

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

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In re: : Chapter 11
: :
Mercantile Bancorp, Inc., : Case No. 13-11634 (KJC)
: :
Debtor. : :
: :
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**NOTICE OF DEADLINE FOR FILING
PROOFS OF CLAIM AND SECTION 503(b)(9) CLAIM REQUESTS**

PLEASE TAKE NOTICE that on June 27, 2013 (the “Petition Date”), Mercantile Bancorp, Inc. (the “Debtor”) filed a voluntary petition pursuant to chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”).

PLEASE TAKE FURTHER NOTICE that, on July 17, 2013, the Debtor filed the *Motion of Debtor Mercantile Bancorp, Inc. for Entry of an Order Establishing Deadlines for Filing Proofs of Claim and Section 503(b)(9) Claim Requests and Approving the Form and Manner of Notice Thereof* (the “Motion”).¹

PLEASE TAKE FURTHER NOTICE that, on July 31, 2013, the Debtor filed its Schedules of Assets and Liabilities (the “Schedules”).

PLEASE TAKE FURTHER NOTICE that, on August 6, 2013, Court, having jurisdiction over the Debtor’s chapter 11 case, entered an order (the “Claim Deadline Order”) (i) establishing September 27, 2013 at 5:00 p.m. (prevailing Eastern Time) (the “General Claim Deadline”) as the deadline for each person or entity (including, without limitation, individuals, partnerships, corporations, joint ventures and trusts), other than Governmental Units (as defined in section 101(27) of the Bankruptcy Code) to file a proof of claim (“Proof of Claim”) against the Debtor for a claim that arose prior to the Petition Date, (ii) establishing December 27, 2013 at 5:00 p.m. (prevailing Eastern Time) (the “Government Claim Deadline”) as the deadline for each Governmental Units (as defined in section 101(27) of the Bankruptcy Code) to file a Proof of Claim against the Debtor that arose prior to the Petition Date, and (iii) establishing September 27, 2013 at 5:00 p.m. (prevailing Eastern Time) (the “Section 503(b)(9) Claim Deadline” and together with the General Claim Deadline and the Government Claim Deadline, the “Claim Deadlines”) as the deadline for each person or entity, including, without limitation, individuals,

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

partnerships, corporations, joint ventures and trusts to file a request for payment for an administrative claim pursuant to Section 503(b)(9) of the Bankruptcy Code (a “Section 503(b)(9) Claim Request”) against the Debtor that arose prior to the Petition Date.

A CLAIMANT SHOULD CONSULT AN ATTORNEY IF THE CLAIMANT HAS ANY QUESTIONS, INCLUDING WHETHER TO FILE A PROOF OF CLAIM OR SECTION 503(b)(9) CLAIM REQUEST.

If you have any questions with respect to this notice (the “Claim Deadline Notice”), you may contact the Debtor’s claims agent, UpShot Services LLC (“UpShot”) at (855) 812-6112, or by emailing to mercantilebancorpinfo@upshotservices.com.

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a Proof of Claim if you have a claim that arose prior to the Petition Date, and it is not a claim described in Section 2 below. Acts or omissions of the Debtor that arose prior to the Petition Date may give rise to claims against the Debtor that must be filed by the Claim Deadlines, notwithstanding that such claims may not have matured or become fixed or liquidated as of the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used herein, the word “claim” means: (i) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (ii) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

2. WHO NEED NOT FILE A PROOF OF CLAIM

You need **NOT** file a Proof of Claim if:

- (a) You have already properly filed a Proof of Claim against the Debtor with the Clerk of the United States Bankruptcy Court for the District of Delaware or UpShot in a form substantially similar to Official Bankruptcy Form No. 10 (“Official Form 10”);
- (b) Your (i) claim is listed on the Debtor’s Schedule D, E, or F, and (ii) such claim is not described as “disputed,” “contingent,” or “unliquidated,” and (iii) you agree with the amount, nature, and priority of the claim set forth in the Schedules;²

² Should the Debtor amend or supplement the Schedules subsequent to entry of the order establishing the Claim Deadlines, the Debtor will give notice of any amendment or supplement to the holders of the claims affected thereby, and such holders shall be afforded 30 days from the date on which such notice is given to file Proofs of Claims in respect of their claims.

