

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

In re:)	x	Chapter 11
)		
MALLINCKRODT PLC, <i>et al.</i> , ¹)		Case No. 20-12522 (JTD)
)		
Debtors.)		(Jointly Administered)
)		
<hr/>		x	
MALLINCKRODT ENTERPRISES LLC;)		
ST SHARED SERVICES LLC; AND)		
MALLINCKRODT ARD LLC;)		
)		Adv. Pro. No. 21-50139 (JTD)
Plaintiffs,)		
v.)		
)		
KURT BRUSHABER; ALAN KILLICK;)		
DOUGLAS GILL; ANDREW WINECOFF;)		
JOSEPH SMITH; and DENDREON)		
PHARMACEUTICALS, LLC, a wholly-owned)		
subsidiary of SANPOWER GROUP CO., LTD.,)		
)		
Defendants.)		
)	x	

**NOTICE OF AGENDA FOR VIDEO HEARING
SCHEDULED FOR MARCH 30, 2021 AT 2:00 P.M. (PREVAILING
EASTERN TIME), BEFORE THE HONORABLE JOHN T. DORSEY, AT THE
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE²**

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., Hazelwood, Missouri 63042.

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

**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/vJlfcu-qgT4iHwG6PFkkOG43k8CK-HjuS5g>**

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

I. WITHDRAWN/MOOT MATTERS:

1. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of William Blair & Company, L.L.C. as Investment Banker to the Debtors in Connection with the Sale of a Portion of the AMITZA Business Unit Effective as of the Petition Date [[Docket No. 1205](#) – filed January 22, 2021]

Objection/Response Deadline: February 5, 2021 at 4:00 p.m. (ET); extended by agreement for the Office of the United States Trustee (the "U.S. Trustee")

Objections/Responses Received:

A. Informal comments received from the U.S. Trustee

Related Documents:

- i. Notice of Withdrawal [[Docket No. 1869](#) – filed March 25, 2021]

Status: This matter has been withdrawn. Accordingly, a hearing with respect to this matter is no longer necessary.

2. Michael Linebarger Motion to File Claim After Claims Bar Date [[Docket No. 1648](#) – filed March 11, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents: None at this time.

Status: Since the filing of the Motion, Mr. Linebarger has filed a proof of claim with the Debtors' claims and noticing agent. As the Debtors have informed Mr. Linebarger that they will not be objecting to the claim on the basis that it was late filed, the Motion is moot and there is no need for a hearing on this matter.

II. CONTINUED MATTERS:

3. ACAR Leasing LTD dba GM Financial Leasing Stay Relief Motion [[Docket No. 1181](#) – filed January 19, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Re-Notice of Motion of ACAR Leasing LTD dba GM Financial Leasing for Relief from Stay Under §362 of the Bankruptcy Code [[Docket No. 1267](#) – filed February 3, 2021]
- ii. Re-Notice of Motion of ACAR Leasing LTD dba GM Financial Leasing for Relief from Stay Under §362 of the Bankruptcy Code [[Docket No. 1445](#) – filed February 18, 2021]
- iii. Re-Notice of Motion of ACAR Leasing LTD dba GM Financial Leasing for Relief from Stay Under §362 of the Bankruptcy Code [[Docket No. 1587](#) – filed March 4, 2021]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for April 13, 2021 at 11:00 a.m. (ET).

4. 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 March 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 April 27, 2021 at 10:00 a.m. (ET).

5. Limited Objection of the Tribal Leadership Committee to 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. 1340](#) – filed February 9, 2021]

Objection/Response Deadline: None.

Objections/Responses Received: None at this time.

Related Documents:

- i. Order (A) Appointing a Mediator and (B) Granting Related Relief [[Docket No. 1381](#) – filed February 11, 2021]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for April 13, 2021 at 11:00 a.m. (ET).

6. Acthar Plaintiffs’ Motion for Entry of Order Governing Confidentiality of Documents [[Docket No. 1505](#) – filed February 24, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET); continued by agreement to April 6, 2021 at 4:00 p.m. (ET)

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 April 13, 2021 at 11:00 a.m. (ET).

