

**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. ¹)	(Jointly Administered)
)	
)	

**NOTICE OF AGENDA FOR TELEPHONIC AND VIDEO HEARING
SCHEDULED FOR DECEMBER 22, 2020 AT 10:00 A.M. (PREVAILING
EASTERN TIME), BEFORE THE HONORABLE JOHN T. DORSEY, AT THE
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE²**

**ANY PARTY WISHING TO PARTICIPATE IN THE HEARING
MUST APPEAR THROUGH BOTH COURTCALL AND ZOOM. PARTIES SHOULD
CALL IN TO COURTCALL BY 9:45 A.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/1603803196>
MEETING ID: 1603803196; PASSWORD: 676311**

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

I. RESOLVED MATTER:

1. Motion of Debtors for Interim and/or Final Order(s) (A) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Stocks and (B) Establishing a Record Date for Notice and Sell-Down Procedures for Transferring Claims Against the Debtors [[Docket No. 100](#) – filed October 12, 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 (the “Acthar Plaintiffs”); extended by agreement to November 5, 2020 at 4:00 p.m. (ET) for the Official Committee of Opioid Related Claimants (the “OCC”), the Official Committee of Unsecured Creditors (the “UCC”), and the Ad Hoc Noteholder Committee

Objections/Responses Received:

- A. 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]

Related Documents:

- i. Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Stocks [[Docket No. 220](#) – entered October 14, 2020]
- ii. Notice of (A) Entry of Interim Order Establishing Noticing Procedures and Approving Restrictions on Certain Transfers of Stock; and (B) Final Hearing Thereon [[Docket No. 237](#) – filed October 15, 2020]
- iii. Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Stocks [[Docket No. 469](#) – entered November 10, 2020]
- iv. Notice of Withdrawal of NOL Motion with Respect to Record Date Relief Without Prejudice [[Docket No. 872](#) - filed December 18, 2020]

Status: By the Motion, the Debtors seek (i) approval of the Stock Procedures (as defined therein) to protect the potential value of certain tax attributes and (ii) to establish the Record Date (as defined therein) for notice and sell-down procedures for transferring the direct and indirect ownership of prepetition claims. On November 10, 2020, the Court entered an order relating to the final approval of the Stock Procedures. The Debtors have withdrawn the request for the relief, solely as it relates to establishment of the Record Date, without prejudice. Accordingly, a hearing with respect to this matter is no longer necessary.

II. CONTINUED MATTERS:

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]

Status: The hearing on this matter has been continued to January 28, 2021 at 2:00 p.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]

Status: The hearing on this matter has been continued to January 28, 2021 at 2:00 p.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 Office of the United States Trustee (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 Wyrton, 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]

Status: The hearing on this matter has been continued to January 28, 2021 at 2:00 p.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]

Status: The hearing on this matter has been continued to January 28, 2021 at 2:00 p.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]

Status: The hearing on this matter has been continued to January 28, 2021 at 2:00 p.m. (ET).

7. Debtors’ Application for Entry of an Order, Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code, Authorizing the Retention and Employment of Guggenheim Securities, LLC as Investment Banker for the Debtors and Debtors-in-Possession Effective as of the Petition Date, and Modifying Certain Time-Keeping Requirements [[Docket No. 383](#) – filed November 2, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET); extended by agreement to December 7, 2020 at 4:00 p.m. (ET) for the U.S. Trustee

Objections/Responses Received:

- A. Informal comments received from the U.S. Trustee
- B. Informal comments received from the Official Committee of Unsecured Creditors (the “UCC”)

Related Documents: None at this time.

Status: The hearing on this matter has been continued to January 14, 2021 at 2:00 p.m. (ET).

III. MATTERS SUBMITTED UNDER CERTIFICATION:

- 8. First Motion of Debtors for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Lease Agreements as of November 30, 2020 and Granting Related Relief [[Docket No. 673](#) – filed November 30, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding First Motion of Debtors for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Lease Agreements as of November 30, 2020 and Granting Related Relief [[Docket No. 871](#) - filed December 18, 2020]

Status: On December 18, 2020, the Debtors filed a certificate of no objection regarding this matter. Accordingly, a hearing on this matter is only necessary to the extent the Court has questions or concerns.

