

**COLE SCHOTZ P.C.**

Michael D. Sirota, Esq.  
Warren A. Usatine, Esq.  
Felice R. Yudkin, Esq.  
Daniel J. Harris, Esq.  
Court Plaza North, 25 Main Street  
Hackensack, New Jersey 07601  
Telephone: (201) 489-3000  
msirota@coleschotz.com  
wusatine@coleschotz.com  
fyudkin@coleschotz.com  
dharris@coleschotz.com

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

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

In re:

INVITAE CORPORATION, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11362 (MBK)

(Joint Administration Requested)

**APPLICATION FOR *PRO HAC VICE* ADMISSION OF MARK MCKANE, P.C.**

Invitae Corporation, and its affiliated debtors in possession (the “Debtors”), by and through their counsel, Cole Schotz P.C., respectfully submit this application (the “Application”), for the *pro hac vice* admission of Mark McKane, P.C., and represents as follows:

1. On February 13, 2024, the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code, commencing the above captioned chapter 11 cases in the United States Bankruptcy Court for the District of New Jersey.

<sup>1</sup> 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](http://www.kccllc.net/invitae). The Debtors’ service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.



24113622405030000000000003

2. Mark McKane, the president of Mark McKane, P.C., a partner in the firm of Kirkland & Ellis LLP has represented the Debtors in connection with these matters. Because of his familiarity with the facts and circumstances relevant to the Debtors in these matters, the Debtors request that Mr. McKane be allowed to appear *pro hac vice* in the within matters.

3. As set forth in the Certification of Mr. McKane, annexed hereto as **Exhibit A**, Mr. McKane is a member in good standing of the bar of the State of California. Mr. McKane is not under suspension or disbarment by any court.

4. If admitted *pro hac vice*, Mr. McKane has represented that he will adhere to the disciplinary jurisdiction of this Court.

WHEREFORE, it is respectfully requested that the Court grant the Debtors' Application, pursuant to D.N.J. LBR 9010-1 and L. Civ. R. 101.1(c), to admit counsel *pro hac vice* in the above captioned matters.

Respectfully submitted,

COLE SCHOTZ P.C.  
Proposed Co-Counsel for Invitae Corporation

By: /s/ Michael D. Sirota  
Michael D. Sirota

Date: May 3, 2024

**COLE SCHOTZ P.C.**

Michael D. Sirota, Esq.  
Warren A. Usatine, Esq.  
Felice R. Yudkin, Esq.  
Daniel J. Harris, Esq.  
Court Plaza North, 25 Main Street  
Hackensack, New Jersey 07601  
Telephone: (201) 489-3000  
msirota@coleschotz.com  
wusatine@coleschotz.com  
fyudkin@coleschotz.com  
dharris@coleschotz.com

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

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

In re:

INVITAE CORPORATION, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11362 (MBK)

(Joint Administration Requested)

**CERTIFICATION OF MARK MCKANE IN SUPPORT OF  
APPLICATION FOR *PRO HAC VICE* ADMISSION OF MARK MCKANE, P.C.**

Mark McKane, of full age, hereby certifies as follows:

1. I am an attorney-at-law duly admitted to practice before the courts of the State of California. Through my professional corporation, Mark McKane, P.C. (the “Professional Corporation”), I am a partner in the firm of Kirkland and Ellis LLP, counsel for Invitae Corporation, and its affiliated debtors and debtors in possession (the “Debtors”). I

---

<sup>1</sup> 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](http://www.kccllc.net/invitae). The Debtors’ service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.

submit this Certification in support of the accompanying Application for the Professional Corporation's admission *pro hac vice*.

2. I was admitted to practice in the State of California in 2004, the United States District Court for the Central District of California in 2004, the United States District Court for the Eastern District of California in 2004, the United States District Court for the Southern District of California in 2004 and the United States District Court for the Northern District of California in 2004.

