

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re

Achaogen, Inc.

Debtor.<sup>1</sup>

Chapter 11

Case No. 19-10844 (BLS)

**RE: D.I. 7 and 49**

**Hearing Date:**

**May 8, 2019 at 11:00 a.m. (ET)**

**Objection Deadline:**

**May 1, 2019 at 4:00 p.m. (ET)**

**NOTICE OF HEARING REGARDING DEBTOR'S MOTION FOR INTERIM AND FINAL ORDERS PURSUANT TO 11 U.S.C. §§ 105(a), 363, AND 1108 AND FED. R. BANKR. P. 6003 AND 6004 AUTHORIZING DEBTOR TO (I) HONOR CERTAIN PREPETITION OBLIGATIONS TO CUSTOMERS AND TO CONTINUE CUSTOMER PROGRAMS AND (II) PAY MEDICAID, MEDICARE AND OTHER OBLIGATIONS**

PLEASE TAKE NOTICE that on April 15, 2019, the above-captioned debtor and debtor-in-possession (the "Debtor") filed the **Debtor's Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105(a), 363, and 1108 and Fed. R. Bankr. P. 6003 and 6004 Authorizing Debtor to (I) Honor Certain Prepetition Obligations to Customers and to Continue Customer Programs and (II) Pay Medicaid, Medicare and Other Obligations (D.I. 7)** (the "Motion").

PLEASE TAKE FURTHER NOTICE that, on April 16, 2019, the Bankruptcy Court entered the **Interim Order Pursuant to 11 U.S.C. §§ 105(a), 363, and 1108 and Fed. R. Bankr. P. 6003 and 6004 Authorizing Debtor to (I) Honor Certain Prepetition Obligations to Customers and to Continue Customer Programs and (II) Pay Medicaid, Medicare and Other Obligations (D.I. 49)** (the "Interim Order").

PLEASE TAKE FURTHER NOTICE that objections, if any, to final approval of the Motion must (a) be in writing; (b) be filed with the Clerk of the Bankruptcy Court, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801, on or before **May 1, 2019 at 4:00 p.m. (Eastern Time)** (the "Objection Deadline"); and (c) served so as to be received on or before the Objection Deadline by: (i) the Debtor, c/o Achaogen, Inc., 1 Tower Place, Suite 400, South San Francisco, CA 94080, Attn: Blake Wise and (ii) proposed counsel to the Debtor, (A) Hogan Lovells US LLP, 1999 Avenue of the Stars, Suite 1400, San Francisco, CA 90067, Attn: Richard L. Wynne, Esp. and Erin N. Brady, Esq.; (B) Hogan Lovells US LLP, 875 Third Ave.,

<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 3693. The Debtor's mailing address for purposes of this Chapter 11 Case is 1 Tower Place, Suite 400, South San Francisco, CA 94080.



New York, NY 10022, Attn: Christopher R. Bryant, Esq. and John D. Beck, Esq. and (C) Morris, Nichols, Arsht & Tunnell LLP, 1201 North Market Street, 16th Floor, P.O. Box 1347, Wilmington, Delaware 19899, Attn: Derek C. Abbott, Esq. and Andrew Remming, Esq.

PLEASE TAKE FURTHER NOTICE THAT only objections made in writing and timely filed and received, in accordance with the procedures above, will be considered by the Bankruptcy Court at such hearing.

PLEASE TAKE FURTHER NOTICE THAT A FINAL HEARING ON THE MOTION WILL BE HELD ON **MAY 8, 2019 AT 11:00 A.M. (ET)** BEFORE THE HONORABLE BRENDAN L. SHANNON, AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 6TH FLOOR, COURTROOM #1, WILMINGTON, DELAWARE 19801.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: April 16, 2019  
Wilmington, Delaware

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

/s/ Paige N. Topper

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