ongoing suits against Buckingham?

You generally do not need to take any additional action to participate in litigation recoveries available through the Plan. If the Plan is confirmed and you hold an allowed general unsecured claim, you will receive any distributions to which you are entitled from the Liquidation Trust.

The Liquidation Trustee will have authority to investigate, pursue, settle, or abandon retained causes of action and distribute any resulting net recoveries in accordance with the Plan.

15. What are the release provisions in the Plan?

The Plan [Dkt. No. 534] contains a voluntary Third-Party Release. Unlike earlier versions of the Plan, creditors are not automatically deemed to grant the release. Instead, creditors must affirmatively elect to participate by opting into the release.

The deadline to submit a release election is **August 14, 2026 at 4:00 p.m. Central Time.**

16. What does it mean that someone is being "released" under the Plan?

A "release" means you are agreeing not to sue certain people or organizations for actions they took or certain conduct relating to the Company, the bankruptcy case, or the Plan, except in very limited situations (like fraud, willful misconduct, or gross negligence).

17. Who is being released under the Plan?

The Plan defines a group of people and entities called the "Released Parties" who will receive protection from lawsuits. They include:

- The Debtor and Wind-Down Debtor;
- Company leadership (officers and directors who served during the case);
- The DIP lender;
- The Liquidation Trustee;
- The Committee and its members;
- The bond trustee and bondholders; and
- The patient-care ombudsman
- professionals retained by the Debtor or the Committee.

18. What types of claims are being released?

The Third-Party Release means that certain creditors (called the "Releasing Parties") are giving up the right to sue a wide group of people and organizations involved in the bankruptcy. More specifically, the Third-Party Release releases all claims of any kind (known or unknown, now or in the future) related to:

- The Company and how it was run;
- The bankruptcy case;
- The Company's restructuring and sale;
- The Plan and how it is carried out; and
- Any agreements, transactions, or decisions connected to the case

The Third-Party Release covers anything that happened on or before the effective date of the Plan.

19. What types of claims are <u>not</u> being released?

The Third-Party Release does not apply to:

- Any obligations under the Plan, the Confirmation Order, or any document executed to implement the Plan that arise after the Plan becomes effective;
- Any action or conduct that happens after the Plan becomes effective;
- Claims or obligations that arise under the Plan itself;
- Claims based on fraud, willful misconduct, or gross negligence (determined by final order of any court of competent jurisdiction); and
- Any claims that are specifically preserved.

20. What is the difference between the Debtor Release and the Third-Party Release?

The "Debtor Release" applies to the Company itself (and its estate) and it means the Company is giving up its right to sue the Released Parties. This happens automatically as part of the Plan.

The Third-Party Release applies to certain creditors (including unsecured creditors) who may release claims against the same group of Released Parties. Creditors have a choice to opt in of the Third-Party Release.

21. Do I have to give the Third-Party Release?

No. Under the Plan, granting the Third-Party Release is entirely voluntary. A creditor will only grant the release if the creditor affirmatively elects to do so by checking the appropriate box on the ballot or Release Opt-In Form. Creditors who do not opt into the release will not be deemed to have granted it.

22. Does giving the Third-Party Release affect my recovery?

Whether you choose to grant the Third-Party Release or decline to do so, your treatment under the Plan and your right to receive a distribution are not affected. The release affects certain legal claims that a creditor may otherwise have against the released parties.

23. What is the Release Opt-In Form?

The Release Opt-In Form allows a creditor to voluntarily choose to grant the Third-Party Release described in the Plan. Creditors who wish to provide the release must complete and submit the Release Opt-In Form (or elect the release on their ballot, if voting) by August 14, 2026 at 4:00 p.m. Central Time.

Failure to submit the form will generally mean the creditor has **not** granted the Third-Party Release.

