

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

)	
In re:)	Chapter 11
)	
AKORN, INC., <i>et al.</i> , ¹)	Case No. 20-11177 (KBO)
)	
Debtors.)	(Joint Administration Requested)
)	

**NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND RELATED
DOCUMENTS AND (II) AGENDA FOR TELEPHONIC HEARING ON FIRST DAY
MOTIONS SCHEDULED FOR MAY 22, 2020 AT 2:00 P.M. (PREVAILING EASTERN
TIME), BEFORE THE HONORABLE KAREN B. OWENS, 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.**

**TO APPEAR BY VIDEO CONFERENCE,
PARTIES SHOULD USE THE FOLLOWING INFORMATION:
JOIN ZOOMGOV MEETING: <https://debuscourts.zoomgov.com/j/1613607353>
MEETING ID: 161 360 7353 PASSWORD: 668052**

**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 The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Akorn, Inc. (7400); 10 Edison Street LLC (7890); 13 Edison Street LLC; Advanced Vision Research, Inc. (9046); Akorn (New Jersey), Inc. (1474); Akorn Animal Health, Inc. (6645); Akorn Ophthalmics, Inc. (6266); Akorn Sales, Inc. (7866); Clover Pharmaceuticals Corp. (3735); Covenant Pharma, Inc. (0115); Hi-Tech Pharmacal Co., Inc. (8720); Inspire Pharmaceuticals, Inc. (9022); Oak Pharmaceuticals, Inc. (6647); Olta Pharmaceuticals Corp. (3621); VersaPharm Incorporated (6739); VPI Holdings Corp. (6716); and VPI Holdings Sub, LLC. The location of the Debtors' service address is: 1925 W. Field Court, Suite 300, Lake Forest, Illinois 60045.

² All motions and other pleadings referenced herein are available online at the following address: www.kcellc.net/akorn



PLEASE TAKE NOTICE that on May 20, 2020, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed the following voluntary petitions (collectively, the “Petitions”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532:

A. Voluntary Petitions:

1. [Akorn, Inc.](#)
2. [10 Edison Street LLC](#)
3. [13 Edison Street LLC](#)
4. [Advanced Vision Research, Inc.](#)
5. [Akorn \(New Jersey\), Inc.](#)
6. [Akorn Animal Health, Inc.](#)
7. [Akorn Ophthalmics, Inc.](#)
8. [Akorn Sales, Inc.](#)
9. [Clover Pharmaceuticals Corp.](#)
10. [Covenant Pharma, Inc.](#)
11. [Hi-Tech Pharmacal Co., Inc.](#)
12. [Inspire Pharmaceuticals, Inc.](#)
13. [Oak Pharmaceuticals, Inc.](#)
14. [Olta Pharmaceuticals Corp.](#)
15. [VersaPharm Incorporated](#)
16. [VPI Holdings Corp.](#)
17. [VPI Holdings Sub, LLC](#)

PLEASE TAKE FURTHER NOTICE that in addition to filing the Petitions, the Debtors filed the following first day motions and related documents (collectively, the “First Day Motions”):

B. First Day Declaration:

18. Declaration of Duane Portwood in Support of Chapter 11 Petitions and First Day Motions [[Docket No. 15](#) – filed May 21, 2020]

C. First Day Motions:

19. Debtors’ Motion Seeking Entry of an Order (I) Directing Joint Administration of Their Related Chapter 11 Cases and (II) Granting Related Relief [[Docket No. 2](#) – filed May 21, 2020]
20. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [[Docket No. 14](#) – filed May 21, 2020]
21. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, Foreign Vendors,

