

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

	x	
In re:)	Chapter 11
)	
MALLINCKRODT PLC, <i>et al.</i> , ¹)	Case No. 20-12522 (JTD)
)	
Debtors.)	(Jointly Administered)
)	
	x	
<hr style="border: 0.5px solid black;"/>		
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 *AMENDED*² AGENDA FOR VIDEO HEARING
SCHEDULED FOR APRIL 13, 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 DELAWARE³**

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 **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>.

**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/vJltcO2trjItHiMc17Qq5gn7uPxRVfWAGbE>

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

I. CONTINUED/RESOLVED MATTERS:

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 Acthar 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 (the “OCC”)

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]
- ix. Supplemental Declaration of Roger Frankel 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. 1102](#) – filed January 4, 2021]
- x. Notice of Filing of Order Provisionally Appointing Roger Frankel as Legal Representative for Future Claimants [[Docket No. 1716](#) – filed March 15, 2021]

- xi. Order Provisionally Appointing Roger Frankel as Legal Representative for Future Claimants [[Docket No. 1747](#) – entered March 16, 2021]

Status: On March 16, 2021, the Court entered an order approving the Motion on a provisional basis. **The final hearing on the Motion has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

2. Application for Entry of an Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Frankel Wyron LLP as Counsel Effective as of the Petition Date [[Docket No. 372](#) – filed November 2, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET); extended by agreement to November 23, 2020 at 5:00 p.m. (ET) for the OCC

Objections/Responses Received:

- A. The Official Committee of Opioid Related Claimants’ (I) Limited Objection to Proposed Future Claimants Representative’s Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative [[Docket No. 645](#) – filed November 25, 2020]
- B. The Ad Hoc Committee of NAS Children’s Limited Objection and Joinder to Official Committee of Opioid Related Claimants’ (I) Limited Objection to Proposed Future Claimants Representative’s Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimant Representative [[Docket No. 646](#) – filed November 25, 2020]

Related Documents:

- i. Omnibus Declaration of Roger Frankel, the Proposed Future Claimants’ Representative, in Support of the Applications to Retain and Employ Frankel Wyron, LLP and Young Conaway Stargatt & Taylor, LLP as Counsel and Greenberg Traurig, LLP as Special Counsel, Effective as of the Petition Date [[Docket No. 375](#) – filed November 2, 2020]
- ii. The Proposed Future Claimants’ Representative’s Omnibus Reply to (A) the Official Committee of Opioid Related Claimants’ (I) Limited Objection to Proposed Future Claimants Representative’s Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative and (B) the Ad Hoc Committee of NAS Children’s Limited Objection and Joinder [[Docket No. 741](#) – filed December 7, 2020]
- iii. Supplemental Declaration of Richard H. Wyron in Support of Application for Entry of Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Frankel Wyron LLP as Counsel Effective as of the Petition Date [[Docket No. 1103](#) – filed January 4, 2021]

- iv. Notice of Filing of Revised Proposed Order Regarding Application for Entry of Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Frankel Wyron LLP as Counsel Effective as of the Petition Date [[Docket No. 1652](#) – filed March 11, 2021]
- v. Notice of Filing of Further Revised Proposed Order Regarding Application for Entry of Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Frankel Wyron LLP as Counsel Effective as of the Petition Date [[Docket No. 1728](#) – filed March 16, 2021]
- vi. Order Authorizing the Future Claimants' Representative to Retain and Employ Frankel Wyron LLP as Counsel Effective as of the Petition Date on a Provisional Basis [[Docket No. 1739](#) – entered March 16, 2021]

Status: On March 16, 2021, the Court entered an order approving the Application on a provisional basis. **The final hearing on the Application has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

- 3. Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Young Conaway Stargatt & Taylor, LLP as Counsel Effective as of the Petition Date [[Docket No. 373](#) – filed November 2, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET); extended by agreement to November 23, 2020 at 5:00 p.m. (ET) for the OCC

Objections/Responses Received:

- A. The Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative [[Docket No. 645](#) – filed November 25, 2020]
- B. The Ad Hoc Committee of NAS Children's Limited Objection and Joinder to Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimant Representative [[Docket No. 646](#) – filed November 25, 2020]

Related Documents:

- i. Omnibus Declaration of Roger Frankel, the Proposed Future Claimants' Representative, in Support of the Applications to Retain and Employ Frankel Wyron, LLP and Young Conaway Stargatt & Taylor, LLP as Counsel and Greenberg Traurig, LLP as Special Counsel, Effective as of the Petition Date [[Docket No. 375](#) – filed November 2, 2020]

- ii. Supplemental Declaration of Edwin J. Harron in Support of Application for Entry of Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Young Conaway Stargatt & Taylor, LLP as Counsel Effective as of the Petition Date [[Docket No. 620](#) – filed November 24, 2020]
- iii. The Proposed Future Claimants' Representative's Omnibus Reply to (A) the Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative and (B) the Ad Hoc Committee of NAS Children's Limited Objection and Joinder [[Docket No. 741](#) – filed December 7, 2020]
- iv. Second Supplemental Declaration of Edwin J. Harron in Support of Application for Entry of Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Young Conaway Stargatt & Taylor, LLP as Counsel Effective as of the Petition Date [[Docket No. 1104](#) – filed January 4, 2021]
- v. Notice of Filing of Revised Proposed Order Regarding Application for Entry of Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Young Conaway Stargatt & Taylor, LLP as Counsel Effective as of the Petition Date [[Docket No. 1653](#) – filed March 11, 2021]
- vi. Notice of Filing of Further Revised Proposed Order Regarding Application for Entry of Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Young Conaway Stargatt & Taylor, LLP as Counsel Effective as of the Petition Date [[Docket No. 1727](#) – filed March 16, 2021]
- vii. Order Authorizing the Future Claimants' Representative to Retain and Employ Young Conaway Stargatt & Taylor, LLP as Counsel Effective as of the Petition Date on a Provisional Basis [[Docket No. 1740](#) – entered March 16, 2021]

Status: On March 16, 2021, the Court entered an order approving the Application on a provisional basis. **The final hearing on the Application has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

4. Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 374](#) – filed November 2, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET); extended by agreement to November 23, 2020 at 5:00 p.m. (ET) for the OCC; extended by agreement to December 3, 2020 at 12:00 noon (ET) for the U.S. Trustee

Objections/Responses Received:

- A. The Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment

Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative [[Docket No. 645](#) – filed November 25, 2020]

- B. The Ad Hoc Committee of NAS Children’s Limited Objection and Joinder to Official Committee of Opioid Related Claimants’ (I) Limited Objection to Proposed Future Claimants Representative’s Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimant Representative [[Docket No. 646](#) – filed November 25, 2020]
- C. The United States Trustee’s Objection to the Application for Entry of an Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 699](#) – filed December 2, 2020]

Related Documents:

- i. Omnibus Declaration of Roger Frankel, the Proposed Future Claimants’ Representative, in Support of the Applications to Retain and Employ Frankel Wyron, LLP and Young Conaway Stargatt & Taylor, LLP as Counsel and Greenberg Traurig, LLP as Special Counsel, Effective as of the Petition Date [[Docket No. 375](#) – filed November 2, 2020]
- ii. Supplemental Declaration of Nancy A. Peterman in Support of the Application for Entry of an Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 548](#) – filed November 18, 2020]
- iii. The Proposed Future Claimants’ Representative’s Omnibus Reply to (A) the Official Committee of Opioid Related Claimants’ (I) Limited Objection to Proposed Future Claimants Representative’s Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative and (B) the Ad Hoc Committee of NAS Children’s Limited Objection and Joinder [[Docket No. 741](#) – filed December 7, 2020]
- iv. Second Supplemental Declaration of Nancy A. Peterman in Support of the Application for Entry of an Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 1483](#) – filed February 23, 2021]
- v. Reply in Support of Application for Entry of an Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 1649](#) – filed March 11, 2021]
- vi. Notice of Filing of Revised Proposed Order Regarding Application for Entry of an Order Authorizing the Proposed Future Claimants’ Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 1654](#) – filed March 11, 2021]

