

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

In re:

VALERITAS HOLDINGS, INC., *et al.*,¹

EMERALD CAPITAL ADVISORS CORP.,
as Liquidating Trustee of Valeritas Holdings,
Inc.,

Plaintiff,

v.

JOHN TIMBERLAKE, RODNEY
ALTMAN, PETER DEVLIN, JOE
MANDATO, BRIAN ROBERTS,
KATHERINE CROTHALL, GEOFFREY
JENKINS, ERICK LUCERA, MATT
NGUYEN, JOSEPH SALDANHA, SCOTT
HUIE, MIKE REED, CHRIS GREGORY,
MARK CONLEY AND JEFFREY ZAJAC,

Defendants.

Chapter 11

Case No. 20-10290 (JKS)

(Jointly Administered)

Re: Docket No. 590

Adv. Pro. No. 22-50108 (JKS)

Re: Adv. Docket No. 64

Hearing Date: March 1, 2023 at 11:00 a.m (ET)

Obj. Deadline: February 15, 2023 at 4:00 p.m. (ET)

**AMENDED NOTICE OF MOTION TO APPROVE SETTLEMENT AGREEMENT
BETWEEN EMERALD CAPITAL ADVISORS CORP., AS LIQUIDATING TRUSTEE
OF VALERITAS HOLDINGS, INC. AND JOHN TIMBERLAKE, ET AL.**

PLEASE TAKE NOTICE that, on January 25, 2023, Emerald Capital Advisors, Corp., in its capacity as liquidating trustee (the "Liquidating Trustee") for the Creditors Trust of Valeritas Holding, Inc. *et al.* (the "Creditors Trust"), filed the *Motion to Approve Settlement Agreement Between Emerald Capital Advisors Corp., as Liquidating Trustee of Valeritas Holdings, Inc. and John Timberlake, et al.* (the "9019 Motion"),² [Docket No. 592; Adv. Docket No. 64] with the United States Bankruptcy Court for the District of Delaware (the "Court").

¹ 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 c/o DLA Piper LLP (US), 1251 Avenue of the Americas, 27th Floor, New York, New York 10020.

² Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the 9019 Motion.



PLEASE TAKE FURTHER NOTICE that responses or objections to the 9019 Motion must be in writing, filed with the Bankruptcy Clerk of the Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801, and serve a copy of the response or objection on Counsel to the Liquidating Trustee, Porzio, Bromberg & Newman, P.C., 100 Southgate Parkway, P.O. Box 1997, Morristown, NJ 07962-1997, Attention: Brett S. Moore, Esq. (bsmoore@pbnlaw.com), Robert M. Schechter, Esq. (rmschechter@pbnlaw.com), and Kelly D. Curtin, Esq. (kdcurtin@pbnlaw.com), and Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, Delaware 19801, Attention: Brya M. Keilson, Esq. (bkeilson@morrisjames.com) and Eric Monzo, Esq. (emonzo@morrisjames.com) so as to be received on or before **February 15, 2023 at 4:00 P.M. (ET)**. **Only those responses timely filed with the Court and received by the Notice Parties identified above will be considered by the Court.**

PLEASE TAKE FURTHER NOTICE THAT a hearing on the Motion is scheduled for **March 1, 2023 at 11:00 a.m. prevailing Eastern Time (the “Hearing Date”)** before the Honorable J. Kate Stickle, United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 5th Floor, Courtroom 6, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE 9019 MOTION ARE TIMELY FILED AND SERVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE 9019 MOTION WITHOUT FURTHER NOTICE OR HEARING.

PLEASE TAKE FURTHER NOTICE that if you file an objection to the Motion, you should be prepared to argue that response at the hearing. You need not appear at the hearing if you do not object to the relief requested.

PLEASE TAKE FURTHER NOTICE that the hearing may be continued from time to time upon written notice to you or as declared orally at the hearing.

Dated: February 1, 2023

MORRIS JAMES LLP

/s/ Eric J. Monzo

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