- 9. Motion of Debtors for Order Approving Stipulation Between Debtors and McKesson Corporation [[Docket No. 688](#) – filed December 1, 2020]

Objection/Response Deadline: December 15, 2020 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 McKesson Corporation [[Docket No. 858](#) - filed December 17, 2020]

Status: On December 17, 2020, the Debtors filed a certificate of no objection regarding this matter. Accordingly, a hearing on this matter is only necessary to the extent the Court has questions or concerns.

10. Application of the Official Committee of Unsecured Creditors for an Order Authorizing the Retention and Employment of Robinson & Cole LLP as Co-Counsel *Nunc Pro Tunc* to October 29, 2020 [[Docket No. 692](#) – filed December 1, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET); extended by agreement to December 16, 2020 at 4:00 p.m. (ET) for the U.S. Trustee

Objections/Responses Received:

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

Related Documents:

- i. Certificate of No Objection Regarding the Application of the Official Committee of Unsecured Creditors for an Order Authorizing the Retention and Employment of Robinson & Cole LLP as Co-Counsel *Nunc Pro Tunc* to October 29, 2020 [[Docket No. 873](#) – filed December 18, 2020]

Status: On December 18, 2020, the UCC submitted a revised proposed order under certification of counsel. Accordingly, a hearing with respect to this matter is only required to the extent the Court has questions or concerns.

11. Application of the Official Committee of Unsecured Creditors of Mallinckrodt plc, *et al.*, for Entry of an Order Authorizing the Employment and Retention of Cooley LLP as Counsel Effective as of October 30, 2020 [[Docket No. 693](#) – filed December 1, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET); extended by agreement to December 16, 2020 at 4:00 p.m. (ET) for the U.S. Trustee

Objections/Responses Received:

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

Related Documents:

- i. Amended Declaration of Cullen D. Speckhart of Cooley LLP in Support of Application to Retain and Employ Cooley LLP as Lead Counsel to the Official Committee of Unsecured Creditors of Mallinckrodt plc, *et al.*, Effective as of October 30, 2020 [[Docket No. 715](#) – filed December 3, 2020]
- ii. Certification of Counsel Submitting the Proposed Form of Order Authorizing the Employment and Retention of Cooley LLP as Counsel for the Official Committee of Unsecured Creditors [[Docket No. 874](#) – filed December 18, 2020]

Status: On December 18, 2020, the UCC submitted a revised proposed form of order under certification. Accordingly, a hearing with respect to this matter is only necessary to the extent the Court has any questions or concerns.

12. Motion [of the Directors and Officers] for Relief from Automatic Stay [[Docket No. 727](#) – filed December 4, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Informal comments received from the UCC
- B. Informal comments received from the OCC

Related Documents:

- i. Certification of Counsel Regarding Order Granting Relief from Automatic Stay [[Docket No. 877](#) – filed December 18, 2020]

Status: On December 18, 2020, the Directors and Officers submitted a revised proposed order under certification of counsel. Accordingly, a hearing with respect to this matter is only required to the extent the Court has questions or concerns.

13. Motion of the Official Committee of Opioid Related Claimants of Mallinckrodt plc, *et al.*, for Entry of an Order Clarifying the Requirement to Provide Access to Confidential or Privileged Information and Approving a Protocol Regarding Creditor Requests for Information [[Docket No. 766](#) – filed December 8, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET)

Objections/Responses Received: None at this time.

Related Documents:

- i. Certification of No Objection Regarding Motion of the Official Committee of Opioid Related Claimants of Mallinckrodt plc, *et al.*, for Entry of an Order Clarifying the Requirement to Provide Access to Confidential or Privileged Information and Approving a Protocol Regarding Creditor Requests for Information [[Docket No. 860](#) – filed December 17, 2020]

Status: On December 17, 2020, the OCC filed a certificate of no objection regarding this matter. Accordingly, a hearing on this matter is only necessary to the extent the Court has questions or concerns.

IV. UNCONTESTED MATTER GOING FORWARD:

14. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Deloitte & Touche LLP as Independent Auditor to the Debtors Effective as of the Petition Date [[Docket No. 679](#) – filed November 30, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET); extended by agreement to December 18, 2020 at 12:00 noon (ET) for the U.S. Trustee

Objections/Responses Received:

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

Related Documents: None at this time.

Status: The Debtors have resolved the informal comments of the U.S. Trustee subject to filing a supplemental declaration in support of the application and revised form of order. The Debtors anticipate filing the supplemental declaration and revised form of order under certification of counsel prior to the hearing. At this time, the hearing on this matter will go forward.