- vii. Third Supplemental Declaration of Nancy A. Peterman in Support of the Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 1705](#) – filed March 15, 2021]
- viii. Notice of Filing of Further Revised Proposed Order Regarding Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date [[Docket No. 1729](#) – filed March 16, 2021]
- ix. Order Authorizing the Future Claimants' Representative to Retain and Employ Greenberg Traurig, LLP as Special Counsel Effective as of the Petition Date on a Provisional Basis [[Docket No. 1743](#) – entered March 16, 2021]

Status: On March 16, 2021, the Court entered an order approving the Application on a provisional basis. **The final hearing on the Application has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

- 5. Application for Entry of an Order (I) Authorizing the Proposed Future Claimants' Representative to Retain and Employ Ducera Partners LLC as Investment Banker, Effective as of the Petition Date, (II) Modifying Certain Information Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 376](#) – filed November 2, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET); extended by agreement to November 23, 2020 at 5:00 p.m. (ET) for the OCC

Objections/Responses Received:

- A. The Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative [[Docket No. 645](#) – filed November 25, 2020]
- B. The Ad Hoc Committee of NAS Children's Limited Objection and Joinder to Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimant Representative [[Docket No. 646](#) – filed November 25, 2020]

Related Documents:

- i. Supplemental Declaration of Agnes K. Tang in Support of Application for Entry of an Order (I) Authorizing the Proposed Future Claimants' Representative to Retain and Employ Ducera Partners LLC as Investment Banker, Effective as of the Petition Date, (II) Modifying Certain Information Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 624](#) – filed November 24, 2020]

- ii. The Proposed Future Claimants' Representative's Omnibus Reply to (A) the Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative and (B) the Ad Hoc Committee of NAS Children's Limited Objection and Joinder [[Docket No. 741](#) – filed December 7, 2020]
- iii. Notice of Filing of Revised Proposed Order Regarding Application for Entry of an Order (I) Authorizing the Proposed Future Claimants' Representative to Retain and Employ Ducera Partners LLC as Investment Banker, Effective as of the Petition Date, (II) Modifying Certain Information Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 1655](#) – filed March 11, 2021]
- iv. Notice of Filing of Further Revised Proposed Order Regarding Application for Entry of an Order (I) Authorizing the Proposed Future Claimants' Representative to Retain and Employ Ducera Partners LLC as Investment Banker, Effective as of the Petition Date, (II) Modifying Certain Information Requirements Pursuant to Local Rule 2016-2, and (III) Granting Related Relief [[Docket No. 1730](#) – filed March 16, 2021]
- v. Order (I) Authorizing the Future Claimants' Representative to Retain and Employ Ducera Partners LLC as Investment Banker Effective as of the Petition Date on a Provisional Basis; (II) Modifying Certain Information Requirements Pursuant to Local Rule 2016-2; and (III) Granting Related Relief [[Docket No. 1741](#) – entered March 16, 2021]

Status: On March 16, 2021, the Court entered an order approving the Application on a provisional basis. **The final hearing on the Application has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

- 6. Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ NERA Economic Consulting as Consultant Effective as of the Petition Date [[Docket No. 377](#) – filed November 2, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET); extended by agreement to November 23, 2020 at 5:00 p.m. (ET) for the OCC

Objections/Responses Received:

- A. The Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative [[Docket No. 645](#) – filed November 25, 2020]
- B. The Ad Hoc Committee of NAS Children's Limited Objection and Joinder to Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and

(II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimant Representative [[Docket No. 646](#) – filed November 25, 2020]

Related Documents:

