

NOTICE OF RIGHT TO FILE CLAIM

Re: *Commodity Futures Trading Commission v. Abner Alejandro Tinoco and Kikit & Mess Investments, LLC*, Civil Action EP-21-CV-00237-DCG, pending in the United States District Court for the Western District of Texas, El Paso Division

Dear Investor or Creditor:

This letter is notice to all known investors or creditors who may have a claim against Abner Alejandro Tinoco; Kikit & Mess Investments, LLC; Kikit & Mess Real Estate, LLC; or Kikit & Mess Exotics, LLC, that arose prior to October 13, 2021. You must file with the Receiver an original Proof of Claim, signed under oath by the investor or creditor or an authorized representative of the investor or creditor. A Proof of Claim form is enclosed with this letter.

Do not file the Proof of Claim with the Court. The original of the Proof of Claim (with the required attachments) should be email, mailed, postage prepaid, or otherwise delivered to:

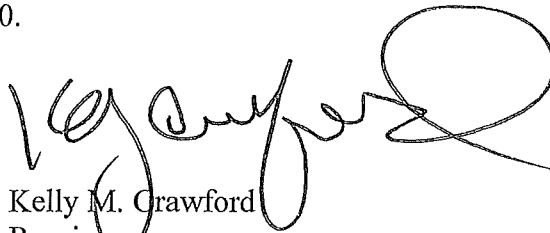
Kelly M. Crawford, Receiver
500 N. Akard Street, Suite 2700
Dallas, Texas 75201
kelly.crawford@solidcounsel.com

THE LAST DAY FOR FILING A PROOF OF CLAIM IS **FEBRUARY 15, 2022**. PLEASE NOTE THAT THE PROOF OF CLAIM MUST BE MAILED OR OTHERWISE DELIVERED TO THE RECEIVER SO THAT IT IS RECEIVED BY THE RECEIVER ON OR BEFORE **FEBRUARY 15, 2022** IN ORDER FOR THE PROOF OF CLAIM TO BE CONSIDERED TIMELY FILED.

Any investor or creditor who does not file a properly-completed Proof of Claim, as provided above, on or before **February 15, 2022**, shall be forever barred from participation in the distribution of funds held by the Receiver.

The approval or disapproval of claims, determination of priority of claims for distribution, and any distribution will be determined by the United States District Court for the Western District of Texas, El Paso Division in Civil Action EP-21-00237-DCG.

Additional Proof of Claim forms are available by downloading a copy from the receivership website, www.kikitreceivership.com, or by contacting the Receiver in writing at the address indicated above or by calling (214) 420-4330.


Kelly M. Crawford
Receiver

*Commodity Futures Trading Commission v.
Abner Alejandro Tinoco and Kikit & Mess Investments, LLC,*
EP-21-CV-237-DCG; United States District Court,
Western District of Texas, El Paso Division

FOR RECEIVER'S USE ONLY

PROOF OF CLAIM

INSTRUCTIONS FOR PROOF OF CLAIM

(The instructions and definitions below are general explanations of this form)

A. Deadline for Filing Proof of Claim: FEBRUARY 15, 2022. Any Proof of Claim not electronically mailed, mailed or otherwise delivered so that it is received by the Receiver by **FEBRUARY 15, 2022** will be considered untimely, which may result in rejection of the claim.

B. DEFINITIONS

Proof of Claim: This form must be completed in accordance with these instructions and timely filed with Kelly Crawford, Receiver, 500 North Akard, Suite 2700, Dallas, Texas 75201.

Claimant: Claimant is any person, corporation, or other entity entitled to assert a claim against the Receivership Defendants, the Receiver, or against any property in the possession of the Receiver.

Receivership Defendants: Receivership Defendants are Abner Alejandro Tinoco, Kikit & Mess Investments, LLC, Kikit & Mess Real Estate, LLC, and Kikit & Mess Exotics, LLC.

Investor Claim: If you invested with any of the Receivership Defendants listed above and listed in Section "G" and were not fully repaid your investment, you have an Investor Claim.

Unsecured Creditor Claim: A claim against the Receivership Defendants or property in the possession of the Receiver that is not an Investor Claim or a Secured Claim. A claim may be partially secured and partially unsecured if the net realizable value of the property on which a creditor has a lien (collateral) is less than the amount of the claim.

Secured Claim Other than Investor Claim: A claim is a secured claim to the extent that the Claimant properly perfected a lien on property of the Receivership Defendants or any other property in the possession of the Receiver (collateral) that gives the Claimant the right to be paid from the property before Claimants who do not have liens on the property. A Secured Claim does not include Investor Claims.