- (c) Your claim has been allowed by order of the Court entered on or before the applicable Claim Deadline;
- (d) Your claim has been satisfied prior to the applicable Claim Deadline;
- (e) Your claim allowable under sections 503(b) (other than Section 503(b)(9) Claims) or 507(a) of the Bankruptcy Code as an administrative expense of the Debtor's chapter 11 case;
- (f) You hold an interest in the Debtor, which interest is based exclusively upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants or rights to purchase, sell or subscribe to such a security or interest; provided, however, that if you wish to assert any claim (as opposed to ownership interest) against the Debtor that arises out of or relates to your ownership or purchase of an interest, including claims arising out of or relating to the sale, issuance, or distribution of the security or interest, you must file a Proof of Claim on or before the applicable Claim Deadline, unless another exception identified herein applies; and
- (g) The Court has already fixed a specific deadline for a Proof of Claim to be filed with respect to your claim.

YOU SHOULD NOT FILE A PROOF OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTOR.

THE FACT THAT YOU HAVE RECEIVED THIS CLAIM DEADLINE NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM OR THAT THE DEBTOR OR THE COURT BELIEVES THAT YOU HAVE A CLAIM.

3. CLAIMS ARISING UNDER EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you are a party to an executory contract or unexpired lease with a Debtor and assert a claim for amounts accrued and unpaid on the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim), you must file a Proof of Claim for such amounts on or before the applicable Claim Deadline, unless an exception in Section 2 otherwise applies.

If in addition you hold a claim that arises from the rejection of an executory contract or unexpired lease, you must file a Proof of Claim based on such rejection on or before the later of (i) the applicable Claim Deadline, or (ii) the date that is 30 days following the effective date of such rejection (unless the order authorizing such rejection provides otherwise).

4. WHEN AND WHERE TO FILE A PROOF OF CLAIM

All proofs of Claim must be filed so as to be received on or before the Claim Deadlines, as follows:

IF FILED ELECTRONICALLY:³

www.upshotservices.com/mercantilebancorp

IF BY MAIL, MESSENGER, OR OVERNIGHT COURIER:

Mercantile Bancorp, Inc. Claims Processing
c/o UpShot Services LLC
7808 Cherry Creek South Drive, Suite 112
Denver, Colorado 80231

Proofs of Claims will be deemed timely filed only if actually received UpShot on or before the applicable Claim Deadline. If a Proof of Claim is filed by submission of a hard copy by mail, messenger or overnight courier, such Proof of Claim must be submitted with an original signature before the applicable Claim Deadline. Proofs of Claims may not be delivered by facsimile, telecopy, or electronic mail transmission (other than through the use of the electronic system at www.upshotservices.com/mercantilebancorp).

5. HOW TO FILE A PROOF OF CLAIM

Attached hereto is a copy of Official Form 10. Additional copies of Official Form 10 may be obtained at <http://www.uscourts.gov/bkforms>.

If you wish to file a Proof of Claim, you must complete a claim form substantially in the form of Official Form 10 or utilize the electronic submission process available at www.upshotservices.com/mercantilebancorp. Your filed Proof of Claim must (i) be signed with an original signature (or, if filing electronically, with an electronic signature utilizing UpShot SmartSign) by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant; (ii) include supporting documentation (if voluminous, attach a summary) or explanation as to why documentation is not available; (iii) be in the English language; and (iv) be denominated in united States currency.

If you file a hard copy of your Proof of Claim and wish to receive a file-stamped receipt copy by return mail, you must include with your Proof of Claim an additional copy of your Proof of Claim and a self-addressed, postage-paid envelope.

YOU SHOULD ATTACH TO YOUR COMPLETED PROOF OF CLAIM FORM COPIES OF ANY WRITINGS UPON WHICH YOUR CLAIM IS BASED.

³ “File a Claim Electronically” is clearly indicated at the top of the case-specific website. Click there and follow the appropriate prompts in order to file a Proof of Claim electronically with UpShot. If filed electronically, a hard-copy original is not necessary.

6. WHO MUST FILE A SECTION 503(b)(9) CLAIM REQUEST AND HOW TO FILE A SECTION 503(b)(9) CLAIM REQUEST

All parties who seek to assert a claim an administrative expense claims pursuant to section 503(b)(9) of the Bankruptcy Code against the Debtor (each a “Section 503(b)(9) Claimant”) for goods provided to the Debtor within 20 days prior to the Petition Date must submit a Section 503(b)(9) Claim Request. Attached hereto is a copy of a Section 503(b)(9) Claim Request.

Section 503(b)(9) Claim Requests must set forth with specificity: (i) the amount of the Section 503(b)(9) Claim; and (ii) the value of the goods the Section 503(b)(9) Claimant contends the Debtor received within twenty (20) days before the Petition Date. Further, the Section 503(b)(9) Claim request should include or attach documentation identifying the particular invoices for which any such Section 503(b)(9) Claim is being asserted. Any Section 503(b)(9) Claim Request must include a certification that the goods with respect to which the Section 503(b)(9) Claim is being filed were sold in the ordinary course of business. Finally, Section 503(b)(9) Claim Requests must: be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant (or, if filing electronically, with an electronic signature utilizing UpShot SmartSign); be in the English language; and be denominated in United States currency.

