

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

	)	
In re:	)	Chapter 11
	)	
MALLINCKRODT PLC, <i>et al.</i> ,	)	Case No. 20-12522 (JTD)
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)
	)	
	)	

**NOTICE OF AGENDA FOR VIDEO HEARING  
SCHEDULED FOR FEBRUARY 11, 2021 AT 11:00 A.M. (PREVAILING  
EASTERN TIME), BEFORE THE HONORABLE JOHN T. DORSEY, AT THE  
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE<sup>2</sup>**

**THE REMOTE HEARING WILL BE CONDUCTED ENTIRELY BY ZOOM  
AND REQUIRES ALL PARTICIPANTS TO REGISTER IN ADVANCE.  
COURTCALL WILL NOT BE USED TO DIAL IN.**

**PLEASE USE THE FOLLOWING LINK TO REGISTER FOR THE HEARING:**  
<https://debuscourts.zoomgov.com/meeting/register/vJIsfuiogjguGrIWv3iUytG0qSsoLLJD0fQ>

**ONCE REGISTERED, PARTIES WILL RECEIVE A CONFIRMATION EMAIL  
CONTAINING PERSONAL LOG-IN INFORMATION FOR THE HEARING.**

**I. RESOLVED MATTERS:**

1. Motion of Debtors for Order Extending Time to File a Complaint to Determine Dischargeability of Certain Non-Federal Governmental Unit Opioid Actions Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1185](#) – filed January 19, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

<sup>1</sup> A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <http://restructuring.primeclerk.com/Mallinckrodt>. The debtors’ mailing address is 675 McDonnell Blvd., St. Louis, Missouri 63042.

<sup>2</sup> All motions and other pleadings referenced herein are available online at the following address: <http://restructuring.primeclerk.com/Mallinckrodt>.

- i. Certificate of No Objection Regarding Motion of Debtors for Order Extending Time to File a Complaint to Determine Dischargeability of Certain Non-Federal Governmental Unit Opioid Actions Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1307](#) – filed February 8, 2021]
- ii. Order Extending Time to File a Complaint to Determine Dischargeability of Certain Non-Federal Governmental Unit Opioid Actions Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1312](#) – entered February 8, 2021]

Status: On February 8, 2021, the Court entered an order resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

2. Motion of Debtors for Order Approving Stipulation Between Debtors, United States Department of Justice, and Charles Strunck Extending Time to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1186](#) – filed January 19, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding Motion of Debtors for Order Approving Stipulation Between Debtors, United States Department of Justice, and Charles Strunck Extending Time to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1309](#) – filed February 8, 2021]
- ii. Order Approving Stipulation Between Debtors, United States Department of Justice, and Charles Strunck Extending Time to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1313](#) – entered February 8, 2021]

Status: On February 8, 2021, the Court entered an order resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

3. Motion of Debtors for Order Approving Stipulation Between Debtors and Securities and Exchange Commission Extending Time, to the Extent Necessary, to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1187](#) – filed January 19, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding Motion of Debtors for Order Approving Stipulation Between Debtors and Securities and Exchange Commission Extending Time, to the Extent Necessary, to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1310](#) – filed February 8, 2021]
- ii. Order Approving Stipulation Between Debtors and Securities and Exchange Commission Extending Time, to the Extent Necessary, to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1315](#) – entered February 8, 2021]

Status: On February 8, 2021, the Court entered an order resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

4. Motion of Debtors for Order Extending Time to File a Complaint to Determine Dischargeability of Certain State Acthar-Related False Claims Act Actions Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1188](#) – filed January 19, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding Motion of Debtors for Order Extended Time to File a Complaint to Determine Dischargeability of Certain State Acthar-Related False Claims Act Actions Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1311](#) – filed February 8, 2021]
- ii. Order Extending Time to File a Complaint to Determine Dischargeability of Certain State Acthar-Related False Claims Act Actions Pursuant to 11 U.S.C. § 1141(d)(6) [[Docket No. 1316](#) – entered February 8, 2021]

Status: On February 8, 2021, the Court entered an order resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

5. Joint Motion of Debtors and Governmental Plaintiff Ad Hoc Committee for Entry of an Order (I) Appointing R. Gil Kerlikowske as Monitor for Voluntary Injunction and (II) Approving the Monitor’s Employment of Saul Ewing as Counsel at the Cost and Expense of the Debtors [[Docket No. 1203](#) – filed January 21, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Informal comments received from the Office of the United States Trustee (the “U.S. Trustee”)

Related Documents:

- i. Certification of Counsel Regarding Order (I) Appointing R. Gil Kerlikowkse as Monitor for Voluntary Injunction and (II) Approving the Monitor's Employment of Saul Ewing as Counsel at the Cost and Expense of the Debtors [[Docket No. 1301](#) – filed February 5, 2021]
- ii. Order (I) Appointing R. Gil Kerlikowkse as Monitor for Voluntary Injunction and (II) Approving the Monitor's Employment of Saul Ewing as Counsel at the Cost and Expense of the Debtors [[Docket No. 1306](#) – entered February 8, 2021]

Status: On February 8, 2021, the Court entered an order resolving this matter. Accordingly, a hearing with respect to this matter is no longer necessary.

