

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re: : Chapter 11

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NOVUM PHARMA, LLC, : Case No. 19-10209 (BLS)

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Debtor.¹ : **Related to Docket Nos. 383, 400**

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NOTICE OF (A) CONFIRMATION HEARING WITH RESPECT TO PLAN OF REORGANIZATION PURSUANT TO CHAPTER 11 OF THE BANKRUPTCY CODE PROPOSED BY THE DEBTOR AND (B) RELATED OBJECTION DEADLINE

PLEASE TAKE NOTICE that, on June 21, 2019 (the “Plan Filing Date”), the debtor and debtor-in-possession in the above-captioned case (the “Debtor”) filed the Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code Proposed by the Debtor (as may be amended, supplemented or otherwise modified, the “Plan”), pursuant to and as described in the Disclosure Statement with Respect to Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code Proposed by the Debtor (the “Disclosure Statement”), with the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). Capitalized terms used in this Notice which are not defined have the meanings set forth in the Plan.

PLEASE TAKE FURTHER NOTICE that, on July 24, 2019, the Bankruptcy Court entered the Order (A) Approving Disclosure Statement; (B) Scheduling Hearing on Confirmation of Plan; (C) Establishing Deadlines and Procedures For (I) Filing Objections to Confirmation of Plan, (II) Claim Objections and (III) Temporary Allowance of Claims For Voting Purposes; (D) Determining Treatment of Certain Unliquidated, Contingent or Disputed Claims For Notice, Voting and Distribution Purposes; (E) Setting Record Date; (F) Approving (I) Solicitation Packages and Procedures For Distribution, (II) Form of Notice of Hearing on Confirmation and Related Matters and (III) Forms of Ballots; (G) Establishing Voting Deadline and Procedures For Tabulation of Votes; and (H) Granting Related Relief [Docket No. 400] (the “Solicitation Procedures Order”), thereby approving the Disclosure Statement [Docket No. 383-1].

PLEASE TAKE FURTHER NOTICE that, pursuant to the Solicitation Procedures Order, a hearing (the “Confirmation Hearing”) will be held before the Honorable Brendan L. Shannon, U.S. Bankruptcy Court for the District of Delaware, 824 N. Market St., 6th Fl., Courtroom No. 1, Wilmington, Delaware 19801, on **August 29, 2019 at 10:00 a.m. (Eastern Time)** or as soon thereafter as counsel can be heard, to consider the entry of an order confirming the Plan within the meaning of section 1129 of the Bankruptcy Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”). The Confirmation Hearing may be continued from time to time by way of announcement of such continuance in open court, without further notice to parties in interest.

PLEASE TAKE FURTHER NOTICE that responses and objections, if any, to confirmation of the Plan (each, a “Plan Confirmation Objection”) must (i) be made in writing; (ii) comply with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware; (iii) state the name and address of the objecting party and the nature and amount of any claim or interest asserted by such party against the Debtor, its estate or property; (iv) state with particularity the legal and factual bases and nature of any objection to the Plan; and (v) be filed with the Bankruptcy Court, and served on the following, so as to be received **on or before 4:00 p.m. (Eastern Time) on August 22, 2019**: (a) counsel to the Debtor, Cole Schotz P.C., 500 Delaware Avenue, Suite 1410, Wilmington, DE 19801, Attn: David R. Hurst, Esq. (dhurst@coleschotz.com) and 25 Main Street, Hackensack, NJ 07601, Attn: Jacob S. Frumkin, Esq. (jfrumkin@coleschotz.com); (b) counsel to the Official Committee of Unsecured Creditors, Sills Cummis & Gross P.C., One Riverfront Plaza, Newark, NJ 07102, Attn: Boris I. Mankovetskiy, Esq.