If you choose to fill out the Release Opt-In Form, you must complete, sign, and date it and return it by the voting deadline, which is proposed to be August 14, 2026 at 4:00 p.m. (prevailing Central Time) to the Voting Agent either:

- Electronically, via the ballot portal located at https://dm.epiq11.com/buckingham; or
- Via paper ballot, which can be sent via first-class mail or hand delivery or overnight mail
    - Complete, sign, and date this Release Opt-In Form and return it (with an original signature) promptly via first-class mail (or in the enclosed reply envelope provided), overnight courier, or hand delivery to:

If by First Class Mail:	If by Hand Delivery or Overnight Mail:
Buckingham Senior Living Community, Inc. c/o Epiq Ballot Processing P.O. Box 4422 Beaverton, OR 97076-4422	Buckingham Senior Living Community, Inc. c/o Epiq Ballot Processing 10300 SW Allen Blvd. Beaverton, OR 97005

- If you would like to coordinate hand delivery of your Release Opt-In Form, the Debtor requests you send an email to BuckinghamInfo@epiqglobal.com with "Hand Delivery of Release Opt-In Form" in the subject line and provide the anticipated date and time of your delivery.

24. Can I vote against the Plan and still give the Third-Party Release?

Voting on the Plan and deciding whether to grant the Third-Party Release are separate choices. To avoid being a Releasing Party, you must not opt into the releases provided by the Plan.

25. Do all creditors receive a Release Opt-In Form?

Yes, but how a creditor receives it depends on the creditor's class:

- If the creditor can vote (i.e., is in Class 2 or 4), the opt-in option is included on the creditor's ballot; or
- If the creditor cannot vote (i.e., is in Class 1 or 3), the creditor will receive a separate Release Opt-In Form.

26. What do the releases mean for claims against directors and officers and available insurance?

The Plan releases the Debtor's claims against its current directors and officers. Creditors may also choose to release their own claims against those individuals by opting into the Third-Party Release, but no creditor is required to do so. If a creditor grants the release, that creditor generally cannot later pursue a released claim against those directors or officers. Any insurance coverage remains subject to the terms of the applicable policies.

27. What happens if I do nothing when I receive my ballot?

If you do nothing:

- You will not be counted as voting on the Plan.
- You will not grant the Third-Party Release.

Under the Plan, a creditor must affirmatively opt into the release. Silence or inaction does not constitute consent to the release.

28. Who can vote on the Plan?

Only impaired classes may vote on the Plan. An impaired class is a class of creditors that is not being paid exactly what they are owed under their original agreements.

The following classes of creditors are impaired and may vote on the Plan:

- Class 2 – Secured bondholders
- Class 4 – General unsecured creditors

Other classes are deemed to accept the Plan and do not vote.

29. How will voting work?

If the Court approves the solicitation procedures:

- Eligible creditors will receive a ballot and solicitation package within four (4) business days after entry of the proposed order approving the Solicitation Procedures Motion.
- Ballots must be properly completed and submitted to the Voting Agent to be counted.
- Votes are tabulated based on both number and amount of claims.
- Instructions will be mailed to each creditor after approval of the Solicitation Procedures Motion.

30. What vote is required for the Plan to pass?

For a class to approve the Plan, more than half of the creditors voting in that class must vote in favor, and creditors holding at least two-thirds of the total amount of claims voting in that class must also vote in favor. Both are required for approval.

31. What is the Liquidation Trust?

The Plan creates a Liquidation Trust that will hold the GUC Allocation and retained causes of action. The Liquidation Trustee will be responsible for administering trust assets, objecting to claims, pursuing litigation, making distributions, and carrying out other responsibilities described in the Plan.

32. Will bondholders share in the $7.38 million allocated for unsecured creditors?

No. The Modified Plan provides that bondholder deficiency claims are classified as general unsecured claims; however, bondholder deficiency claims are not entitled to receive distributions from the GUC Allocation. Instead, bondholder deficiency claims may only participate in distributions from the net proceeds of retained causes of action.

33. Does the Committee support the Debtor’s Plan?

No. The Committee previously objected to the Debtor’s motion seeking approval of the Combined Plan and Disclosure Statement on an interim basis and related solicitation procedures. At the hearing on that motion, the Committee advised the Court that it expected to object to confirmation unless concerns regarding the proposed releases and other confirmability issues were adequately addressed. The Committee believes that the current version of the Plan filed at Docket No. 534 continues to contain material deficiencies in these areas and therefore, the Committee does not support confirmation of the Plan as presently proposed.

Creditors should carefully review the Committee's filings, the solicitation materials, and all related pleadings before voting. Each creditor should make its own independent decision regarding the Plan and may wish to consult with its own legal or financial advisors regarding the effect of the Plan on its rights and claims.

34. Should I vote to accept the Plan?

The Committee cannot provide individual legal or financial advice. Each creditor must decide whether to vote to accept or reject the Plan based on its own circumstances.