- i. Supplemental Declaration of Denise N. Martin in Support of the Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ NERA Economic Consulting as Consultant Effective as of the Petition Date [[Docket No. 608](#) – filed November 23, 2020]
- ii. The Proposed Future Claimants' Representative's Omnibus Reply to (A) the Official Committee of Opioid Related Claimants' (I) Limited Objection to Proposed Future Claimants Representative's Application to Retain Investment Banker and (II) Response Regarding Other Retention Applications Submitted by Proposed Future Claimants Representative and (B) the Ad Hoc Committee of NAS Children's Limited Objection and Joinder [[Docket No. 741](#) – filed December 7, 2020]
- iii. Second Supplemental Declaration of Denise N. Martin in Support of the Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ NERA Economic Consulting as Consultant Effective as of the Petition Date [[Docket No. 1222](#) – filed January 27, 2021]
- iv. Notice of Filing of Revised Proposed Order Regarding Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ NERA Economic Consulting as Consultant Effective as of the Petition Date [[Docket No. 1656](#) – filed March 11, 2021]
- v. Notice of Filing of Further Revised Proposed Order Regarding Application for Entry of an Order Authorizing the Proposed Future Claimants' Representative to Retain and Employ NERA Economic Consulting as Consultant Effective as of the Petition Date [[Docket No. 1731](#) – filed March 16, 2021]
- vi. Order Authorizing the Future Claimants' Representative to Retain and Employ NERA Economic Consulting as Consultant Effective as of the Petition Date on a Provisional Basis [[Docket No. 1742](#) – entered March 16, 2021]

Status: On March 16, 2021, the Court entered an order approving the Application on a provisional basis. **The final hearing on the Application has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

7. 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' 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]
- D. 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]
- E. 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 has been adjourned to **the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET)**.

- 8. 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]
- iv. Notice of Withdrawal of Motion for Relief from the Automatic Stay [[Docket No. 1985](#) – filed April 8, 2021]

Status: On April 8, 2021, the Movant withdrew their Motion. Accordingly, a hearing regarding this matter is not required.

- 9. 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 the Tribal Leadership Committee’s cross-motion has been adjourned to **the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

10. 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 20, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents: None at this time.

Status: The hearing on the Motion has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).

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]
- ii. Second 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. 1904](#) – filed March 29, 2021]

Status: A hearing on the Application was held on March 30, 2021, at which hearing the Court ruled on the disclosure issues raised by the U.S. Trustee. The Debtors and Ernst & Young LLP are working to address the issues raised by the Court in its ruling. The hearing on the Application has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).

12. 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 20, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents: None at this time.

Status: The hearing on the Motion has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).

II. MATTERS GOING FORWARD:

13. 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.

Witness Information: Counsel to the Debtors have identified the following witness for the hearing:

- i. Adam M. Adler, Vice President of Prime Clerk LLC may testify *via* declaration, proffer and/or live video testimony.

Status: The hearing on this matter will go forward.

14. 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]
- B. Objection of the Ad Hoc First Lien Notes Group 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. 1940](#) – filed April 5, 2021]
 - i. Declaration of Donald Burke in Support of Objection of the Ad Hoc First Lien Notes Group 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. 1941](#) – filed April 5, 2021]
- C. Deerfield Private Design Fund IV, L.P., Deerfield Special Situations Fund, L.P., and Deerfield Partners L.P.'s Objection to the Official Committee of Unsecured Creditors' Motion (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. 1942](#) – filed April 5, 2021]
- D. Objection of Columbus Hill Capital Management, L.P. 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. 1943](#) – filed April 5, 2021]

