

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

<i>In re</i> MELINTA THERAPEUTICS, INC., et al., Debtors. ¹	Chapter 11 Case No. 19-12748 (LSS) B.A.P. No. 20-09
LIN LUO, Appellant, v. MELINTA THERAPEUTICS, INC. Appellee.	 C.A. No. 20-600 (MN)

**APPELLEE’S SUPPLEMENTAL DESIGNATION OF
ADDITIONAL ITEMS TO BE INCLUDED IN THE
RECORD ON APPEAL²**

Pursuant to Rule 8009(e) of the Federal Rules of Bankruptcy Procedure, Appellee Melinta Therapeutics, Inc., on behalf of itself and its debtor affiliates (collectively, the “**Reorganized Debtors**”), hereby designates the following item to be included in the record on appeal:³

¹ The Reorganized Debtors and the last four digits of their respective taxpayer identification numbers are: Melinta Therapeutics, Inc. (0364); Cempra Pharmaceuticals, Inc. (5814); CEM-102 Pharmaceuticals, Inc. (4262); Melinta Subsidiary Corp. (9437); Rempex Pharmaceuticals, Inc. (6000); and Targanta Therapeutics Corporation (1077). The address of the Reorganized Debtors’ corporate headquarters is 44 Whippany Road, Suite 280, Morristown, New Jersey 07960.

² Appellee filed its designation of the record on appeal on November 18, 2020. [Docket No. 869]. The additional item designated below is material to the appeal and was inadvertently omitted in the previous designation. *See* Fed. R. Bankr. Pro. 8009(e)(2).

³ For the avoidance of doubt, the additional item designated herein for the record on appeal shall include all exhibits, submissions, appendices and/or other related documents filed with each item and, with respect to hearing transcripts or other transcripts of proceedings designated herein, any and all documents admitted into



In re Melinta Therapeutics, Inc., et al., United States Bankruptcy Court for the District of Delaware (19-12748)		
Document	Bankruptcy Docket No.	Date
Declaration of Aron Schwartz in Support of Confirmation of Amended Joint Chapter 11 Plan of Reorganization of Melinta Therapeutics, Inc. and its Debtor Affiliates	477	3/31/2020

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evidence at such hearing or other proceeding. The foregoing applies equally to items included in Appellant's designations, including the Debtors' briefs, declarations and other pleadings.

RESERVATION OF RIGHTS

The Reorganized Debtors expressly reserve, and do not waive, the right to amend, supplement or otherwise modify the foregoing designations, and/or to object to or move to strike the items designated for inclusion in the record on appeal by Appellant. This filing is made expressly subject to, and without waiver of any and all rights, remedies, challenges, and objections.

Dated: Wilmington, Delaware
November 30, 2020

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Jason M. Liberi

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Jason M. Liberi (I.D. No. 4425)
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Counsel for the Reorganized Debtors

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

<p>In re:</p> <p>MELINTA THERAPEUTICS, INC., et al.,</p> <p style="text-align: center;">Debtors.¹</p>	
<p>LIN LUO,</p> <p style="text-align: center;">Appellant,</p> <p style="text-align: center;">v.</p> <p>MELINTA THERAPEUTICS, INC.,</p> <p style="text-align: center;">Appellee.</p>	

Chapter 11

Case No. 19-12748 (LSS)

BAP No. 20-09

C.A. No. 20-600 (MN)

CERTIFICATE OF SERVICE

I, Jason M. Liberi, an attorney, do hereby certify as follows:

On November 30, 2020, I caused a copy of the following document to be filed and served electronically using the CM/ECF System on all counsel of record in the above referenced case:

- Appellee’s Supplemental Designation of Additional Items to be Included in the Record on Appeal

¹ The Reorganized Debtors and the last four digits of their respective taxpayer identification numbers are: Melinta Therapeutics, Inc. (0364); Cempra Pharmaceuticals, Inc. (5814); CEM-102 Pharmaceuticals, Inc. (4262); Melinta Subsidiary Corp. (9437); Rempex Pharmaceuticals, Inc. (6000); and Targanta Therapeutics Corporation (1077). The address of the Reorganized Debtors’ corporate headquarters is 44 Whippany Road, Suite 280, Morristown, New Jersey 07960.

In addition, on November 30, 2020, I also caused a copy of this document to be served on those listed below in the manner indicated:

Lin Luo
11510 Bucknell Drive
Apt. 204
Silver Spring, MD 20902
(By First-class mail and Electronic Mail)

Dated: Wilmington, Delaware
November 30, 2020

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Jason M. Liberi

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