

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

In re:

TRICIDA, INC.,¹

Debtor.

Chapter 11

Case No. 23-10024 (JTD)

Hearing Date: June 27, 2023 at 11:00 a.m. (ET)

Obj. Deadline: May 22, 2023 at 4:00 p.m. (ET)

**DEBTOR’S MOTION FOR AN ORDER, PURSUANT TO SECTION 1121(d) OF
THE BANKRUPTCY CODE, EXTENDING THE EXCLUSIVE PERIODS
WITHIN WHICH THE DEBTOR MAY FILE A CHAPTER 11
PLAN AND SOLICIT ACCEPTANCES THEREOF**

The above-captioned debtor and debtor in possession (the “Debtor”) hereby submits this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), pursuant to section 1121(d) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), Rule 9006(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 9006-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), (i) extending the exclusive periods during which only the Debtor may file a chapter 11 plan and solicit acceptances thereof and (ii) granting related relief. In support of this Motion, the Debtor respectfully states as follows:

STATUS OF THE CASE AND JURISDICTION

1. On January 11, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under sections 101–1532 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the “Court”). The Debtor continues to operate its business as debtor in

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N St., Ste. 4935, Sacramento, CA 95816.



possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No party has requested the appointment of a trustee or examiner.

2. On January 23, 2023, the Office of the United States Trustee (the “U.S. Trustee”) appointed an Official Committee of Unsecured Creditors (the “Committee”).

3. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012 (Sleet, C.J.). This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and the Debtor confirms its consent, pursuant to Local Rule 9013-1(f), to the entry of a final order or judgment by the Court in connection with this Motion if it is determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

4. Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

5. The statutory and legal predicates for the relief requested herein are section 1121(d) of the Bankruptcy Code, Bankruptcy Rule 9006(b), and Local Rule 9006-2.

BACKGROUND OF THE DEBTOR

6. Founded in 2013, the Debtor is a clinical-stage pharmaceutical company focused on the development and commercialization of veverimer, a drug meant to slow the progression of CKD through the treatment of chronic metabolic acidosis. Veverimer is a new chemical entity discovered by the Debtor using its own proprietary technology. As of the Petition Date, in addition to veverimer, the Debtor’s intellectual property portfolio included 233 patents in 52 different countries, including compositions-of-matter, dosage unit forms, methods-of-treatment, medical use, and methods of manufacture.

7. Additional information regarding the Debtor’s business, capital structure and the circumstances preceding the Petition Date may be found in the *Declaration of Lawrence Perkins in Support of the Debtor’s Chapter 11 Petition and First Day Pleadings* [Docket No. 2] (the “First Day Declaration”).²

RELIEF REQUESTED

8. By this Motion, the Debtor seeks entry of order, substantially in the form attached hereto as **Exhibit A**:

- a. extending the Exclusive Periods (as defined herein) by approximately ninety (90) days, to and including August 9, 2023, and October 9, 2023, respectively, without prejudice to the Debtor’s rights to seek additional extensions of the Exclusive Periods for cause;³ and
- b. granting related relief.

BASIS FOR RELIEF

9. Section 1121(b) of the Bankruptcy Code provides for an initial period of 120 days after the commencement of a chapter 11 case during which the debtor has the exclusive right to file a chapter 11 plan (the “Exclusive Filing Period”). Furthermore, section 1121(c)(3) of the Bankruptcy Code provides that if the debtor files a plan within the Exclusive Filing Period, the debtor has an exclusive period of one hundred eighty (180) days from the commencement of a chapter 11 case to solicit acceptances of and confirm such a plan (the “Exclusive Solicitation Period,” and together with the Exclusive Filing Period, the “Exclusive Periods”).

10. The Exclusive Periods under section 1121 of the Bankruptcy Code are intended to afford a debtor a full and fair opportunity to formulate and propose a chapter 11 plan and to solicit

² Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the First Day Declaration.

³ Pursuant to Local Rule 9006-2, the Exclusive Filing Period is automatically extended until the Court has had an opportunity to consider the relief requested in this Motion.

acceptances thereof without the disruption that might be caused by the filing of competing plans of reorganization by non-debtor parties. To this end, section 1121(d) of the Bankruptcy Code allows the Court to extend such Exclusive Periods for “cause”:

(1) Subject to paragraph (2), on request of a party in interest made within the respective periods specified in subsections (b) and (c) of this section and after notice and a hearing, the court may for cause reduce or increase the 120-day period or the 180-day period referred to in this section.

