

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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

NOTICE OF *THIRD AMENDED*² AGENDA FOR TELEPHONIC AND VIDEO HEARING SCHEDULED FOR DECEMBER 14, 2020 AT 3:00 P.M. (PREVAILING EASTERN TIME), BEFORE THE HONORABLE JOHN T. DORSEY, AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE³

AT THE DEBTORS' REQUEST, THE COURT HAS AGREED TO MOVE THE START TIME OF THE HEARING TO 3:00 P.M. (ET)

ANY PARTY WISHING TO PARTICIPATE IN THE HEARING MUST APPEAR THROUGH BOTH COURTCALL AND ZOOM. PARTIES SHOULD CALL IN TO COURTCALL BY 2:45 P.M. AS COURTCALL HAS BEEN EXPERIENCING DELAYS DUE TO THE VOLUME OF CALLS.

**TO APPEAR BY VIDEO CONFERENCE,
PARTIES SHOULD USE THE FOLLOWING INFORMATION:
JOIN ZOOMGOV HEARING: <https://debuscourts.zoomgov.com/j/1602058711>
MEETING ID: 1602058711; PASSWORD: 875279**

PLEASE NOTE: AUDIO MUST BE MUTED IN ZOOM ONCE CONNECTED. COURTCALL, LLC WILL PROVIDE THE AUDIO FOR THE HEARING.

**TO APPEAR TELEPHONICALLY,
PARTIES SHOULD CONTACT COURTCALL, LLC
AT 844-925-0626 TO REGISTER THEIR APPEARANCE.**

¹ 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.

² **Amended items appear in bold.**

³ All motions and other pleadings referenced herein are available online at the following address: <http://restructuring.primeclerk.com/Mallinckrodt>.

I. CONTESTED MATTERS GOING FORWARD:

1. Motion of Debtors for Entry of an Order Appointing Roger Frankel, as Legal Representative for Future Claimants, Effective as of the Petition Date [[Docket No. 189](#) – filed October 13, 2020]

Objection/Response Deadline: November 3, 2020 at 4:00 p.m. (ET); extended by agreement to November 5, 2020 at 12:00 noon (ET) for the Athar Plaintiffs represented by Ciardi, Ciardi & Astin; extended by agreement to November 16, 2020 at 4:00 p.m. (ET) for the Office of the United States Trustee (the “U.S. Trustee”), the Official Committee of Unsecured Creditors, the Ad Hoc Group of Personal Injury Victims represented by ASK, and the Ad Hoc Committee of NAS Children; extended by agreement to November 28, 2020 for the Official Committee of Opioid Related Claimants

Objections/Responses Received:

- A. Informal comments received from the U.S. Trustee
- B. Statement and Reservation of Rights of the Official Committee of Opioid Related Claimants in Connection with Second Day Motions [[Docket No. 433](#) – filed November 6, 2020]
- C. Objection of Ad Hoc Group of Personal Injury Victims to Motion of Debtors for Entry of an Order Appointing Roger Frankel, as Legal Representative for Future Claimants, Effective as of the Petition Date [[Docket No. 657](#) – filed November 28, 2020]
- D. The Official Committee of Opioid Related Claimants’ (I) Request for Adjournment of or, in the Alternative, Objection to Motion of Debtors to Appoint Future Claimants Representative and (II) Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 658](#) – filed November 28, 2020]
- E. The Ad Hoc Committee of NAS Children’s Objection and Joinder to the Official Committee of Opioid Related Claimants’ (I) Request for Adjournment of or, in the Alternative, Objection to Motion of Debtors to Appoint Future Claimants Representative and (II) Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 659](#) – filed November 28, 2020]

Related Documents:

- i. Notice of Motion and Hearing [[Docket No. 228](#) – filed October 14, 2020]
- ii. Order (I) Adjourning Hearing with Respect to the FCR Motion [[Docket No. 189](#)] and (II) Scheduling Hearing with Respect to the OCC Cross-Motion [[Docket No. 658](#)] [[Docket No. 703](#) – entered December 3, 2020]

- iii. Governmental Plaintiff Ad Hoc Committee's Statement in Support of the Debtors' Motion to Appoint a Future Claimants' Representative [[Docket No. 740](#) – filed December 7, 2020]
- iv. The Multi-State Governmental Entities Group's (I) Statement in Support of Debtors' Motion for Entry of an Order Appointing Roger Frankel as Legal Representative for Future Claimants and in Response to Objections Thereto and (II) Objection to the Cross-Motion of the Official Committee of Opioid Related Claimants to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 743](#) – filed December 7, 2020]
- v. Debtors' Omnibus Reply in Support of Motion of Debtors for Entry of an Order Appointing Roger Frankel, as Legal Representative for Future Claimants, Effective as of the Petition Date [[Docket No. 744](#) – filed December 7, 2020]
- vi. Declaration of Stephen A. Welch in Support of Motion of Debtors for Entry of an Order Appointing Roger Frankel, as Legal Representative for Future Claimants, Effective as of the Petition Date [[Docket No. 745](#) – filed December 7, 2020]
- vii. Statement and Reservation of Rights (I) in Support of the Motion for Entry of an Order Appointing Roger Frankel, as Legal Representative for Future Claimants, Effective as of the Petition Date and (II) in Opposition to the Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 764](#) – filed December 8, 2020]
- viii. Notice of Filing of Revised FCR Order [[Docket No. 824](#) – filed December 14, 2020]

Witness Information:

- i. The Debtors may offer the testimony by declaration, proffer and/or live video testimony of:
 - a. Mr. Roger Frankel, Proposed Future Claimants' Representative, Frankel Wyron LLP
 - b. Mr. Stephen Welch, Chief Transformation Officer of the Debtors

Status: The hearing on this matter will go forward.

