



Other: \$ \_\_\_\_\_  
TOTAL: \$ 796,882.26

2. The foregoing claim arose on April 19, 2021, and is based upon the following events:

- Promissory Note and Security Agreement between Claimant and Defendants, attached hereto as **Exhibit A.**
- Amended Promissory Note and Amended Security Agreement between Claimant and Defendants, attached hereto as **Exhibit B.**
- See also Plaintiffs' complaint filed in this matter on March 8, 2024
- As of August 9, 2024, Claimant is owed a total of \$908,254.35 consisting of actual damages of \$319,414.00 and \$477,468.26 in interest.

**DOCUMENTS SUPPORTING THE CLAIM MUST BE ATTACHED TO THIS CLAIM FORM. IF SUPPORTING DOCUMENTATION IS NOT AVAILABLE, YOU MUST ATTACH AN EXPLANATION OF WHY THE DOCUMENTATION IS UNAVAILABLE.**

3. This claim is (select one):

unsecured; OR,

secured by the following collateral or security:

See **Exhibit A & B**

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4. If the claim is secured, please identify the location of all collateral:

See **Exhibit A & B**

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5. If the claim includes interest, please specify each of the reasons for such interest and the rate thereof (e.g. contract, statute, etc.):

See **Exhibit A & B**

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6. The nature and value of any offset or counterclaim (*i.e.*, money or property that you owe Defendants or the Estate, or any claims that Defendants or the Estate may have against you):

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7. If you are currently represented by an attorney, please complete the following:

Adam L. Massaro

Name of Attorney (Please print)

AKERMAN LLP

1900 Sixteenth Street, Suite 950

Denver, CO 80202

Address (street address, not post-office box)

(303) 260 7712

Telephone Number

(303) 260 7714

Facsimile Number

adam.massaro@akerman.com

E-mail Address

**CLAIMANT HEREBY CERTIFIES THAT IT HAS DISMISSED ANY OTHER PENDING SUITS OR PROCEEDINGS IT HAS COMMENCED AGAINST ANY AND ALL RECEIVERSHIP DEFENDANTS, OR ANY OF THEM, OR THE RECEIVERSHIP ESTATE AND THAT IT WILL NOT FILE (OR RE-FILE) ANY SUIT OR PROCEEDING IN ANOTHER FORUM WITHOUT THE RECEIVER'S PERMISSION OR LEAVE OF THIS COURT.**

8. I hereby certify and attest, under the penalty of perjury, that the information contained in the foregoing Claim Form is true and correct:

/s/ Sean Carney  
Claimant Signature

Red Cloud Capital, LLC  
Name of Claimant (Please print)

c/o Akerman LLP  
\_\_\_\_\_  
Address (street address, not post-office box)

c/o Akerman LLP  
Telephone

c/o Akerman LLP  
Facsimile

c/o Akerman LLP  
E-mail Address

Dated: August 9, 2024.

**IMPORTANT: A FULLY COMPLETED AND SIGNED CLAIM FORM WITH ALL SUPPORTING DOCUMENTATION MUST BE RECEIVED AT THE ADDRESS BELOW NO LATER THAN THE CLAIMS BAR DATE OR UNKNOWN CLAIMANT BAR DATE, AS APPLICABLE. REFER TO THE NOTICE YOU RECEIVED TO DETERMINE THE APPLICABLE CLAIMS BAR DATE OR UNKNOWN CLAIMANT BAR DATE.**

Claim forms submitted by hand delivery, courier, email (as an attachment in portable document format (.pdf)), facsimile or U.S. mail addressed to:

West 4th Holdings, LLC  
c/o Jordan Factor, Esq.  
Allen Vellone Wolf Helfrich & Factor, P.C.  
1600 Stout Street, Suite 1900

Denver, Colorado 80202  
Tel. No. (303) 534-4499  
Fax No. (303) 893-8332  
[Email: jfactor@allen-vellone.com](mailto:jfactor@allen-vellone.com)

Please note that your Claim must be legible, written in English and denominated in United States currency.

**Any Claimant who is required to submit a Proof of Claim, but fails to do so in a timely manner or in the proper form, will be: (a) barred, estopped, and enjoined to the fullest extent allowed by applicable law from asserting, in any manner, such Claim against the Receiver, the Receivership Defendants and their respective estates or property, (b) not be permitted to object to any distribution plan proposed by the Receiver on account of such Claim, (c) be denied any distributions under any distribution plan implemented by the Receiver on account of such Claim, and (d) not receive any further notices on account of such Claim. Further, the Receivership Defendants will be discharged from any and all indebtedness or liability with respect to such Claim.**