

تحتوي هذه الوثيقة على معلومات قانونية يجب استيفاء اشتراطاتها ضمن فترة زمنية محددة. ويمكن أن تتأثر حقوقكم. <http://www.gcginc.com/cases/arcapita>. للحصول على ترجمة لهذه الوثيقة، فضلاً زيارة صفحة الإنترنت

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE: : **Chapter 11**
:
ARCAPITA BANK B.S.C.(c), *et al.*, : **Case No. 12-11076 (SHL)**
:
Debtors. : **Jointly Administered**
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**NOTICE OF HEARING ON MOTION FOR APPROVAL OF
DISCLOSURE STATEMENT IN SUPPORT OF THE
DEBTORS' JOINT PLAN OF REORGANIZATION**

PLEASE TAKE NOTICE:

The Debtors have filed (a) their *Joint Plan of Reorganization of Arcapita Bank B.S.C.(c) and Related Debtors Under Chapter 11 of the Bankruptcy Code* (including all exhibits thereto and as amended, modified or supplemented from time to time, the “**Plan**”), (b) the proposed Disclosure Statement in Support of the Plan (as it may be amended or modified, the “**Disclosure Statement**”) pursuant to section 1125 of title 11 of the United States Code (the “**Bankruptcy Code**”), and (c) the Motion for an Order Approving the Disclosure Statement and to establish procedures for, *inter alia*, solicitation and tabulation of votes to accept or reject the Plan (the “**Disclosure Statement Approval Motion**”).

By means of the Disclosure Statement Approval Motion, the Debtors are requesting an order of the United States Bankruptcy Court (the “*Bankruptcy Court*”) finding that the Disclosure Statement contains “adequate information” within the meaning of section 1125 of the Bankruptcy Code, approving the Disclosure Statement and establishing procedures for, *inter alia*, the solicitation and tabulation of votes to accept or reject the Plan, procedures for objecting to the confirmation of the Plan and setting a hearing to consider the confirmation of the Plan and other related dates and deadlines.

DISCLOSURE STATEMENT HEARING

The hearing to consider the Disclosure Statement Approval Motion shall occur on **March 26, 2013 at 10:00 a.m. (prevailing U.S. Eastern Time)** (the “*Disclosure Statement Hearing*”) before the Honorable Sean H. Lane, United States Bankruptcy Judge, One Bowling Green, New York, New York 10004-1408, Room 701. The Disclosure Statement may be amended or modified at, as a result of or prior to the Disclosure Statement Hearing. The Disclosure Statement Hearing may be adjourned without further notice, except for the announcement of the adjourned date(s) at the Disclosure Statement Hearing (or any continued hearing(s)) or pursuant to a filing with the Bankruptcy Court.

PROCEDURE AND DEADLINE FOR OBJECTING TO APPROVAL OF THE DISCLOSURE STATEMENT

The deadline to serve and file an objection to the approval of the Disclosure Statement or the Disclosure Statement Approval Motion is **March 11, 2013 at 4:00 p.m. (prevailing Eastern Time)** (the “*Objection Deadline*”).

- (a) Objections and/or responses to the approval of the Disclosure Statement or the Disclosure Statement Approval Motion (an “*Objection*”), must (i) be in writing, (ii) conform to the Bankruptcy Rules, the Local Rules and the order of the Bankruptcy Court dated March 22, 2012, establishing certain case management procedures for the Chapter 11 Cases¹ (the “*Case Management Order*”), (iii) state the name and address of the party asserting the Objection or party proposing a modification to the Disclosure Statement and the amount of the party’s claim or the nature of its interest in the Debtors’ chapter 11 estates; and (iv) specify the basis and nature of any Objection and, set forth any proposed modification to the Disclosure Statement, including suggested additional language the objecting party contends should be included.
- (b) Objections must be filed electronically with the Bankruptcy Court on the docket of *In re Arcapita Bank B.S.C.(c), et al.*, Ch. 11 Case No. 12-11076 (SHL) pursuant to the Case Management Order and the Bankruptcy Court’s General order M-399 (available at <http://www.nysb.uscourts.gov/sites/default/files/m399.pdf>) by registered users of the Bankruptcy Court’s electronic case filing system, and by all

