

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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 In re: : Chapter 11  
 :  
 : Case No. 20-10290 (LSS)  
 VALERITAS HOLDINGS, INC., *et al.*,<sup>1</sup> :  
 : (Jointly Administered)  
 Debtors. :  
 : Re: D.I. 7  
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**ORDER (I) APPROVING CERTAIN PROCEDURES TO MAINTAIN THE CONFIDENTIALITY OF PATIENT INFORMATION AS REQUIRED BY APPLICABLE PRIVACY RULES; (II) AUTHORIZING THE DEBTORS TO FILE UNDER SEAL PORTIONS OF THE DEBTORS' CONSOLIDATED CREDITOR MATRIX CONTAINING CERTAIN INDIVIDUAL CREDITOR INFORMATION; AND (III) GRANTING RELATED RELIEF**

Upon the *Motion of the Debtors for the Entry of an Order (I) Approving Certain Procedures to Maintain the Confidentiality of Patient Information as Required by Applicable Privacy Rules; (II) Authorizing the Debtors to File Under Seal Portions of the Debtors' Consolidated Creditor Matrix Containing Certain Individual Creditor Information; and (III) Granting Related Relief* (the "Motion"),<sup>2</sup> filed by the above-captioned debtors (collectively, the "Debtors") for entry of an order (this "Order"), (i) approving certain procedures to maintain the confidentiality of patient information as required by applicable privacy rules, (ii) authorizing the Debtors to file under seal portions of the Matrix containing certain individual creditors' personally identifiable information, and (iii) granting related relief, all as further described in the Motion; and upon consideration of the First Day Declaration and the record of these Chapter 11 Cases; and this Court having found that (i) this Court has jurisdiction over the Debtors, their

<sup>1</sup> The debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number, are: Valeritas Holdings, Inc. (8907); Valeritas, Inc. (1056); Valeritas Security Corporation (9654); Valeritas US, LLC (0007). The corporate headquarters and the mailing address for the debtors is 750 Route 202 South, Suite 600, Bridgewater, New Jersey 08807.

<sup>2</sup> Capitalized terms used but not otherwise defined in this Order shall have the meaning ascribed to them in the Motion.



estates, property of their estates and to consider the Motion and the relief requested therein under 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, (ii) this Court may enter a final order consistent with Article III of the United States Constitution, (iii) this is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (iv) venue of this Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409, and (v) no further or other notice of the Motion is required under the circumstances; and this Court having reviewed the Motion and having heard the statements in support of the relief requested in the Motion at a hearing before this Court; and having determined that the legal and factual bases set forth in the Motion and the First Day Declaration establish just cause for the relief granted in this Order; and this Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors' estates, their creditors and other parties in interest; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED as set forth in this Order.
2. The following procedures (the "Privacy Procedures") shall apply in these

Chapter 11 Cases:

(a) The Debtors and/or their proposed noticing agent shall maintain a list of all patients (the "Patient List"). The Patient List, or any portion thereof, will only be made available to a party in interest after this Court has entered an order authorizing the Debtors to provide it.

(b) When the Debtors serve any paper upon any person listed on the Patient List, the Debtors shall note in the respective certificate of service that the parties served include persons listed on the Patient List.

(c) The Debtors and/or their proposed noticing agent shall exclude patients from the matrix of creditors and any certificate of service (other than to refer generally to service upon the Patient List).

(d) To the extent relevant, the Debtors shall identify patients in their schedules of assets and liabilities and statements of financial affairs solely by a code number, such as "Patient 1," "Patient 2," and so forth, and shall make an unredacted copy of the Schedules and Statements available to (i) the Court and the U.S. Trustee upon request, and (ii) other parties in interest only after this Court has entered an order authorizing the Debtors to provide such information.

3. Nothing in this Order shall affect the rights or obligations of any patient care ombudsman appointed in these Chapter 11 Cases pursuant to 11 U.S.C. § 333.

4. The Debtors' compliance with the foregoing Privacy Procedures shall constitute compliance with section 521 of the Bankruptcy Code, Bankruptcy Rule 1007(a), and Local Rules 1007-1 and 1007-2.

5. Pursuant to sections 105(a) and 107(c) of the Bankruptcy Code and Local Rule 9018-1(d), the Debtors are authorized to seal that portion of the Matrix that contains the home addresses of all current and former employees and independent contractors of the Debtors.

6. The Matrix shall remain under seal and not be made available to anyone, except that copies shall be provided to this Court, the U.S. Trustee, and any other parties in interest upon entry of a further Court order authorizing such disclosure.

7. Each party receiving an unsealed copy of the Matrix shall keep such information confidential.

8. To the extent any party provided with an unsealed copy of the Matrix files any pleadings, such party shall redact from its pleadings any confidential or personally identifying information that is covered by this Order.

9. The noticing agent in these Chapter 11 Cases shall maintain a separate, confidential mailing list for service to the Debtors' employees and independent contractors at

their respective residences for the benefit of all parties in interest desiring to serve such parties with pleadings or notices in these Chapter 11 Cases.

10. The terms and conditions of this Order shall be effective immediately and enforceable upon its entry.

11. The Debtors are hereby authorized to take all actions they deem necessary to effectuate the relief granted in this Order.

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

Dated: Feb. 12, 2020  
Wilmington, Delaware

  
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THE HONORABLE LAURIE SELBER SILVERSTEIN  
UNITED STATES BANKRUPTCY JUDGE