(2)(A) The 120-day period specified in paragraph (1) may not be extended beyond a date that is 18 months after the date of the order for relief under this chapter.

(B) The 180-day period specified in paragraph (1) may not be extended beyond a date that is 20 months after the date of the order for relief under this chapter.

11 U.S.C. § 1121(d).

A. Section 1121(d) of the Bankruptcy Code Permits the Court to Extend the Exclusive Periods for “Cause”

11. The decision to extend a Debtor’s Exclusive Periods is committed to the sound discretion of the Court and should be based upon the facts and circumstances of a particular case. *See First Am. Bank of New York v. Southwest Gloves and Safety Equip., Inc.*, 64 B.R. 963, 965 (D. Del. 1986); *203 N. LaSalle Street P’ship v. Bank of Am., N.A.*, 1999 U.S. Dist. LEXIS 19425, at *12 (N.D. Ill. 1999); *In re Mid-State Raceway, Inc.*, 323 B.R. 63, 68 (Bankr. N.D.N.Y. 2005); *In re Reetz*, 61 B.R. 412, 414 (Bankr. W.D. Wis. 1986). Although the Bankruptcy Code does not define “cause” for purposes of an extension request under section 1121(d), courts have looked to the legislative history of section 1121(d) for guidance. *See In re Gibson & Cushman Dredging Corp.*, 101 B.R. 405, 409 (E.D.N.Y. 1989); *In re Amko Plastics, Inc.*, 197 B.R. 74, 77 (Bankr. S.D. Ohio 1996). Such legislative history indicates that Congress did not intend that the Exclusive Periods impose hard and fast limits. *See Amko Plastics*, 197 B.R. at 77 (noting that Congress intended courts to have flexibility in dealing with extensions of exclusivity); *Gaines v. Perkins (In re Perkins)*, 71 B.R. 294, 297 (W.D. Tenn. 1987) (“The hallmark of [section 1121(d)] is

flexibility.”). Rather, Congress intended that a debtor’s Exclusive Periods be of an adequate length, given the circumstances, for a debtor to formulate, negotiate and draft a viable plan without the disruptions that would occur with the filing of competing plans of reorganization. *See Geriatrics Nursing Home v. First Fidelity Bank, N.A.*, 187 B.R. 128, 133 (D.N.J. 1995) (“The opportunity to negotiate its plan unimpaired by competition, the court held, is meant to allow the debtor time to satisfy all creditors and win support for its restructuring scheme and thus ensure its survival as a business.”). Further, Congress recognized that often a 120-day Exclusive Filing Period will not afford a debtor sufficient time to formulate and negotiate a chapter 11 plan:

[t]he court is given the power, though, to increase . . . the 120-day period depending on the circumstances of the case. [T]he bill allows the flexibility for individual cases that is not available today. For example, if an unusually large company were to seek reorganization under chapter 11, the Court would probably need to extend the time in order to allow the debtor to reach an agreement.

H.R. Rep. No. 95-595, 95th Cong. 1st Sess. 232 (1977) (footnotes omitted); *see also Amko Plastics*, 197 B.R. at 77 (noting that Congress intended courts to have flexibility in dealing with extensions of exclusivity); *Gaines*, 71 B.R. at 297.

12. Courts consider, among others, the following factors in deciding whether cause exists to grant an extension of a debtor’s Exclusive Periods: (a) the size of the debtor and difficulty in formulating a plan; (b) the necessity of sufficient time to negotiate a plan and prepare adequate information to allow a creditor to determine whether to accept the plan; (c) the existence of good faith progress toward reorganization; (d) whether the debtor is paying its debts as they come due; (e) whether the debtor has demonstrated reasonable prospects for filing a viable plan; (f) whether the debtor has made progress in negotiating with creditors; (g) the length of time the case has been pending; (h) whether the debtor is seeking the extension to pressure creditors; and (i) whether unresolved contingencies exist. *In re Dow Corning Corp.*, 208 B.R. 661, 664-65 (Bankr. E.D.

Mich. 1997); *In re Adelpia Commc'ns Corp.*, 352 B.R. 578, 587 (Bankr. S.D.N.Y. 2006); *In re Cent. Jersey Airport Servs., LLC*, 282 B.R. 176, 184 (Bankr. D.N.J. 2002).