¹ The last four digits of the Debtor’s federal tax identification number are 7895. The mailing address for the Debtor is 200 South Wacker Drive, 31st Floor, Chicago, IL 60601



(bmankovetskiy@sillscummis.com) and Andrew Sherman, Esq. (asherman@sillscummis.com) and Klehr Harrison Harvey Branzburg LLP, 919 North Market St., Suite 1000, Wilmington, DE 19801, Attn: Morton R. Branzburg, Esq. (mbranzburg@klehr.com) and Richard M. Beck, Esq. (rbeck@klehr.com); (c) counsel to the Debtor's prepetition secured lender, Hodgson Russ LLP, The Guaranty Building, 140 Pearl Street, Buffalo, NY 14202, Attn: James C. Thoman, Esq. (JThoman@hodgsonruss.com) and David A. Robinson, Esq. (robinsonda@aol.com), 45 Rockefeller Plaza, Suite 2000, New York, NY 10111; and (d) the Office of the United States Trustee for the District of Delaware, 844 King Street, Suite 2207, Wilmington, DE 19801, Attn: David Buchbinder, Esq. (David.L.Buchbinder@usdoj.gov). Any party in interest in this chapter 11 case may object to confirmation of the Plan, even if such person or entity is not eligible to vote on the Plan. Plan Confirmation Objections that are not timely filed shall not be considered by the Bankruptcy Court and shall be overruled.

PLEASE TAKE FURTHER NOTICE that the Plan may be further modified, if necessary, pursuant to section 1127 of the Bankruptcy Code, prior to, during or as a result of the Confirmation Hearing, without further notice to parties in interest.

PLEASE TAKE FURTHER NOTICE that Articles X.D and X.E of the Plan provide for releases, exculpation and injunctions of certain conduct. In particular, Article X.D.1 of the Plan provides for a release by the Debtor of any claims or causes of action relating to the Debtor, the chapter 11 case or the Plan that may exist against the Debtor and its professionals and court-retained agents, and the Debtor's members, managers, officers and employees employed by or serving the Debtor as of the Plan Filing Date. Article X.D.2 of the Plan provides for a release by the parties that are signatories to the Plan Support Agreement of any claims or causes of action relating to the Debtor, the chapter 11 case or the Plan that may exist against the Debtor Release Parties. Pursuant to Article X.D.3 of the Plan, the Debtor Release Parties are deemed to withdraw various indemnification and subrogation claims with prejudice. Article X.D.4 of the Plan provides for a release by the holders of General Unsecured Claims that have not exercised the opt-out election in their respective Ballots of any claims or causes of action relating to the Debtor, the chapter 11 case or the Plan that they may have against the Debtor Release Parties. Article X.D.6 of the Plan provides for the release and exculpation of the Debtor, the Debtor's members, managers, officers and employees serving at any time during the pendency of the chapter 11 case, the Debtor's professionals and court-retained agents, the Committee and its professionals and, solely in their respective capacities as members or representatives of the Committee, each member of the Committee of any and all liability relating to or arising out of the chapter 11 case. Finally, Article X.E of the Plan permanently enjoins persons and entities that held, hold or may hold claims against or interests in the Debtor or its estate, from taking various actions with respect to such claims or interests. This description of the Plan's release, exculpation and injunctive provisions is merely a summary, and parties in interest are urged to consult the Plan for the full text of these provisions. In the event of any conflict between this summary and the terms of the Plan, the Plan shall control.

PLEASE TAKE FURTHER NOTICE that, except as otherwise provided in the Plan or in any contract, instrument, release or other agreement or document entered into in connection with the Plan, each of the executory contracts and unexpired leases to which the Debtor is a party shall be deemed automatically rejected by the Debtor as of the Effective Date.

PLEASE TAKE FURTHER NOTICE that the Disclosure Statement, Plan and Solicitation Procedures Order may be examined by any party in interest: (i) between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding federal holidays, at the Office of the Clerk of the Bankruptcy Court, 824 N. Market St., 3rd Floor, Wilmington, Delaware 19801; (ii) at the Debtor's case website (<http://www.kccllc.net/novum>); or (iii) at the Bankruptcy Court's website (<http://www.deb.uscourts.gov>) (a PACER account is required); or may be obtained by written request to Kurtzman Carson Consultants LLC (the "Voting Agent"), at novuminfo@kccllc.com or by telephoning the Voting Agent at (877) 725-7523 (or, if calling from outside the United States or Canada, at (424) 236-7237).

If you have any questions regarding this Notice, please contact the Voting Agent at (877) 725-7523, or by email at novuminfo@kccllc.com. The Voting Agent is not permitted to provide legal advice.

Dated: July 24, 2019

COLE SCHOTZ P.C.
David R. Hurst
500 Delaware Avenue, Suite 1410
Wilmington, Delaware 19801

– and –

Jacob S. Frumkin
25 Main Street
Hackensack, New Jersey 07601

Counsel for Debtor and Debtor-in-Possession