**II. CONTINUED MATTERS:**

6. McGrath & Associates, Inc.'s Motion for Relief from Automatic Stay [[Docket No. 1190](#) – filed January 20, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET); extended by agreement to February 18, 2021 at 4:00 p.m. (ET) for the Debtors

Objections/Responses Received: None at this time.

Related Documents: None at this time.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for February 25, 2021 at 2:00 p.m. (ET).

7. Debtors' Motion for an Order Authorizing and Approving the Settlement Agreement Between the Hempel Plaintiffs and the Hempel Defendants [[Docket No. 1201](#) – filed January 21, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET); extended by agreement to February 18, 2021 at 4:00 p.m. (ET) for the Hempel Plaintiffs

Objections/Responses Received:

- A. Acthar Plaintiffs' Limited Objection to Debtors' Motion for an Order Authorizing the Settlement Agreement Between the Hempel Plaintiffs and the Hempel Defendants [[Docket No. 1285](#) – filed February 4, 2021]

Related Documents: None at this time.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for February 25, 2021 at 2:00 p.m. (ET).

**III. UNCONTESTED MATTER GOING FORWARD:**

8. Debtors' Motion for Entry of an Order (A) Appointing a Mediator and (B) Establishing Mediation Procedures as Set Forth in the Proposed Order [[Docket No. 1276](#) – filed February 3, 2021]

Objection/Response Deadline: February 10, 2021 at 12:00 a.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Order Shortening the Notice and Objection Periods and Waiving Local Rule 9006-1(c)(ii) with Respect to the Debtors' Motion for Entry of an Order (A) Appointing a Mediator and (B) Establishing Mediation Procedures as Set Forth in the Proposed Order [[Docket No. 1281](#) – entered February 4, 2021]
- ii. Notice of Motion and Hearing [[Docket No. 1283](#) – filed February 4, 2021]

Status: The hearing on this matter will go forward.

**IV. CONTESTED MATTER GOING FORWARD:**

9. Application of Debtors to Employ and Retain Arnold & Porter Kaye Scholer LLP as Special Counsel to the Debtors, *Nunc Pro Tunc* to the Petition Date [[Docket No. 1196](#) – filed January 21, 2021]

Objection/Response Deadline: February 4, 2021 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Informal comments received from the U.S. Trustee
- B. Acthar Plaintiffs' Objection to Application of Debtors to Employ and Retain Arnold & Porter Kaye Scholer LLP as Special Counsel to the Debtors, *Nunc Pro Tunc* to the Petition Date [[Docket No. 1240](#) – filed January 31, 2021]

Related Documents:

- i. Declaration of Sheldon L. Solon in Support of the Application of Debtors to Employ and Retain Arnold & Porter Kaye Scholer LLP as Special Counsel to the Debtors, *Nunc Pro Tunc* to the Petition Date [[Docket No. 1269](#) – filed February 3, 2021]
- ii. Supplemental Declaration of Michael B. Bernstein in Support of the Application of Debtors to Employ and Retain Arnold & Porter Kaye Scholer LLP as Special Counsel to the Debtors, *Nunc Pro Tunc* to the Petition Date [[Docket No. 1304](#) – filed February 8, 2021]

- iii. Debtors' Reply in Support of Application to Authorize Retention and Employment of Arnold & Porter Kaye Scholer LLP [[Docket No. 1314](#) – filed February 8, 2021]

Witness Information:

- i. The Debtors may offer the testimony by declaration, proffer and/or live video testimony of:
  - a. Mr. Stephen Welch, Chief Transformation Officer, Mallinckrodt
  - b. Sheldon L. Solon, retired partner, Arnold & Porter Kaye Scholer LLP
  - c. Michael B. Bernstein, partner, Arnold & Porter Kaye Scholer LLP

Status: The Debtors have resolved the informal comments of the U.S. Trustee. The hearing on this matter will go forward.

Dated: February 9, 2021

/s/ Michael J. Merchant

**RICHARDS, LAYTON & FINGER, P.A.**

Mark D. Collins (No. 2981)  
Michael J. Merchant (No. 3854)  
Amanda R. Steele (No. 5530)  
Brendan J. Schlauch (No. 6115)  
One Rodney Square  
920 N. King Street  
Wilmington, Delaware 19801  
Telephone: (302) 651-7700  
Facsimile: (302) 651-7701  
Email: collins@rlf.com  
merchant@rlf.com  
steele@rlf.com  
schlauch@rlf.com

- and -

George A. Davis (*pro hac vice*)  
George Klidonas (*pro hac vice*)  
Andrew Sorkin (*pro hac vice*)  
Anupama Yerramalli (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
885 Third Avenue  
New York, New York 10022  
Telephone: (212) 906-1200  
Facsimile: (212) 751-4864  
Email: george.davis@lw.com  
george.klidonas@lw.com  
andrew.sorkin@lw.com  
anu.yerramalli@lw.com

- and -

Jeffrey E. Bjork (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
355 South Grand Avenue, Suite 100  
Los Angeles, California 90071  
Telephone: (213) 485-1234  
Facsimile: (213) 891-8763  
Email: jeff.bjork@lw.com

- and -

Jason B. Gott (*pro hac vice*)  
**LATHAM & WATKINS LLP**  
330 North Wabash Avenue, Suite 2800  
Chicago, Illinois 60611  
Telephone: (312) 876-7700  
Facsimile: (312) 993-9767  
Email: jason.gott@lw.com

*Counsel for Debtors and Debtors in Possession*