13. Not all of the above factors are necessary or relevant in determining whether to grant an extension of the exclusivity periods. *See, e.g., In re Express One Int'l, Inc.*, 194 B.R. 98, 100-01 (Bankr. E.D. Tex. 1996) (identifying only four of the factors as relevant in determining whether cause exists to support an extension); *In re United Press Int'l, Inc.*, 60 B.R. 265, 269 (Bankr. D.D.C. 1986) (finding cause to extend exclusivity based on three of the factors). Here, however, nearly all of the factors are relevant and weigh in favor of extending the Exclusive Periods. Accordingly, cause exists to extend the Debtor's Exclusive Periods pursuant to section 1121(d) of the Bankruptcy Code.

B. Cause Exists for an Extension of the Debtor's Exclusive Periods

14. The Debtor has been in chapter 11 for just under four (4) months. During that time, the Debtor and its advisors have devoted a significant amount of time and effort to ensuring a smooth transition into chapter 11, and to preserving and maximizing the value of the Debtor's estate for the benefit of all stakeholders. The Debtor, for example, and as discussed in further detail below: (a) obtained interim and final approval of certain "first-day" motions, including, among others, motions to pay certain prepetition tax, insurance, warehousemen, and employee wage claims, and to continue the use of its prepetition cash management system [*see* Docket Nos. 149, 148, 150, 157, 158]; (b) obtained entry of a bidding procedures order and undertook the various tasks necessary to advance the sale process, including working with its legal and financial advisors to prepare marketing materials and populate the sale data room [*See* Docket No. 100]; (c) conducted an auction and closed the sales of substantially all of the Debtor's assets [*See* Docket No. 230]; (d) filed its schedules of assets and liabilities and statements of financial affairs and complied with its other reporting requirements under the Bankruptcy Code and the U.S. Trustee's

guidelines; (e) obtained entry of an order establishing bar dates for the filing of proofs of claim in the chapter 11 case [Docket No. 101]; (f) obtained entry of orders approving the Debtor's retention and employment of certain estate professionals [Docket Nos. 154, 155, 156, 168, and 194]; (g) sought and obtained entry of an order authorizing the rejection of certain executory contracts and unexpired leases in order to minimize the administrative obligations of the estate [Docket No. 344]; (h) filed a chapter 11 plan of liquidation [Docket No. 328] (as may be further amended from time to time, the "Plan") and disclosure statement [Docket No. 329] (the "Disclosure Statement") with respect thereto; (i) engaged in mediation and settlement discussions with the Debtor's single largest unsecured creditor, Patheon, and the Convertible Noteholders who have executed or otherwise joined the RSA (collectively, the "Consenting Noteholders") regarding the amount of Patheon's claim; (j) negotiated a liquidating trust agreement with the Consenting Noteholders as part of the plan supplement [*See* Docket No. 416]; (k) propounded and responded to discovery requests and engaged in mediation and settlement discussions with the Committee regarding the Plan; (l) worked with the Committee and the U.S. Trustee to resolve certain comments and questions with respect to various filings in the chapter 11 case; (m) responded to numerous creditor inquiries and demands; and (n) handled the myriad other tasks related to the administration of the Debtor's estate and the chapter 11 case.

15. Following the closing of the sales, the Debtor and its professionals have engaged in substantial, ongoing, good-faith, arms'-length negotiation with the Committee, the Consenting Noteholders, and other parties in interest in the chapter 11 case, including the U.S. Trustee, concerning the Plan and Disclosure Statement. The Debtor obtained approval of the Disclosure Statement (the "Disclosure Statement Order") [Docket No. 327] and is proceeding towards confirmation in accordance with the Disclosure Statement Order.

16. Additionally, the Debtor has achieved a settlement in principle with Patheon and the Consenting Noteholders regarding Patheon's claim amount. The Debtor also has reached a settlement in principle with the Committee providing for a global resolution of the Committee's objections to the Plan. As a result of these settlements in principle, the vast majority of creditors representing the overwhelming majority in claim amount support the Debtor's Plan.

17. Accomplishing these tasks has been a labor-intensive process, fully occupying the Debtor's representatives and professionals for the approximately four (4) months that the chapter 11 case has been pending. In light of these circumstances, the Debtor submits that the requested extensions are both appropriate and necessary to afford the Debtor sufficient time to seek confirmation of the Plan.

i. The Size, Complexity, and Duration of the Chapter 11 Case Necessitates an Extension of the Debtor's Exclusive Periods.

