Case 24-11362-MBK Doc 74 Filed 02/19/24

Certificate of Nouce Page 1 01 10

Entered 02/19/24 00:15:30 to Imaged Docket #0074 Date Filed: 02/18/2024

Caption in Compliance with D.N.J. LBR 9004-1(b)

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In re:

INVITAE CORPORATION, et al.,

Debtors.1

Chapter 11

Order Filed on February 16, 2024 by Clerk U.S. Bankruptcy Court **District of New Jersey**

Case No. 24-11362 (MBK)

(Joint Administration Requested)

UNITED STATES BANKRUPTCY COURT **DISTRICT OF NEW JERSEY**

In re:

Invitae Corporation,

Debtor.

Tax I.D. No. 27-1701898

In re:

ArcherDX, LLC,

Debtor.

Tax I.D. No. 38-3944751

In re:

ArcherDX Clinical Services, Inc.,

Debtor.

Tax I.D. No. 46-4079365

In re:

Genetic Solutions LLC,

Debtor.

Tax I.D. No. 82-4788321

Chapter 11

Case No. 24-11362 (MBK)

Chapter 11

Case No. 24-11364 (MBK)

Chapter 11

Case No. 24-11363 (MBK)

Chapter 11

Case No. 24-11365 (MBK)

ORDER DIRECTING JOINT ADMINISTRATION OF CHAPTER 11 CASES

DATED: February 16, 2024

United States Bankruptcy Judge



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In re:

Genosity, LLC,

Debtor.

Case No. 24-11361 (MBK)

Tax I.D. No. 83-2915407

In re:

Ommdom Inc.,

Chapter 11

Case No. 24-11366 (MBK)

Tax I.D. No. 47-4136196

ORDER DIRECTING JOINT ADMINISTRATION OF CHAPTER 11 CASES

The relief set forth on the following pages, numbered four (4) through six (6), is **ORDERED.**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Debtors: INVITAE CORPORATION, et al.

Case No. 24-11362 (MBK)

Caption of Order: ORDER DIRECTING JOINT ADMINISTRATION OF CHAPTER 11

CASES

Upon the Debtors' Motion for Entry of an Order Directing Joint Administration of Chapter 11 Cases (the "Motion"),² of the above-captioned debtors and debtors in possession (collectively, the "Debtors"), for entry of an order (this "Order") authorizing the Debtors to direct the joint administration of the Debtors' chapter 11 cases for procedural purposes only, all as more fully set forth in the Motion; and upon the First Day Declaration; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that sufficient cause exists for the relief set forth herein; and this Court having found that the Debtors' notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; 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 upon all of the proceedings had before the 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 above-captioned cases hereby are jointly administrated by this Court for procedural purposes only.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

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Debtors: INVITAE CORPORATION, et al.

Case No. 24-11362 (MBK)

Caption of Order: ORDER DIRECTING JOINT ADMINISTRATION OF CHAPTER 11

CASES

3. Nothing contained in the Motion or this Order shall be deemed or construed as directing or otherwise effecting a substantive consolidation of these chapter 11 cases, and this Order shall be without prejudice to the rights of the Debtors to seek entry of an order substantively consolidating their respective cases.

- 4. The Debtors shall maintain, and the Clerk of the United States Bankruptcy Court for the District of New Jersey shall keep, one consolidated docket, one file, and one consolidated service list for these chapter 11 cases.
- 5. All pleadings, papers, and documents filed in the Lead Case shall bear the caption as shown in **Exhibit 1** attached hereto.
- 6. The caption shown in <u>Exhibit 1</u> attached hereto satisfies the requirements set forth in section 342(c)(1) of the Bankruptcy Code.
- 7. All lists, schedules, and statements shall be filed and docketed in the specific Debtor's case to which they are applicable.
- 8. Any party in interest may request joint hearings on matters pending in any of these chapter 11 cases.
- 9. If pleadings, papers, or documents have been filed in any of the above-captioned cases other than the Lead Case prior to the entry of this Order, and those matters have not yet been heard and decided, the party who filed the pleading, paper, or document shall (i) refile the pleading, paper, or document in the Lead Case within three (3) business days of the entry of this Order, (ii) set the pleading, paper, or document for hearing before the judge assigned to the Lead Case, and (iii) notice the hearing to all appropriate parties.

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Debtors: INVITAE CORPORATION, et al.

Case No. 24-11362 (MBK)

Caption of Order: ORDER DIRECTING JOINT ADMINISTRATION OF CHAPTER 11

CASES

- 10. The Clerk shall file a copy of this Order in the Lead Case and each of the affiliated Debtor cases.
- 11. The Debtors shall file individual monthly operating reports for each Debtor and such reports shall be docketed in the Lead Case.
- 12. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Local Rules are satisfied by such notice.
- 13. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
- 14. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.
- 15. Any party may move for modification of this Order in accordance with Local Rule 9013-5(e).
- 16. A true copy of this Order shall be served on all required parties pursuant to Local Rule 9013-5(f).
 - 17. This Order shall be effective immediately upon entry.
- 18. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

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Exhibit 1

Case Caption

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Proposed Co-Counsel to the Debtors and Debtors in Possession

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

n re:	Chapter 11
NVITAE CORPORATION, et al.,	Case No. 24-11362 (MBK)
Debtors. ¹	(Jointly Administered)

The last four digits of Debtor Invitae Corporation's tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at www.kccllc.net/invitae. The Debtors' service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.

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United States Bankruptcy Court District of New Jersey

In re: Case No. 24-11362-MBK

Invitae Corporation Chapter 11

Debtor

CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 2
Date Rcvd: Feb 16, 2024 Form ID: pdf903 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 18, 2024:

Recipi ID Recipient Name and Address

db + Invitae Corporation, 1400 16th Street, San Francisco, CA 94103-5110

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 18, 2024 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 16, 2024 at the address(es) listed below:

Name Email Address

James L Bromley

on behalf of Creditor Deerfield Partners L.P. bromleyj@sullcrom.com

James N. Lawlor

on behalf of Creditor Deerfield Partners L.P. jlawlor@wmd-law.com

Jeffrey M. Sponder

 $on\ behalf\ of\ U.S.\ Trustee\ jeffrey.m.sponder@usdoj.gov\ jeffrey.m.sponder@usdoj.gov$

Lauren Bielskie

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Michael D. Sirota

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District/off: 0312-3 User: admin Page 2 of 2
Date Rcvd: Feb 16, 2024 Form ID: pdf903 Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6