7. Acthar Plaintiffs’ Motion to Compel Prime Clerk to Allow Redaction and to Seal Exhibit “C” to Acthar Plaintiffs’ Proofs of Claim [[Docket No. 1573](#) – filed March 2, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Debtors’ and Prime Clerk LLC’s Joint Objection to Acthar Plaintiffs’ Motion to Compel Prime Clerk to Allow Redaction and to Seal Exhibit “C” to Acthar Plaintiffs’ Proofs of Claim [[Docket No. 1828](#) – filed March 23, 2021]
- B. The Express Scripts Entities’ Partial Opposition to the Acthar Plaintiffs’ Motion to Compel Prime Clerk to Allow Redaction and to Seal Exhibit “C” to Plaintiffs’ Proofs of Claim [[Docket No. 1846](#) – filed March 23, 2021]

Related Documents: None at this time.

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for April 13, 2021 at 11:00 a.m. (ET).

8. Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery of the Debtors and Third Parties, and (2) for an Order Extending Period to (A) Challenge the Debtors’ Stipulations as Set Forth in the Final Cash Collateral Order and (B) Assert Related Claims or Causes of Actions [[Docket No. 1632](#) – filed March 10, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET); continued by agreement to April 5, 2021 at 12:00 noon (ET)

Objections/Responses Received:

- A. Humana Inc.'s Joinder to the Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery of the Debtors and Third Parties, and (2) for an Order Extending Period to (A) Challenge the Debtors' Stipulations as Set Forth in the Final Cash Collateral Order and (B) Assert Related Claims or Causes of Actions [[Docket No. 1755](#) – filed March 16, 2021]

Related Documents:

- i. [SEALED] Declaration of David H. Kupfer in Support of Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery of the Debtors and Third Parties, and (2) for an Order Extending Period to (A) Challenge the Debtors' Stipulations as Set Forth in the Final Cash Collateral Order and (B) Assert Related Claims or Causes of Action [Docket No. 1633 – filed March 10, 2021]
- ii. [Redacted] Declaration of David H. Kupfer in Support of Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery of the Debtors and Third Parties, and (2) for an Order Extending Period to (A) Challenge the Debtors' Stipulations as Set Forth in the Final Cash Collateral Order and (B) Assert Related Claims or Causes of Action [[Docket No. 1634](#) – filed March 10, 2021]
- iii. Notice of Filing of Additional Unredacted Exhibits Related to Declaration of David H. Kupfer in Support of Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery of the Debtors and Third Parties, and (2) for an Order Extending Period to (A) Challenge the Debtors' Stipulations as Set Forth in the Final Cash Collateral Order and (B) Assert Related Claims or Causes of Action [[Docket No. 1770](#) – filed March 17, 2021]

Status: The hearing on this matter has been continued to the omnibus hearing scheduled for April 13, 2021 at 11:00 a.m. (ET).

9. Motion of the Official Committee of Unsecured Creditors to Seal Certain Exhibits of the Declaration of David H. Kupfer in Support of Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery of the Debtors and Third Parties, and (2) for an Order Extending Period to (A) Challenge the Debtors' Stipulations as Set Forth in the Final Cash Collateral Order and (B) Assert Related Claims or Causes of Action [[Docket No. 1706](#) – filed March 15, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET)

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 April 13, 2021 at 11:00 a.m. (ET).

10. Debtors' Motion for Entry of an Order Approving Confidentiality and Protective Order [[Docket No. 1765](#) – filed March 16, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET); continued to April 6, 2021 at 4:00 p.m. (ET)

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 April 13, 2021 at 11:00 a.m. (ET).

III. CONTESTED MATTERS GOING FORWARD:

11. Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Ernst & Young LLP as Business Consulting and Tax Services Provider for the Debtors *Nunc Pro Tunc* to the Petition Date [[Docket No. 1527](#) – filed February 26, 2021]

Objection/Response Deadline: March 12, 2021 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. The United States Trustee's Limited Objection to the Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Ernst & Young LLP as Business Consulting and Tax Services Provider for the Debtors *Nunc Pro Tunc* to the Petition Date [[Docket No. 1874](#) – filed March 26, 2021]

Related Documents:

- i. Supplemental Declaration of Michael G. Weiss in Support of Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Ernst & Young LLP as Business Consulting and Tax Services Provider for the Debtors *Nunc Pro Tunc* to the Petition Date [[Docket No. 1873](#) – filed March 26, 2021]

Status: The hearing on this matter will go forward.

12. Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors' 2021 Key Employee Incentive Plan, and (III) Granting Related Relief [[Docket No. 1628](#) – filed March 9, 2021]

Objection/Response Deadline: March 23, 2021 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. The United States Trustee’s Objection to Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors’ 2021 Key Employee Incentive Plan, and (III) Granting Related Relief [[Docket No. 1829](#) – filed March 23, 2021]

- B. [Sealed] The Official Committee of Opioid Related Claimants’ Statement and Request for Adjournment in Respect of Debtors’ Motion to Approve Key Employee Incentive Plans [Docket No. 1830 – filed March 23, 2021]
 - i. [Sealed] Declaration of Arik Preis in Support of The Official Committee of Opioid Related Claimants’ Statement and Request for Adjournment in Respect of Debtors’ Motion to Approve Key Employee Incentive Plans [Docket No. 1832 – filed March 23, 2021]

 - ii. Notice of Filing of Proposed Redacted Version of the Official Committee of Opioid Related Claimants’ Statement and Request for Adjournment in Respect of Debtors’ Motion to Approve Key Employee Incentive Plans [[Docket No. 1862](#) – filed March 24, 2021]

- C. [Sealed] Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors’ 2021 Key Employee Incentive Plan, and (III) Granting Related Relief [Docket No. 1847 – filed March 23, 2021]
 - i. [Sealed] Declaration of J.D. Ivy in Support of Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors’ 2021 Key Employee Incentive Plan, and (III) Granting Related Relief [Docket No. 1848 – filed March 23, 2021]

 - ii. [Redacted] Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors’ 2021 Key Employee Incentive Plan, and (III) Granting Related Relief [[Docket No. 1856](#) – filed March 24, 2021]

 - iii. [Redacted] Declaration of J.D. Ivy in Support of Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors’ 2021 Key Employee Incentive Plan, and (III) Granting Related Relief [[Docket No. 1857](#) – filed March 24, 2021]

Related Documents: None at this time.

Witness Information:

- a. The parties are conferring regarding witnesses to be presented at the hearing and will provide the Court with witness and exhibit lists in advance of the hearing consistent with the Court's Chambers' procedures.

Status: The hearing on the KEIP Motion has tentatively been rescheduled to March 31, 2021 at 3:00 p.m. (ET), and will continue, if necessary, to April 1, 2021, pending approval of the Court.

13. Motion of the Official Committee of Unsecured Creditors to Seal Certain Portions of its (A) Objection to the Motion of Debtors for Order (I) Approving the Q4 2020 Payment Under the 2020 Key Employee Incentive Plan, (II) Approving the Debtors' 2021 Key Employee Incentive Plan, and (III) Granting Related Relief and (B) the Declaration of J.D. Ivy in Support of Objection [[Docket No. 1858](#) – filed March 24, 2021]

Objection/Response Deadline: Prior to the hearing.

Objections/Responses Received: None at this time.

Related Documents: None at this time.

Status: The hearing on the Motion to Seal will coincide with the hearing on the KEIP Motion referenced in Agenda Item 12.

IV. ADVERSARY SCHEDULING CONFERENCE:

14. Notice of Status Conference Scheduled for March 10, 2021 at 2:00 p.m. (prevailing Eastern Time) [[Docket No. 1600](#), Adv. Pro. No. 21-50139 (JTD) – Adv. Docket No. 6 – filed March 5, 2021]

Related Documents:

- i. Complaint for Injunctive Relief, Declaratory Judgment, and Damages [Adv. Pro. No. 21-50139 (JTD) – [Adv. Docket No. 1](#) – filed February 17, 2021]
- ii. Motion for Preliminary Injunction [Adv. Pro. No. 21-50139 (JTD) – [Adv. Docket No. 2](#) – filed February 17, 2021]
- iii. Motion for Leave to Conduct Expedited Discovery, and for Discovery Schedule, Briefing Schedule, and Hearing on Motion for Preliminary Injunction [Adv. Pro. No. 21-50139 (JTD) – [Adv. Docket No. 3](#) – filed February 17, 2021]
- iv. Defendants' Opposition to Motion to Conduct Expedited Discovery [Adv. Pro. No. 21-50139 (JTD) – [Adv. Docket No. 9](#) – filed March 9, 2021]

Status: The scheduling conference on this matter will go forward.

Dated: March 26, 2021

/s/ Michael J. Merchant

RICHARDS, LAYTON & FINGER, P.A.

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