18. Congress and the courts have recognized that the size and complexity of a debtor's case alone may constitute cause for extension of a debtor's Exclusive Period to file a plan and solicit acceptances of such a plan. H.R. No. 95-595, at 231-232,406 (1978), reprinted in 1978 U.S.C.C.A.N. 5787, 6191, 6362 ("[I]f an unusually large company were to seek reorganization under chapter 11, the court would probably need to extend the time in order to allow the debtor to reach an agreement"); *see also In re Texaco, Inc.*, 76 B.R. 322, 326 (Bankr. S.D.N.Y. 1987) ("The large size of the debtor and the consequent difficulty in formulating a plan of reorganization for a huge debtor with a complex financial structure are important factors which generally constitute cause for extending the exclusivity periods.").

19. This chapter 11 case is large and complex. First, the Debtor is a public company, which conducted business in the U.S. and Europe in a highly competitive and highly regulated industry. Thus, the Debtor, its employees, and its advisors were tasked with addressing a number

of complex legal and operational issues in addition to the day-to-day demands of operating in chapter 11. Moreover, the sale process, which was a great success, involved the concurrent marketing of multiple asset categories. At the conclusion of the process, the Debtor and its advisors negotiated two distinct purchase agreements and related documentation with two separate buyers, obtained entry of the sale orders, and closed the sales. Accomplishing these tasks and addressing the concerns of the Debtor's creditors and stakeholders along the way, among other things, required the full attention of the Debtor's employees and advisors.

20. Similarly, the negotiations to formulate the Plan, resolve various parties' objections to the Plan, and determine Patheon's claim amount have been complex and required a significant investment of the time and attention of the Debtor's employees and advisors.

21. Accordingly, the Debtor submits that the complexity and relatively short duration of the chapter 11 case to date weigh in favor of an extension of the Exclusive Periods.

ii. The Debtor Has Shown Good Faith Progress in the Chapter 11 Case.

22. The requested extension of the Exclusive Periods is reasonable given the Debtor's progress to date and the current posture of the chapter 11 case. It is without question that the Debtor has made significant progress in the approximately four (4) months the chapter 11 case has been pending, as demonstrated most recently by the settlements in principle reached with Patheon, the Consenting Noteholders, and the Committee.

23. An extension of the Exclusive Periods as requested herein will allow the Debtor the time needed to obtain confirmation of the Plan. Accordingly, the Debtor's current progress in the chapter 11 case and the remaining tasks justify the requested extension of the Exclusive Periods.

iii. The Debtor is Paying Its Debts as They Come Due.

24. The Debtor continues to timely pay its undisputed postpetition obligations. As such, the requested extension of the Exclusive Periods will afford the Debtor a meaningful opportunity to formulate, negotiate, and confirm a chapter 11 plan without prejudice to the parties in interest in the chapter 11 case.

iv. An Extension of the Debtor's Exclusive Period Will Not Prejudice the Debtor's Creditors.

25. Throughout the chapter 11 process, the Debtor has endeavored to establish and maintain cooperative working relationships with its creditor constituencies. Importantly, the Debtor is not seeking the extension of the Exclusive Periods to delay administration of the chapter 11 case or to exert pressure on its creditors, but rather to continue the orderly, efficient, and cost-effective chapter 11 process. Thus, this factor also weighs in favor of the requested extension of the Exclusive Periods.

v. Additional Factors Exist to Support an Extension of the Debtor's Exclusive Period.

26. In addition to the factors discussed above, termination of the Exclusive Periods in the chapter 11 case would adversely impact the Debtor's administration of the chapter 11 case. Simply put, if the Court were to deny the Debtor's request for an extension of the Exclusive Periods, upon the expiration of the Exclusive Filing Period, any party in interest would be free to propose a chapter 11 plan for the Debtor and solicit acceptances thereof. Such a ruling could foster a chaotic, value-destructive environment for the Debtor and its estate, significantly delay the administration of the chapter 11 case, and otherwise impair the Debtor's ability to prosecute the chapter 11 case without any corresponding benefit to the Debtor's estate and creditors. Indeed, denying the relief requested herein could very well thwart the Debtor's progress towards confirmation of the Plan, and result in reduced recoveries for the Debtor's stakeholders.

27. Based on the foregoing, the Debtor respectfully submits that sufficient cause exists, pursuant to section 1121(d) of the Bankruptcy Code, for the Court to extend the Debtor's Exclusive Filing Period to and including August 9, 2023 and the Debtor's Exclusive Solicitation Period to and including October 9, 2023.