3. I am in good standing before the courts in which I am admitted, and I have not been disbarred, suspended or disciplined by any court or administrative body. The name and address of the office maintaining the roll of members in good standing for the State of California bar is 180 Howard Street, San Francisco, CA 94105. The name and address of the office maintaining the roll of members in good standing for the Central District of California is the Santa Ana Courthouse, 411 West Fourth Street, Santa Ana, CA 92701. The name and address of the office maintaining the roll of members in good standing for the Eastern District of California is the Robert T. Matsui Federal Courthouse, 501 I Street, Sacramento, CA 95814. The name and address of the office maintaining the roll of members in good standing for the Southern District of California is the James M. Carter and Judith N. Keep United States Courthouse, 333 West Broadway, San Diego, CA 92101. The name and address of the office maintaining the roll of members in good standing for the Northern District of California is the Phillip Burton Federal Building and United States Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102.

4. The Debtors filed the within Application for the Professional Corporation's *pro hac vice* admission in these matters due to my familiarity with the facts and circumstances

relevant to its interests. If the Application is granted, I agree to abide by this Court's local rules and to submit myself to the disciplinary jurisdiction of this Court.

5. I hereby designate the following member of the bar of this Court with whom the Court and opposing counsel may communicate regarding these cases: Michael D. Sirota, Esq.

6. For the foregoing reasons, I respectfully request the Professional Corporation's application for admission *pro hac vice* be granted.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Mark McKane

Mark McKane, P.C.

**KIRKLAND & ELLIS LLP**

**KIRKLAND & ELLIS INTERNATIONAL LLP**

555 California Street, Suite 2700

San Francisco, CA 94104

Telephone: (415) 439-1400

Facsimile: (415) 439-1500

Email: mark.mckane@kirkland.com

DATED: May 3, 2024

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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

In Re:

Case No.: \_\_\_\_\_

Adv. No.: \_\_\_\_\_

Chapter: \_\_\_\_\_

Judge: \_\_\_\_\_

**ORDER FOR ADMISSION PRO HAC VICE**

The relief set forth on the following page is **ORDERED**.

This matter having been brought before the Court on application for an Order For Admission Pro Hac Vice; and the Court having reviewed the moving papers of the applicant, out-of-state attorney, and considered this matter pursuant to Fed.R.Civ.Proc.78, D.N.J. L.Civ.R.101.1 and D.N.J. LBR 9010-1, and good cause having been shown; it is

ORDERED that \_\_\_\_\_ be permitted to appear pro hac vice; provided that pursuant to D.N.J. L.Civ. R. 101.1(c)(4), an appearance as counsel of record shall be filed promptly by a member of the bar of this Court upon whom all notices, orders and pleadings may be served, and who shall promptly notify the out-of-state attorney of their receipt. Only an attorney at law of this Court may sign and file papers, enter appearances for parties, sign stipulations, or sign and receive payments on judgments, decrees or orders. Unless otherwise permitted by the Court, local counsel must attend all hearings and proceedings before the Court, and it is further

ORDERED that the applicant shall arrange with the New Jersey Lawyers' Fund for Client Protection for payment of the annual fee, for this year and for any year in which the out-of-state attorney continues to represent a client in a matter pending in this Court in accordance with New Jersey Court Rule 1:28-2 and D.N.J. L. Civ. R. 101.1, said fee to be deposited within twenty (20) days of the date of the entry of this Order, and it is further

ORDERED that the \$250.00 fee required by D.N.J. L. Civ. R. 101(c)(3) for pro hac vice admission to the District Court for the District of New Jersey shall also be payable within twenty (20) days of entry of this Order. Payment in the form of a check must be payable to "Clerk, USDC" and forwarded to the Clerk of the United States District Court for the District of New Jersey at the following address:

United States District Court  
District of New Jersey  
Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, N.J. 07102  
*Attention: Pro Hac Vice Admissions*

and it is further ORDERED that the applicant shall be bound by the Local Rules of the United States District Court for the District of New Jersey and the Local Rules of Bankruptcy Procedure for the District of New Jersey; and it is further

ORDERED that the Clerk shall forward a copy of this Order to the Treasurer of New Jersey Lawyers' Fund for Client Protection within 5 days of its date of entry.

*rev.03/01/2024*