V. CONTESTED MATTERS GOING FORWARD:

15. Motion of Deutsche Bank AG New York Branch, as Administrative Agent, for Limited Relief from Automatic Stay in Order to Send Notice to Debtors [[Docket No. 652](#) – filed November 27, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. The Ad Hoc First Lien Term Lender Group's Joinder and Statement in Further Support of Motion of Deutsche Bank AG New York Branch, as Administrative Agent, for Limited Relief from Automatic Stay in Order to Send Notice to Debtors [[Docket No. 694](#) – filed December 1, 2020]
- B. Debtors' Objection to Motion of First Lien Administrative Agent for Relief from the Automatic Stay [[Docket No. 841](#) – filed December 15, 2020]
- i. Declaration of Brendan Hayes in Support of Debtors' Objection to Motion of First Lien Administrative Agent for Relief from the Automatic Stay [[Docket No. 842](#) – filed December 15, 2020]
- C. Objection of the Official Committee of Unsecured Creditors to Motion of Deutsche Bank AG New York Branch, as Administrative Agent, for Limited Relief from Automatic Stay in Order to Send Notice to Debtors [[Docket No. 843](#) – filed December 15, 2020]

- D. The Unsecured Notes Ad Hoc Group's Joinder in the Debtors' Objection to the Motion of the First Lien Administrative Agent for Relief from the Automatic Stay [[Docket No. 847](#) – filed December 15, 2020]

Related Documents:

- i. Declaration of Erin Rosenberg in Support of Motion of Deutsche Bank AG New York Branch, as Administrative Agent, for Limited Relief from Automatic Stay in Order to Send Notice to Debtors [[Docket No. 653](#) – filed November 27, 2020]
- ii. Re-Notice of Hearing on Motion of Deutsche Bank AG New York Branch, as Administrative Agent, for Limited Relief from Automatic Stay in Order to Send Notice to Debtors [[Docket No. 722](#) – filed December 4, 2020]
- iii. Reply of the Ad Hoc First Lien Lender Group in Support of Motion of Deutsche Bank AG New York Branch, as Administrative Agent, for Limited Relief from Automatic Stay in Order to Send Notice to Debtors [[Docket No. 870](#) – filed December 17, 2020]

Witness Information:

- i. The Debtors may offer the testimony of Brendan Hayes, Senior Managing Director, Guggenheim Partners, by declaration, proffer and/or live video testimony.

Status: The hearing on this matter will go forward.

16. Application of the Official Committee of Unsecured Creditors of Mallinckrodt plc, *et al.* for Entry of an Order Authorizing the Employment and Retention of Alvarez & Marsal North America, LLC as Financial Advisor *Nunc Pro Tunc* to October 31, 2020 [[Docket No. 690](#) – filed December 1, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET); extended by agreement to December 16, 2020 at 4:00 p.m. (ET) for the U.S. Trustee; extended by agreement to December 17, 2020 at 12:00 noon (ET) for the Ad Hoc Noteholder Committee

Objections/Responses Received:

- A. The Unsecured Notes Ad Hoc Group's Objection to the Official Committee of Unsecured Creditors' and the Official Committee of Opioid Related Claimants' Applications to Retain and Employ Certain Financial Professionals [[Docket No 876](#) – filed December 18, 2020]

Related Documents: None at this time.

Status: The hearing on this matter will go forward.

17. Application Pursuant to 11 U.S.C. §§ 328 and 1103, Fed. R. Bankr. P. 2014, and Local Rule 2014-1, Authorizing and Approving the Employment and Retention of Dundon Advisers LLC as Co-Financial Advisor to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to October 31, 2020 [[Docket No. 691](#) – filed December 1, 2020]

Objection/Response Deadline: December 15, 2020 at 4:00 p.m. (ET); extended by agreement to December 16, 2020 at 4:00 p.m. (ET) for the U.S. Trustee; extended by agreement to December 17, 2020 at 12:00 noon (ET) for the Ad Hoc Noteholder Committee

Objections/Responses Received:

- A. The Unsecured Notes Ad Hoc Group's Objection to the Official Committee of Unsecured Creditors' and the Official Committee of Opioid Related Claimants' Applications to Retain and Employ Certain Financial Professionals [[Docket No 876](#) – filed December 18, 2020

Related Documents: None at this time.

Status: The hearing on this matter will go forward.

Dated: December 18, 2020

/s/ Amanda R. Steele

RICHARDS, LAYTON & FINGER, P.A.

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