For any Section 503(b)(9) Claim Request to be validly and properly filed, such Section 503(b)(9) Claim Request must either:

- (a) be filed electronically before the Section 503(b)(9) Claim Deadline at the website specifically created for the Debtor’s chapter 11 case by UpShot: www.upshotservices.com/mercantilebancorp. Section 503(b)(9) Claimants may complete an electronic Section 503(b)(9) Claim Request, attach supporting documents and electronically sign and submit their Section 503(b)(9) Claim Request instantly by utilizing UpShot SmartSign. The encrypted claims data and audit trail created by such submission shall become part of the record of any Section 503(b)(9) Claim Request submitted in this manner and the Section 503(b)(9) Claimant’s electronic signature will be immediately legally valid and effective; or
- (a) include an original signature and be delivered on or before the Section 503(b)(9) Claim Deadline to Mercantile Bancorp, Inc. Claims Processing, c/o UpShot Services LLC, 7808 Cherry Creek South Drive, Suite 112, Denver, Colorado 80231.

If you file a paper copy of a Section 503(b)(9) Claim Request and wish to receive a file-stamped receipt copy by return mail, you must include with your Section 503(b)(9) Claim Request a self-addressed, postage-paid envelope.

YOU SHOULD ATTACH TO YOUR COMPLETED SECTION 503(b)(9) CLAIM REQUEST FORM COPIES OF ANY WRITINGS UPON WHICH YOUR CLAIM IS BASED.

7. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM OR SECTION 503(b)(9) CLAIM REQUEST BY THE CLAIM DEADLINES

Except with respect to claims described in Section 6 above, any holder of a claim against the Debtor who received notice of the Claim Deadlines (whether such notice was actually or constructively received) and is required, but fails, to file a Proof of Claim or Section 503(b)(9) Claim Request in accordance with the Claim Deadline Order on or before the Claim Deadlines may be forever barred, estopped, and enjoined from asserting such claim against the Debtor (or filing a Proof of Claim or Section 503(b)(9) Claim Request with respect thereto), and the Debtor and its property be forever discharged from all such indebtedness or liability with respect to such claim, and such holder shall not be permitted to vote to accept or reject any chapter 11 plan filed in this chapter 11 case or participate in any distribution from the Debtor on account of such claim or to receive further notices regarding such claim.

8. THE DEBTOR'S SCHEDULES AND ACCESS THERETO

You may be listed in the Schedules as the holder of a claim against the Debtor.

Interested parties may examine copies of the Schedules at <http://www.upshotservices.com/mercantilebancorp> or on the Court's electronic docket at <http://ecf.deb.uscourts.gov> (a PACER login and password are required and can be obtained through the PACER Service Center at <http://pacer.psc.uscourts.gov>).

If you rely on the Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Schedules and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a Proof of Claim. Otherwise, or if you decide to file a Proof of Claim, you must do so before the applicable Claim Deadline, in accordance with the procedures set forth in this Claim Deadline Notice.

If the Debtor amends or supplements the Schedules subsequent to the date hereof, and if an amendment to the Schedules reduces the liquidated amount of a scheduled claim, or reclassifies a scheduled, undisputed, liquidated, non-contingent claim as disputed, unliquidated, or contingent and the affected claimant has not filed a proof of claim, you may file a proof of claim on the later of (i) the applicable Claim Deadlines or (ii) the first business day following 30 calendar days after the mailing of the notice of such amendment in accordance with Bankruptcy Rule 1009(a). In the case of any amendment to the Schedules after the applicable Claim Deadline where you did not file a proof of claim prior to such applicable Claim Deadline, you may file a proof of claim only to the extent such proof of claim does not exceed the amount scheduled for such claim before the amendment.

9. EFFECT OF SUBSEQUENT NOTICE

If the Debtor determines after the mailing date of this Claim Deadline Notice that an additional party or parties should appropriately receive the Claim Deadline Notice, the date by

which a proof of claim must be filed by such party or parties shall be the later of (i) the Claim Deadlines or (ii) the first business day following 45 days after the mailing date of an amended notice to such additional party or parties.

Notwithstanding the above, the last day for any entity asserting a claim arising from the recovery of a voidable transfer will be the later of (i) the Claim Deadlines or (ii) the first business day that is at least 30 calendar days after the mailing of notice of entry of order approving the avoidance of the transfer.

Dated: August 7, 2013
Wilmington, Delaware

Respectfully submitted,

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