Creditors should review the Plan, Disclosure Statement, and any objections or responses filed before the voting deadline. Factors that creditors may wish to consider include the estimated recovery under the Plan, the potential recovery if the case were converted to chapter 7, the preservation of litigation claims, and the costs and delays associated with alternative outcomes.

35. What happens if the Plan is not confirmed?

If the Plan is not confirmed, the Debtor may seek to revise and resolicit the Plan, negotiate an alternative restructuring, or pursue a different liquidation strategy. The case could also be converted to a Chapter 7 liquidation, in which a Chapter 7 trustee would administer and liquidate the remaining assets and distribute any recoveries in accordance with the Bankruptcy Code. In that scenario, the bankruptcy process may take longer, and unsecured creditors could receive less than the amounts currently projected under the Plan.

36. Did the Debtor file a Plan Supplement?

Yes, on July 31, 2026, the Debtor filed the Plan Supplement [Docket No. 580] that summarizes upcoming deadlines and includes the Liquidation Trust Agreement as Exhibit A, and the Schedule of Retained Causes of Action as Exhibit B.

Pursuant to the Liquidation Trust Agreement, on the Effective Date, substantially all remaining estate assets and causes of action are transferred to the Buckingham Liquidation Trust. The trust will be administered by META Advisors LLC, serving as Liquidation Trustee. The trust's purpose is to liquidate assets, reconcile claims, pursue litigation, make distributions, and wind down the Debtor's affairs. Retained causes of action are preserved for pursuit by the Trustee, making litigation recoveries a potentially important source of value for unsecured creditors. The trust structure confirms that unsecured creditors' recoveries will depend on liquidation proceeds and litigation recoveries after payment of trust expenses and reserves.

Exhibit B, the Schedule of Retained Causes of Action, explains that the Plan preserves all retained causes of action for prosecution by the Trustee, including avoidance actions and

related proceeds, except to the extent released under the Plan's release and exculpation provisions.
"All Causes of Action, including but not limited to Avoidance Actions and all proceeds therefrom, except those otherwise released pursuant to Article X. of the Combined Plan and Disclosure Statement." Article X of the Combined Plan and DS refers to the Releases, Exculpation, and Injunction.

37. What is the current status of the appeals involving the challenges to UMB Bank's lien priority and the distribution of the sale proceeds?

There are currently three related appeals pending before the District Court. First, the Committee has appealed the Bankruptcy Court's order ("Standing Order") entered on June 8, 2026 denying the Committee standing to pursue a challenge to the priority of UMB Bank's liens, and to subordinate such liens to claims of unsecured creditors. The appeal remains pending before the District Court.

Second, the Committee has appealed the Bankruptcy Court's order authorizing distribution of approximately $95.6 million in sale proceeds to UMB. The District Court has not yet ruled on the merits of the appeal. The outcome of this appeal could affect the ultimate distribution of the sale proceeds and other issues involving the priority of claims. As noted below, the District Court has stayed the distribution of the sale proceeds on an interim basis.

Third, several resident representatives have appealed the Bankruptcy Court's June 8, 2026 Standing Order. This appeal also challenges, among other things, the Bankruptcy Court's determination that the residents lacked standing to pursue claims concerning the priority of resident entrance fee refund claims under Texas law. The District Court has not yet ruled on the merits of the appeal.

38. Has the District Court entered a stay regarding the distribution of the sale proceeds?

Yes. On July 20, 2026, the United States District Court entered an interim order in the resident's appeal temporarily staying the distribution of the sale proceeds while it considers the Emergency Motion. The Court explained that the stay was being entered pending further briefing from UMB Bank and other parties and scheduled expedited briefing on the motion. UMB Bank filed its response opposing the stay on July 29, 2026, and the residents filed their reply on August 3, 2026. District Court has not yet issued a final ruling on whether the stay will remain in effect during the appeal.

Until the District Court rules, the temporary stay remains in place.

PLEASE TAKE NOTICE that copies of the Plan and Disclosure Statement, as well as all other pleadings filed in this case, are available for review without charge at the website maintained by the Epiq, the Voting Agent, https://dm.epiq11.com/case/buckingham/info.

Official Unsecured Creditors' Committee Buckingham Senior Living, LLC
Chapter 11 Case No. 25-80595-MVL-11

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