

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

In re:

AKORN, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 20-11177 (KBO)
)
) (Jointly Administered)
)
) Re: Docket No. 915

**CERTIFICATE OF NO OBJECTION REGARDING MOTION OF DEBTORS FOR
ENTRY OF AN ORDER CLOSING SUBSIDIARY CHAPTER 11 CASES**

The undersigned hereby certifies that he has received no answer, objection, or any other responsive pleading with respect to the *Motion of Debtors for Entry of an Order Closing Subsidiary Chapter 11 Cases* [Docket No. 915] (the “Motion”) filed by the above-captioned debtors and debtors in possession (collectively, the “Debtors”) with the United States Bankruptcy Court for the District of Delaware (the “Court”) on February 2, 2021.

The undersigned further certifies that he has reviewed the Court’s docket in the above-referenced chapter 11 cases and no answer, objection or other responsive pleading to the Motion appears thereon. Pursuant to the *Notice of Motion and Hearing* filed contemporaneously with the Motion, objections or responses to the Motion were to be filed no later than February 16, 2021, at 4:00 p.m. (prevailing Eastern Time).

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.



WHEREFORE, the Debtors respectfully request that the proposed form of order, substantially in the form attached hereto as **Exhibit A**, be entered at the earliest convenience of the Court.

Wilmington, Delaware
February 17, 2021

/s/ J. Zachary Noble

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EXHIBIT A

(Proposed Order)

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

)	
In re:	)	Chapter 11
)	
AKORN, INC.,	)	Case No. 20-11177 (KBO)
)	
Debtor.	)	Re: Docket No. 915
)	
Tax I.D. No. 72-0717400)	
)	
In re:	)	Chapter 11
)	
AKORN SALES, INC.,	)	Case No. 20-11174 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 46-4527866)	
)	
In re:	)	Chapter 11
)	
10 EDISON STREET LLC,	)	Case No. 20-11178 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 77-0657890)	
)	
In re:)	Chapter 11
)	
13 EDISON STREET LLC,)	Case No. 20-11180 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. N/A)	

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In re:)	Chapter 11
)	
ADVANCED VISION RESEARCH, INC.,)	Case No. 20-11182 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 04-2989046)	
<hr/>)	
In re:)	Chapter 11
)	
AKORN (NEW JERSEY), INC.,)	Case No. 20-11183 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 36-4301474)	
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In re:)	Chapter 11
)	
AKORN ANIMAL HEALTH, INC.,)	Case No. 20-11185 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 46-2986645)	
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In re:)	Chapter 11
)	
AKORN OPHTHALMICS, INC.,)	Case No. 20-11186 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 45-3466266)	
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In re:)	Chapter 11
)	
CLOVER PHARMACEUTICALS CORP.,)	Case No. 20-11187 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 26-3813735)	
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In re:)	Chapter 11
)	
COVENANT PHARMA, INC.,)	Case No. 20-11188 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 20-1140115)	
<hr/>)	
In re:	)	Chapter 11
)	
HI-TECH PHARMACAL CO., INC.,	)	Case No. 20-11189 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 11-2638720)	
<hr/>)	
In re:	)	Chapter 11
)	
INSPIRE PHARMACEUTICALS, INC.,)	Case No. 20-11190 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 04-3209022)	
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In re:)	Chapter 11
)	
OLTA PHARMACEUTICALS CORP.,)	Case No. 20-11191 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 26-3813621)	
<hr/>)	
In re:)	Chapter 11
)	
OAK PHARMACEUTICALS, INC.,)	Case No. 20-11192 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 45-2776647)	
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In re:)	Chapter 11
)	
VPI HOLDINGS CORP.,)	Case No. 20-11193 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 26-1356716)	
<hr/>)	
In re:	)	Chapter 11
)	
VERSAPHARM INCORPORATED,)	Case No. 20-11194 (KBO)
)	
Debtor.)	
)	
Tax I.D. No. 58-2146739)	
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In re:

VPI HOLDINGS SUB, LLC,

Debtor.

