

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

OREXIGEN THERAPEUTICS, INC.,
Debtor.¹

Chapter 11

Case No. 18-10518 (KG)

RE D.I. 1005

**ORDER GRANTING DEBTOR'S FIFTH OMNIBUS
OBJECTION (SUBSTANTIVE) TO CERTAIN CLAIMS PURSUANT TO
11 U.S.C. § 502, FED. R. BANKR. P. 3007 AND DEL. L.R. 3007-1 (NO LIABILITY)**

Upon the *Debtor's Fifth Omnibus Objection (Substantive) to Certain Claims Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Del. L.R. 3007-1 (No Liability)* (the "Objection")² filed by the debtor and debtor-in-possession in the above-captioned case (the "Debtor"), requesting an order (the "Order") pursuant to section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1 disallowing the Claims identified on **Exhibit 1** attached hereto; and upon the *Declaration of Thomas P. Lynch in Support of the Debtor's Fifth Omnibus Objection (Substantive) to Certain Claims Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and Del. L.R. 3007-1 (No Liability)*, attached to the Objection as **Exhibit A**; and upon all other documentation filed in connection with the Objection and the Claims; and adequate notice of the Objection having been given as set forth in the Objection; and it appearing that no other or further notice is required; and sufficient cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Objection is GRANTED with respect to each of the Claims identified on **Exhibit 1** attached hereto.

¹ The last four digits of the Debtor's federal tax identification number are 8822. The Debtor's mailing address for purposes of this Chapter 11 Case is c/o Hogan Lovells US LLP, 875 Third Avenue, New York, NY 10022.

² Capitalized terms used, but not otherwise defined, herein shall have the meanings set forth in the Objection.



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2. The Disputed Claims identified on **Exhibit 1** attached hereto are hereby disallowed in full and expunged.

3. This Order shall be deemed a separate Order with respect to each of the Disputed Claims. Any stay of this Order pending appeal by any Claimant whose Disputed Claim is subject to this Order shall only apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

4. The Debtor, the Claims Agent, and the Clerk of this Court are authorized to take all actions necessary and appropriate to give effect to this Order, including expunging Claims from the Claims Register or otherwise updating the Claims Register to reflect the relief granted pursuant to this Order.

5. This Court shall retain jurisdiction over any and all issues arising from or related to the implementation and interpretation of this Order.

6. This Order is without prejudice to the rights of the Debtor to object to any other Claims against the Debtor.

Dated: April 24th, 2019
Wilmington, Delaware


KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

Disputed Claim

Exhibit

No Liability Claim

Name/Address of Claimant	Claim No.	Date Filed	Total Claim Amount	Reason for Disallowance
State of Alabama, Department of Revenue Legal Division PO Box 320001 Montgomery, AL 36132-0001	2	3/20/2018	\$ 6,818.56	Claim should be disallowed because pursuant to the Debtor's books and records, no amounts are due to the claimant. Debtor filed the State of Alabama tax return on October 15, 2018, with no liability due and outstanding.
Utah State Tax Commission Attn Bankruptcy Unit 210 N 1950 W Salt Lake City, UT 84134-9000	43	5/29/2018	5,344.37	Claim should be disallowed because the filed claim form states that the claim was filed for outstanding sales tax payments due. However, the Debtor was exempt from sales tax as it was selling product to wholesalers and not the end customer.