NOTICE

28. Notice of this Motion will be provided by email or first class mail to: (a) the U.S. Trustee; (b) Womble Bond Dickinson (US) LLP, counsel to the Committee; (c) Davis Polk & Wardwell LLP, counsel to the Consenting Noteholders; (d) Greenberg Traurig, LLP, counsel to U.S. Bank, the indenture trustee to the Convertible Notes; and (e) any party that has requested notice pursuant to Bankruptcy Rule 2002. A copy of this Motion is also available on the website of the Debtor's notice and claims agent at www.kccllc.net/tricida. The Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

Dated: May 8, 2023
Wilmington, Delaware

/s/ Allison S. Mielke

**YOUNG CONAWAY STARGATT &
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

TRICIDA, INC.,¹

Debtor.

Chapter 11

Case No. 23-10024 (JTD)

Hearing Date: June 27, 2023 at 11:00 a.m. (ET)

Obj. Deadline: May 22, 2023 at 4:00 p.m. (ET)

NOTICE OF MOTION

PLEASE TAKE NOTICE that the above-captioned debtor and debtor in possession (the “Debtor”) has filed the *Debtor’s Motion for an Order, Pursuant to Section 1121(d) of the Bankruptcy Code, Extending the Exclusive Periods Within Which the Debtor May File a Chapter 11 Plan and Solicit Acceptances Thereof* (the “Motion”) with the United States Bankruptcy Court for the District of Delaware (the “Court”).

PLEASE TAKE FURTHER NOTICE that the Debtor has requested that any objections or responses to the relief requested in the Motion be filed on or before **May 22, 2023 at 4:00 p.m. (ET)** (the “Objection Deadline”) with the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE THAT A HEARING TO CONSIDER THE MOTION WILL BE HELD ON JUNE 27, 2023 AT 11:00 A.M. (ET) BEFORE THE HONORABLE JOHN T. DORSEY, IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 N. MARKET STREET, 5TH FLOOR, COURTROOM NO. 5, WILMINGTON, DELAWARE 19801.

PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS OR RESPONSES TO THE MOTION ARE TIMELY FILED, SERVED, AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN CONNECTION WITH SUCH MOTION WITHOUT FURTHER NOTICE OR HEARING.

[Signature page follows]

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

Dated: May 8, 2023
Wilmington, Delaware

/s/ Allison S. Mielke

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Counsel to the Debtor, Tricida, Inc.

EXHIBIT A

Proposed Order

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

In re:

TRICIDA, INC.,¹

Debtor.

Chapter 11

Case No. 23-10024 (JTD)

Re: Docket No. ____

**ORDER, PURSUANT TO SECTION 1121(d) OF THE BANKRUPTCY CODE,
EXTENDING THE EXCLUSIVE PERIODS WITHIN WHICH THE DEBTOR MAY
FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF**

Upon consideration of the motion (“Motion”)² of Tricida, Inc., as debtor and debtor in possession in the above-captioned chapter 11 case (the “Debtor”), for entry of an order (i) extending the Exclusive Periods and (ii) granting related relief, each as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and appropriate notice of and opportunity for hearing on the Motion having been given; and the relief requested in the Motion being in the best interests of the Debtor’s estate, its creditors, and other parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N St., Ste. 4935, Sacramento, CA 95816.

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

IT IS HEREBY ORDERED THAT:

1. The relief requested in the Motion is GRANTED as set forth herein.
2. The Debtor's Exclusive Filing Period in the chapter 11 case is extended to and including August 9, 2023.
3. The Debtor's Exclusive Solicitation Period in the chapter 11 case is extended to and including October 9, 2023.
4. Nothing in this order constitutes (a) an admission as to the validity of any claim against the Debtor; (b) a waiver of the Debtor's or any party in interest's rights to dispute the amount of, basis for, or validity of any claim or interest under applicable law or nonbankruptcy law; (c) a promise or requirement to pay any claim; (d) a waiver of the Debtor's or any other party in interest's rights under the Bankruptcy Code or any other applicable law; or (e) a request for or granting of approval for assumption of any agreement, contract, program, policy, or lease under section 365 of the Bankruptcy Code. Any payment made pursuant to this order is not intended to be nor should it be construed as an admission as to the validity of any claim or a waiver of the Debtor's rights to subsequently dispute such claim.
5. Notice of the Motion shall be deemed good and sufficient notice of such Motion, and the requirements of any applicable Bankruptcy Rules and the Local Rules are satisfied by such notice.
6. Notwithstanding any provision in the Bankruptcy Rules to the contrary, this order shall be immediately effective and enforceable upon its entry.
7. The Debtor is authorized to take all actions necessary to effectuate the relief granted in this order in accordance with the Motion.

8. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation and enforcement of this order.