Tax I.D. No. N/A

Chapter 11

Case No. 20-11195 (KBO)

ORDER CLOSING SUBSIDIARY CHAPTER 11 CASES

Upon the motion (the “Motion”)¹ of the Debtors for entry of an order, pursuant to section 350(a) of the Bankruptcy Code, Bankruptcy Rule 3022 and Local Rules 2002-1(f) and 3022-1, for entry of an order closing the Subsidiary Cases and granting related relief, all as more fully described in the Motion; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012, and paragraph 164 of the Confirmation Order; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to the parties listed therein, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, creditors, and all parties in interests; and upon all of the proceedings had before the

¹ Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Motion.

Court and after due deliberation and sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The Chapter 11 Cases of Akorn Sales, Inc. (Case No. 20-11174 (KBO)), 10 Edison Street LLC (Case No. 20-11178 (KBO)), 13 Edison Street LLC (Case No. 20-11180 (KBO)), Advanced Vision Research, Inc. (Case No. 20-11182 (KBO)), Akorn (New Jersey), Inc. (Case No. 20-11183 (KBO)), Akorn Animal Health, Inc. (Case No. 20-11185 (KBO)), Akorn Ophthalmics, Inc. (Case No. 20-11186 (KBO)), Clover Pharmaceuticals Corp. (Case No. 20-11187 (KBO)), Covenant Pharma, Inc. (Case No. 20-11188 (KBO)), Hi-Tech Pharmacal Co., Inc. (Case No. 20-11189 (KBO)), Inspire Pharmaceuticals, Inc. (Case No. 20-11190 (KBO)), Olta Pharmaceuticals Corp. (Case No. 20-11191 (KBO)), Oak Pharmaceuticals, Inc. (Case No. 20-11192 (KBO)), VPI Holdings Corp. (Case No. 20-11193 (KBO)), VersaPharm Incorporated (Case No. 20-11194 (KBO)), and VPI Holdings Sub, LLC (Case No. 20-11195 (KBO)) are hereby CLOSED.
3. The Chapter 11 Case of Akorn, Inc. (Case No. 20-11177) (KBO)) (“Akorn”) shall remain open pending further order of this Court.
4. The Clerk of this Court shall enter this Order individually on each of the dockets of the above-captioned Chapter 11 Cases and each of the dockets of the Subsidiary Cases shall be marked as “Closed.”
5. The Debtors and Plan Administrator are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
6. Entry of this Order (a) is without prejudice to the rights of any party with requisite standing to (i) commence, prosecute and/or resolve any claim or Cause of Action, or

(ii) object to claims filed against any Debtor; (b) is without prejudice to the rights of any party in interest to reopen the Subsidiary Cases for cause; and (c) shall have no effect whatsoever (i) on the continued retention by the Debtors of the rights and assets vested in them under the Plan or (ii) on any contested or other matters pending before this Court.

7. The entry of this Order shall be without prejudice to the rights of the Funds to move to reopen the Subsidiary Cases in the event that the Confirmation Order is overturned or reversed in the Appeal and/or if the District Court (or another appellant court with jurisdiction over the Appeal) remands the Appeal to this Court for further proceedings.

8. This Order shall not have any effect on the Appeal (including, without limitation, any determination as to whether or not such appeal is equitably moot) nor in any way prejudice the Funds' rights in the Appeal.

9. Following entry of this Order, the caption for Case No. 20-11177 (KBO) shall read as follows:

_____)	
In re:	)	Chapter 11
)	
AKORN, INC.,	)	Case No. 20-11177 (KBO)
)	
Debtor. ¹)	
_____)	

¹ The Debtor in this chapter 11 case, along with the last four digits of the Debtor's federal tax identification number, is: Akorn, Inc. (7400). The Chapter 11 Cases of the following entities, formerly administratively consolidated with the foregoing case, have been closed: 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 Debtor's service address is: 1925 W. Field Court, Suite 300, Lake Forest, Illinois 60045.

10. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.