- 2. The Official Committee of Opioid Related Claimants' (I) Request for Adjournment of or, in the Alternative, Objection to Motion of Debtors to Appoint Future Claimants Representative and (II) Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 658](#) – filed November 28, 2020]

Objection/Response Deadline: December 7, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Governmental Plaintiff Ad Hoc Committee's Joinder to Debtors' Objection to Cross-Motion of Official Committee of Opioid Related Claimants to Set an Opioid Bar Date [[Docket No. 742](#) – filed December 7, 2020]
- B. The Multi-State Governmental Entities Group's (I) Statement in Support of Debtors' Motion for Entry of an Order Appointing Roger Frankel as Legal Representative for Future Claimants and in Response to Objections Thereto and (II) Objection to the Cross-Motion of the Official Committee of Opioid Related Claimants to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 743](#) – filed December 7, 2020]
- C. Debtors' Objection to the Official Committee of Opioid Related Claimants' Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claims [[Docket No. 746](#) – filed December 7, 2020]
- D. Statement and Reservation of Rights (I) in Support of the Motion for Entry of an Order Appointing Roger Frankel, as Legal Representative for Future Claimants, Effective as of the Petition Date and (II) in Opposition to the Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 764](#) – filed December 8, 2020]

Related Documents:

- i. The Ad Hoc Committee of NAS Children's Objection and Joinder to the Official Committee of Opioid Related Claimants' (I) Request for Adjournment of or, in the Alternative, Objection to Motion of Debtors to Appoint Future Claimants Representative and (II) Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 659](#) – filed November 28, 2020]
- ii. The Official Committee of Opioid Related Claimants' Motion for Order to Shorten Notice of the Hearing and Objection Deadline to Consider the Official Committee of Opioid Related Claimants' (I) Request for Adjournment of or, in the Alternative, Objection to Motion of Debtors to Appoint Future Claimants Representative and (II) Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 660](#) – filed November 28, 2020]
- iii. Order (I) Adjourning Hearing with Respect to the FCR Motion [Docket No. 189] and (II) Scheduling Hearing with Respect to the OCC Cross-Motion [Docket No. 658] [[Docket No. 703](#) – entered December 3, 2020]
- iv. The Ad Hoc Group of Personal Injury Victims' Joinder to the Official Committee of Opioid Related Claimants' Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 730](#) – filed December 4, 2020]

- v. The Official Committee of Opioid Related Claimants' Reply in Support of Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 773](#) – filed December 9, 2020]
- vi. The Ad Hoc Committee of NAS Children's Joinder to the Reply of the Official Committee of Opioid Related Claimants in Support of Cross-Motion to Compel Debtors to Establish Bar Date and Noticing Program for Opioid Claimants [[Docket No. 774](#) – filed December 9, 2020]

Status: The hearing on the Cross-Motion will go forward.

II. ADDITIONAL MATTER GOING FORWARD:

- 3. Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 523](#) – filed November 16, 2020]

Objection/Response Deadline: November 30, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. The United States Trustee's Objection to Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 670](#) – filed November 30, 2020]
- B. Objection of the Ad Hoc First Lien Term Lender Group to the Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 671](#) – filed November 30, 2020]
- C. Limited Objection and Reservation of Rights of the Official Committee of Unsecured Creditors to the Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 672](#) – filed November 30, 2020]
- D. The Official Committee of Opioid Related Claimants' Limited Objection to Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 686](#) – filed November 30, 2020]

Related Documents:

- i. Governmental Plaintiff Ad Hoc Committee's Joinder to the Debtors' Reply in Support of Their Motion to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals [[Docket No. 704](#) – filed December 3, 2020]

- ii. Debtors' Omnibus Reply in Support of Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 705](#) - filed December 3, 2020]
 - a. Debtors' Motion for Leave to File and Serve Reply and Related Joinders in Support of Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 706](#) - filed December 3, 2020]
 - b. Order Granting Debtors' Motion for Leave to File and Serve Reply and Related Joinders in Support of Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 709](#) - entered December 3, 2020]
- iii. The Unsecured Notes Ad Hoc Group Statement in Support of the Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 707](#) - filed December 3, 2020]
- iv. Declaration of Randall S. Eisenberg in Support of Debtors' Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals and Granting Related Relief [[Docket No. 714](#) - filed December 3, 2020]
- v. The Multi-State Governmental Entities Group's Joinder to the Debtors' Omnibus Reply in Support of Their Motion for Order Authorizing Debtors to Pay the Reasonable and Documented Fees and Expenses of the RSA Party Professionals [[Docket No. 717](#) - filed December 3, 2020]
- vi. Notice of Filing of Further Revised RSA Order [[Docket No. 735](#) - filed December 7, 2020]

Witness Information:

- i. The Debtors may offer the testimony by declaration, proffer and/or live video testimony of Mr. Randall S. Eisenberg, a Managing Director at AlixPartners, LLP.

Status: An evidentiary hearing on the Motion was held on December 7, 2020, following which the Court took the matter under advisement. The Court has indicated that it intends to render a bench ruling with respect to the Motion at the hearing.

Dated: December 14, 2020

/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