¹ Order (A) Waiving the Requirement that Each Debtor File a List of Creditors and Equity Security Holders and Authorizing Maintenance of Consolidated List of Creditors in Lieu of a Matrix; (B) Authorizing Filing of a Consolidated List of Top 50 Unsecured Creditors; and (C) Approving Case Management Procedures, dated March 22, 2012 [Docket No. 21].

others filing with the Clerk of the Bankruptcy Court the Objection on a 3.5 inch disk or flash drive, preferably in portable document format, Microsoft Word, or any other Windows-based word processing format (with a hard copy delivered directly to the chambers of the Honorable Sean H. Lane, United States Bankruptcy Judge, One Bowling Green, New York, New York 10004-1408, Room 701).

- (c) Objections must be served in accordance with General Order M-399 on (i) counsel for the Debtors, Gibson, Dunn & Crutcher LLP, 200 Park Avenue, New York, New York 10166 (Attn: Michael A. Rosenthal, Esq., Craig H. Millet, Esq., and Matthew K. Kelsey, Esq.); (ii) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, New York 10004 (Attn: Richard Morrissey, Esq.); (iii) Sidley Austin LLP, Woolgate Exchange, 25 Basinghall Street, London, EC2V 5HA (Attn: Patrick Corr and Benjamin Klinger as counsel for Gordon MacRae and Simon Appell of Zolfo Cooper (Cayman) Limited as joint provisional liquidators of AIHL in its Cayman Island provisional liquidation proceedings); and (iv) counsel for the Official Committee of Unsecured Creditors, Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq. and Evan R. Fleck, Esq.) (collectively the “*Notice Parties*”).
- (d) **Objections must be actually received by the Notice Parties on or before the Objection Deadline.**

IF ANY OBJECTION TO THE DISCLOSURE STATEMENT OR DISCLOSURE STATEMENT APPROVAL MOTION IS NOT FILED AND SERVED BY THE OBJECTION DEADLINE AS PROVIDED ABOVE, THEN THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO THE DISCLOSURE STATEMENT AND THE RELIEF REQUESTED IN THE DISCLOSURE STATEMENT APPROVAL MOTION PROPOSED, AND MAY NOT BE HEARD AT THE DISCLOSURE STATEMENT HEARING.

ADDITIONAL INFORMATION

Interested parties may examine the Plan, Disclosure Statement and Disclosure Statement Approval Motion free of charge at <http://www.gcginc.com/cases/arcapita>. The Plan, Disclosure Statement and Disclosure Statement Approval Motion may also be viewed on the Bankruptcy Court’s website (<http://www.nysb.uscourts.gov>) by following the directions for accessing the ECF system on the website. Copies of the Plan, Disclosure Statement and Disclosure Statement Approval Motion are also available for inspection at the Bankruptcy Court during regular business hours at the Clerk’s Office, One Bowling Green, New York, New York 10004-1408.

THIS NOTICE IS NOT A SOLICITATION OF VOTES TO ACCEPT OR REJECT THE PLAN. VOTES ON THE PLAN MAY NOT BE SOLICITED UNLESS AND UNTIL THE

PROPOSED DISCLOSURE STATEMENT IS APPROVED BY AN ORDER OF THE BANKRUPTCY COURT.

FOLLOWING THE APPROVAL OF THE DISCLOSURE STATEMENT, HOLDERS OF CLAIMS AGAINST OR INTERESTS IN THE DEBTORS THAT ARE ENTITLED TO VOTE ON THE PLAN WILL RECEIVE A COPY OF THE APPROVED DISCLOSURE STATEMENT, THE PLAN, OTHER DOCUMENTS RELATED TO THE PLAN AND DOCUMENTS AND INSTRUCTIONS RELATING TO VOTING ON THE PLAN.

Dated: New York, New York
February 8, 2013

/s/ Michael Rosenthal
Michael A. Rosenthal (MR-7006)
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Matthew K. Kelsey (MK-3137)
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