- Import/Export Claimants, 503(b)(9) Claimants, and Lien Claimants, (II) Granting Administrative Expense Priority to All Undisputed Obligations on Account of Outstanding Orders, and (III) Granting Related Relief [[Docket No. 12](#) – filed May 21, 2020]
22. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Continue to Perform Intercompany Transactions and (II) Granting Related Relief [[Docket No. 3](#) – filed May 21, 2020]
 23. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto, and (II) Granting Related Relief [[Docket No. 9](#) – filed May 21, 2020]
 24. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing, But Not Directing, the Debtors to (A) Pay Prepetition Employee Wages, Salaries, Other Compensation, and Reimbursable Employee Expenses and (B) Continue Employee Benefits Programs and (II) Granting Related Relief [[Docket No. 4](#) – filed May 21, 2020]
 25. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Their Obligations Under Insurance Policies Entered Into Prepetition, (B) Continue to Pay Brokerage Fees, (C) Renew, Supplement, Modify, or Purchase Insurance Coverage, and (D) Maintain the Surety Bonds, and (II) Granting Related Relief [[Docket No. 7](#) – filed May 21, 2020]
 26. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition and Postpetition Taxes and Fees and (II) Granting Related Relief [[Docket No. 8](#) – filed May 21, 2020]
 27. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Determining Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Services, (III) Establishing Procedures for Determining Adequate Assurance of Payment, and (IV) Granting Related Relief [[Docket No. 10](#) – filed May 21, 2020]
 28. Debtors’ Motion Seeking Entry of Interim and Final Orders (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Respect to Common Stock and (II) Granting Related Relief [[Docket No. 13](#) – filed May 21, 2020]
 29. Debtors’ Application for Entry of an Order Appointing Kurtzman Carson Consultants LLC as Claims and Noticing Agent Effective as of May 20, 2020 [[Docket No. 6](#) – filed May 21, 2020]

30. Debtors' Motion Seeking Entry of an Order (I) Restating and Enforcing the Worldwide Automatic Stay, Anti-Discrimination Provisions, and *Ipsa Facto* Protections of the Bankruptcy Code, (II) Approving the Form and Manner of Notice, and (III) Granting Related Relief [[Docket No. 5](#) – filed May 21, 2020]
31. Debtors' Motion Seeking Entry of an Order (I) Authorizing the Debtors to File a (A) Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor and (B) Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (II) Authorizing the Debtors to Redact Certain Personal Identification Information, and (III) Granting Related Relief [[Docket No. 11](#) – filed May 21, 2020]
 - i. Notice of Filing of Proposed Redacted Version of the Creditor Matrix [[Docket No. 16](#) – filed May 21, 2020]
 - ii. Notice of Filing of Sealed Version of the Creditor Matrix [Docket No. 17 – filed May 21, 2020]

PLEASE TAKE FURTHER NOTICE that a telephonic and video hearing with respect to the First Day Motions is scheduled for May 22, 2020 at 2:00 p.m. (prevailing Eastern Time) before The Honorable Karen B. Owens, United States Bankruptcy Judge for the District of Delaware (the "First Day Hearing"). Parties who wish to participate in the First Day Hearing may do so by contacting CourtCall at 844-925-0626 AND by joining the Zoom hearing at <https://debuscourts.zoomgov.com/j/1613607353>; meeting ID: 161 360 7353; password: 668052.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the First Day Motions may be made at the First Day Hearing.

Wilmington, Delaware
May 21, 2020

/s/ Amanda R. Steele

RICHARDS, LAYTON & FINGER, P.A.

Paul N. Heath (No. 3704)
Amanda R. Steele (No. 5530)
Zachary I. Shapiro (No. 5103)
Brett M. Haywood (No. 6166)
One Rodney Square
920 N. King Street
Wilmington, Delaware 19801
Telephone: (302) 651-7700
Facsimile: (302) 651-7701
Email: heath@rlf.com
steele@rlf.com
shapiro@rlf.com
haywood@rlf.com

*Proposed Co-Counsel for the
Debtors and Debtors in Possession*

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Patrick J. Nash, Jr., P.C. (*pro hac vice* admission pending)
Gregory F. Pesce (*pro hac vice* admission pending)
Christopher M. Hayes (*pro hac vice* admission pending)
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: patrick.nash@kirkland.com
gregory.pesce@kirkland.com
christopher.hayes@kirkland.com

-and-

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Nicole L. Greenblatt, P.C. (*pro hac vice* admission pending)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: nicole.greenblatt@kirkland.com

*Proposed Co-Counsel for the
Debtors and Debtors in Possession*