

# **UPDATE REGARDING LIQUIDATION OF THE HOW COMPANIES (AS OF JULY 6, 2022)**

**NOTICE: DUE TO THE COVID-19 PANDEMIC, SOME RECEIVERSHIP FUNCTIONS MAY BE DELAYED. WE APOLOGIZE FOR THE INCONVENIENCE.**

As developments warrant, we post updates under the Most Recent Receivership Update link on the receivership web site at [www.howcorp.com](http://www.howcorp.com), so that all interested persons will have access to the same update information at the same time.

## **Status of the Distribution of Residual Asset Checks to Builder Distributees and Legal Successors**

On May 20, 2021, the receivership's accountants began sending Residual Assets distribution checks to Builder Distributees or their legal successors who submitted documentation that had been approved on or before May 4, 2021. Checks are issued in the order that the submitted documentation was approved. As of July 6, 2022, Residual Assets distribution checks had been sent to all Builder Distributees and legal successors whose documentation had been received and approved on or before July 6, 2022. Although we generally issue checks within 30 days of approving the documentation, doing so can sometimes take longer, such as during holiday periods, at the beginning of the year when the receivership's accountants are issuing I.R.S. forms 1099-DIV for distributions of \$600 or more made to non-1099-exempt Builder Distributees and legal successors in the previous year, or during periods when we are receiving a high volume of documentation from Builder Distributees and legal successors.

Also as of July 6, 2022, legal staff had completed their initial review of all W-9s and successorship documentation submitted by Builder Distributees (or their legal successors) through that date. Legal staff continue to review initial and supplemental submissions of documents as they are received. If a Builder Distributee or legal successor who submitted inadequate documentation provided their e-mail address and telephone number, staff will contact the sender to request correction or supplementation of inadequate documentation. If we have only a mailing address (or only a mailing address and a telephone number that does not permit leaving voice mails), it will take us longer to follow up regarding inadequate documentation.

## **When and How to Contact the Receivership Regarding the Status of Your Documentation or Check**

If you received a letter from the receivership enclosing forms that you were requested to complete and return, and you would like guidance regarding how to complete the forms, you may call the receivership for assistance at 512-404-6555 (Monday – Friday, 8 a.m. – 5 p.m. Central Time). We would prefer to assist you in completing the forms correctly the first time than to have you submit forms that are completed incorrectly or incompletely.

If you did not provide your e-mail address in a submitted Current Contact Information Form or in an Affidavit of Proof of Successorship, we will not call to confirm that we received your documentation (we only provide such confirmation by e-mail to those persons who provided their e-mail address on one of the two aforementioned forms). However, if you submitted documentation by fax more than 3 weeks ago, or by mail more than 5 weeks ago, you may inquire with the receivership by calling 512-404-6555 (Monday – Friday, 8 a.m. – 5 p.m. Central Time). Also, if you called the receivership and were told that your check was mailed on a certain date, and you have not received the check within 3 weeks of that date, you may call the receivership to verify that the check was mailed to the correct address (and was not returned undeliverable as addressed).

If you submitted documentation by fax more than 3 weeks ago, or by mail more than 5 weeks ago, in which you provided your e-mail address, but you have not yet received an e-mail confirming that the receivership received those documents, please call the receivership at 512-404-6555 (Monday – Friday,

8 a.m. – 5 p.m. Central Time) (but first double-check your e-mail Inbox, and also check your spam/junk e-mail folder).

If you received an e-mail from the receivership less than 6 weeks ago confirming that your documentation had been approved, but you have not yet received a check, please refrain from calling about the status of your check (responding to such calls takes time away from our review of documentation submitted). However, if you received an e-mail more than 6 weeks ago confirming that your submitted documentation had been approved, but you have not yet received the check, please send a reply to the receiverships e-mail or call the receivership at 512-404-6555 (Monday – Friday, 8 a.m. – 5 p.m. Central Time), inquiring about the status of your check. However, please first check or double-check to make sure that you had not received an envelope from the receivership and set it aside.

### **Contacting the Receivership for Other Reasons:**

If a Builder Distributee or legal successor is no longer the Builder Distributee or legal successor (as the result of a corporate dissolution, merger, name change, death, or other reason), the successor payee should call the receivership at 512-404-6555 (Monday – Friday, 8 a.m. – 5 p.m. Central Time).

If you do not know if you are a Builder Distributee, or if you have not yet submitted the required documentation and have questions regarding the exact dollar amount of the distribution for which you are eligible or what documentation you would need to submit, or if you have any other questions, you may call the receivership at 512-404-6555 (Monday – Friday, 8 a.m. – 5 p.m. Central Time).

### **Documentation to Submit if You Are a Builder Distributee or Legal Successor:**

If you are a Builder Distributee or legal successor, please submit a Current Contact Information Form if:

- Your mailing address, e-mail address, or telephone number has changed since last provided to us; or
- You have not previously provided us with a completed Current Contact Information Form.

NOTE: You can access a fillable PDF form by clicking on the link at the bottom of the Current Contact Information Form page at [www.howcorp.com](http://www.howcorp.com).

If you are a Builder Distributee or legal successor, please submit a W-9 if:

- Your mailing address has changed since you last submitted a W-9; or
- You are a Builder Distributee whose name has not changed and who has never submitted a W-9.

NOTE: You can access a fillable PDF W-9 form by clicking on the link at the bottom of the W-9 Form and Instructions page at [www.howcorp.com](http://www.howcorp.com), or one the I.R.S. web site, [www.irs.gov](http://www.irs.gov).

We appreciate the patience of Builder Distributees and legal successors as this complex liquidation continues.