

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

In re: )  
 ) Chapter 11  
NOVAN, INC., *et al.*,<sup>1</sup> )  
 ) Case No. 23-10937 (LSS)  
 Debtors. )  
 ) Jointly Administered  
 )  
 ) **Hearing Date:**  
 ) **August 15, 2023, at 10:00 a.m. (ET)**  
 )  
 ) **Objection Deadline:**  
 ) **August 11, 2023, at 4:00 p.m. (ET)**  
 )  
 ) **Re: D.I. 16**  
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**NOTICE OF RESCHEDULED HEARING  
FOR BIDDING PROCEDURES MOTION [D.I. 16]**

**This hearing will be conducted in-person. Any exceptions must be approved by chambers.**

**Parties may observe the hearing remotely by registering with the Zoom link below no later than August 15, 2023 at 8:00 a.m. (Eastern Time)**

**Please use the following link to register for this hearing:**

[https://debuscourts.zoomgov.com/meeting/register/vJItcO2orD4vGMj\\_UDgJsCXNAkrXbux34oo](https://debuscourts.zoomgov.com/meeting/register/vJItcO2orD4vGMj_UDgJsCXNAkrXbux34oo)

**After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.**

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digitals of the Debtors' federal tax identification number (if applicable), are: Novan, Inc. (7682) and EPI Health, LLC (9118). The corporate headquarters and the mailing address for the Debtors is 4020 Stirrup Creek Drive, Suite 110, Durham, NC 27703.



**PLEASE TAKE NOTICE** that, on July 17, 2023 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”), commencing these chapter 11 cases (the “Chapter 11 Cases”).

**PLEASE TAKE FURTHER NOTICE** that, on July 17, 2023, the Debtors filed the *Motion of Debtors for Entry of Orders (I)(A) Approving Bidding Procedures for Sale of Substantially All of Debtors’ Assets Free and Clear of Liens, Claims, Interests, and Encumbrances and Designating Ligand Pharmaceuticals as a Stalking Horse Bidder, (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (C) Approving Assumption and Assignment Procedures and (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors’ Assets Free and Clear of Liens, Claims, Interests, and Encumbrances After the Auction and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) in the Alternative, Approving the Sale of the Debtors’ Assets Free and Clear of Liens, Claims, Interests, and Encumbrances to Ligand Pharmaceuticals if Not Approved as the Stalking Horse Bidder* (the “Motion”) [D.I. 16]. The Motion was originally scheduled to be heard at a hearing on August 4, 2023, at 1:00 p.m. (ET) (the “Hearing”). The Motion was noticed with an objection deadline of August 1, 2023, at 4:00 p.m. (ET) (the “Objection Deadline”) for most parties in interest. The Official Committee of Unsecured Creditors (the “Committee”) had an objection deadline at the Hearing.

**PLEASE TAKE FURTHER NOTICE** that after the Hearing, the Court rescheduled the hearing on the Motion for **August 15, 2023, at 10:00 a.m. (ET)** (the “Revised Hearing Date”). In addition, the Court extended the Objection Deadline as to all parties until **August 11, 2023, at 10:00 a.m. (ET)** (the “Revised Objection Deadline”).

**PLEASE TAKE FURTHER NOTICE** that any responses or objections to approval of the relief requested in the Motion must (a) be in writing; (b) be filed with the Clerk of the Bankruptcy Court, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801, on or before the Revised Objection Deadline; and (c) served so as to be received on or before the Revised Objection Deadline by the undersigned proposed counsel to the Debtors.

**PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE MOTION WILL BE HELD BEFORE THE HONORABLE BRENDAN L. SHANNON AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 6th FLOOR, COURTROOM #1, WILMINGTON, DELAWARE 19801.**

**PLEASE TAKE FURTHER NOTICE THAT ONLY OBJECTIONS MADE IN WRITING AND TIMELY FILED AND RECEIVED IN ACCORDANCE WITH THE PROCEDURES ABOVE WILL BE CONSIDERED BY THE COURT AT SUCH HEARING.**

**IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: August 4, 2023  
Wilmington, Delaware

Respectfully submitted,

*/s/ Scott D. Jones*

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*Proposed Counsel to the Debtors and Debtors in Possession*