C. ITEMS TO BE COMPLETED IN PROOF OF CLAIM

1. General: The information and documentation requested in this Proof of Claim will be used by the Receiver in calculating distributions from this Receivership to Claimants. Please be as detailed and complete as possible with regard to submissions and accounts attached to this form. Providing false, misleading or incomplete information or incomplete documentation will delay any disbursement made from this Receivership and could jeopardize any distribution to you.

2. Claimant Information: Complete this section, giving the name, address, and telephone number of the Claimant to whom the Receivership owes money or property, and the

6. Investor Claim: If you are an investor, you must include in the Proof of Claim all investments made, as well as all amounts you received from any of the Receivership Defendants.

7. Secured Claim: Check the appropriate box if your claim is a secured claim. You must state the type and value of property that is collateral for your claim, attach copies of the documentation of your lien, and state the amount past due on your claim as of the date the assets of the Receivership Defendants were frozen (October 13, 2021). A claim may be partly secured and partly unsecured.

This Proof of Claim is to be filed with the Receiver

Kelly Crawford, 500 North Akard, Suite 2700, Dallas, Texas 75201

DO NOT FILE WITH THE COURT

account number, if any. If anyone else has already filed a Proof of Claim relating to this claim, if you have never received notices from the Receiver about this case, or if this Proof of Claim replaces or changes a Proof of Claim previously filed, check the appropriate box on the form.

3. Basis for Claim: Check the type of claim for which the Proof of Claim is being filed. If you were an employee of Receivership Defendants, fill in your social security number and the dates on which you worked but for which you were not paid. If the type of claim is not listed, check "Other" and briefly describe the claim.

4. Time Period in Which Claim Was Incurred: Provide the dates on which the investments were made or claim incurred by the Receivership Defendants.

5. Court Judgment: If you have a court judgment for this claim, state the date the court entered the judgment.

8. Total Amount of Claim: Provide the total amount of your claim and attach an itemization.

9. Credit: By signing this Proof of Claim, you are stating under oath that in calculating the amount of your claim you have reduced the claims by ALL payments received from any of the Receivership Defendants, or any other third party on their behalf.

10. Supporting Documents: You must attach to this Proof of Claim copies of all investment documents that show the claim is owed, or if documents are not available, you must attach an explanation as to why documents are not available. If you have previously provided the Receiver with supporting documentation, you are not required to resubmit such documentation. You are still required, however, to timely file the Proof of Claim.

DO NOT SEND ORIGINAL DOCUMENTS

11. Acknowledgment of Filing Proof of Claim: To receive an acknowledgment of the receipt of your Proof of Claim, enclose a self-addressed envelope and a copy of your Proof of Claim.

I. CLAIM INFORMATION

A. CLAIMANT:

Name: _____

Address: _____

Telephone: _____

Alternative Telephone: _____

- Check box if you did not receive any notices from the Receiver in this case.
- Check box if this address differs from the address on the envelope sent to you by the Receiver.
- Check box and attach copy of assignment if claim has been assigned by you to another person or entity.

ACCOUNT NUMBER WHICH IDENTIFIES CLAIMANT, IF ANY: _____

This claim replaces amends supplements (check if applicable) a Proof of Claim previously filed on ___/___/___

B. BASIS FOR CLAIM:

- Investment
- Goods Sold
- Services Performed
- Money Loaned or Credit Extended
- Wages, Salaries, and Compensation (if checked, describe below)
 - Your Social Security Number _____
 - Unpaid Services Performed from _____ to _____
 - Nature of Services (describe): _____
- Other (describe): _____

C. TIME PERIOD IN WHICH CLAIM WAS INCURRED: From ___/___/___ to ___/___/___ . If Claim is subject of a Court Judgment, date of judgment: ___/___/___

G. DEFENDANTS TO WHOM CLAIM IS APPLICABLE

Failure to designate the specific Receivership Defendant to which this claim applies will result in an allocation of the claim by the Receiver, based on the Receiver's records.

- Abner Alejandro Tinoco – Total Amount of Claim: _____
- Kikit & Mess Investments, LLC – Total Amount of Claim: _____
- Kikit & Mess Real Estate, LLC – Total Amount of Claim: _____
- Kikit & Mess Exotics, LLC – Total Amount of Claim: _____
- Total of Claims for all Receivership Defendants:** _____

II. CERTIFICATION

The undersigned certifies under penalty of perjury that information contained in this Proof of Claim, including any attachment(s), is correct and that the undersigned is authorized to make this claim.

Signature

Date

Printed Name

Title, if any, of Claimant(s) or other person authorized to file this claim
(attach copy of power of attorney, if any)