- E. Debtors' Omnibus Objection 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 and to Humana Inc.'s Joinder Thereto [[Docket No. 1944](#) – filed April 5, 2021]
- i. Declaration of Elizabeth R. Marks in Support of the Debtors' Omnibus Objection 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 and to Humana Inc.'s Joinder Thereto [[Docket No. 1945](#) – filed April 5, 2021]
- F. The Unsecured Notes Ad Hoc Group Statement in Support of the Debtors' Omnibus Objection 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 and to Humana Inc.'s Joinder Thereto [[Docket No. 1946](#) – filed April 5, 2021]
- G. Objection of the Ad Hoc First Lien Term Lender Group to 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. 1976](#) – filed April 7, 2021]
- H. Limited Objection of Deutsche Bank AG New York Branch, as Administrative Agent, to 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. 1978](#) – filed April 7, 2021]
- I. Humana Inc.'s Reply in Support of the Motion of the Official Committee of Unsecured Creditors (1) for an Order Pursuant to Bankruptcy Rule 2004 Authorizing the 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 and Humana Inc.'s Joinder Thereto [[Docket No. 1987](#) – filed April 8, 2021]
- J. Reply 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 Actions [[Docket No. 1999](#) – filed April 9, 2021]

i. Motion for Leave for the Unsecured Creditors Committee to File Their Reply 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 Actions [[Docket No. 2002](#) – filed April 9, 2021]

K. Reply Declaration of David H. Kupfer in Further 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 Actions [[Docket No. 2000](#) – filed April 9, 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]
- iv. **Notice of Debtors' Filing of Competing Proposed Form of Order (I) Extending the Challenge Period Termination Date Set Forth in the Final Cash Collateral Order, as Agreed by the Debtors and Various Consenting Parties and (II) Denying the Official Committee of Unsecured Creditors' Motion to Extend the**

Challenge Period Termination Date as Moot [[Docket No. 2013](#) – filed April 12, 2021]

Status: The hearing on the Motion will go forward solely as it relates to the Challenge Period Termination Date related relief. The Debtors and the UCC have reached an agreement in principle, which provides for (i) the UCC’s support of the Proposed Order [[Docket No. 2013](#)], filed on April 12, 2021, relating to the Challenge Period Termination Date; and (ii) an adjournment of the hearing on the Bankruptcy Rule 2004 related relief to the hearing scheduled for April 27, 2021 at 10:00 a.m. (ET) as the parties negotiate a stipulation memorializing the terms of their agreement. The agreement in principle does not resolve the First Lien Notes Ad Hoc Group’s objection to the Challenge Period Termination Date extension request, nor does it address Humana Inc.’s joinder relating to the Bankruptcy Rule 2004 requested relief.

15. 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:

- i. 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 the Motion has been adjourned to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).

16. Debtors’ Motion for Order (I) Modifying Cash Collateral Order with Respect to Adequate Protection Terms (II) Permitting the Debtors to Pay Certain Amounts, and (III) Granting Related Relief [[Docket No. 1824](#) – filed March 22, 2021]

Objection/Response Deadline: April 5, 2021 at 4:00 p.m. (ET); extended by agreement to April 6, 2021 at 11:59 p.m. (ET) for Deutsche Bank AG New York Branch, as Administrative Agent

Objections/Responses Received:

- A. Reservation of Rights of Deutsche Bank AG New York Branch, as Administrative Agent, Regarding Debtors' Motion for Order (I) Modifying Cash Collateral Order with Respect to Adequate Protection Terms (II) Permitting the Debtors to Pay Certain Amounts, and (III) Granting Related Relief [[Docket No. 1969](#) – filed April 6, 2021]

Related Documents: None at this time.

Status: **The Debtors have resolved the informal comments received from the First Lien Notes Ad Hoc Group and the Ad Hoc First Lien Term Lender Group and the reservation of rights filed by the Administrative Agent. The Debtors intend to submit a revised form of order reflecting such resolutions under certification of counsel prior to the hearing.**

III. ADVERSARY SCHEDULING CONFERENCE:

17. 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]
- v. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Adv. Pro. No. 21-50139 (JTD) – [Adv. Docket No. 29](#) – filed March 29, 2021]

Status: **The scheduling conference on this matter is continued to the omnibus hearing scheduled for April 27, 2021 at 10:00 a.m. (ET).**

Dated: April 12, 2021

/s/ Michael J. Merchant

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