

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

In re: )  
 ) Chapter 11  
NVN Liquidation, Inc., *et al.*, )  
f/k/a NOVAN, INC.,<sup>1</sup> ) Case No. 23-10937 (LSS)  
 )  
Debtors. ) Jointly Administered  
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**NOTICE OF AGENDA FOR HEARING  
SCHEDULED FOR JANUARY 25, 2024, AT 10:00 A.M. (ET)**

This hearing will be conducted in-person, any exceptions must be approved by chambers.

To attend a hearing remotely, please register using the eCourtAppearance tool ([available here](#)) or on the court's website at [www.deb.uscourts.gov](http://www.deb.uscourts.gov).

**\*The deadline to register for remote attendance is 4 PM (prevailing Eastern Time) the business day before the hearing unless otherwise noticed.\***

After the deadline has passed an electronic invitation, with the relevant audio or video link, will be emailed to you prior to the hearing.

Topic: NVN Liquidation, Inc., et al.  
Time: January 25, 2024, at 10:00 a.m. (Eastern Time)

**MATTERS UNDER CERTIFICATION**

1. Debtors' Objection to Proof of Claim Filed by Armistice Capital Master Fund Ltd. ([D.I. 473](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of the Debtors' federal tax identification number (if applicable), are: NVN Liquidation, Inc., (f/k/a Novan, Inc.) (7682) and EPI Health, LLC (9118). The corporate headquarters and the mailing address for the Debtors is P.O. Box 64, Pittsboro, NC 27312.



- a) Certificate of No Objection Regarding Debtors' Objection to Proof of Claim Filed by Armistice Capital Master Fund Ltd. ([D.I. 546](#), filed 1/23/24).

Status: On January 23, 2024, the Debtors submitted a certificate of no objection with respect to this matter. Accordingly, a hearing on this matter is only necessary if the Court has questions.

2. Motion of Debtors for Entry of an Order Approving the Settlement Agreement with Aclaris Therapeutics, Inc. ([D.I. 507](#), filed 1/4/24).

Response Deadline: January 18, 2024, at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- a) Certificate of No Objection Regarding Motion of Debtors for Entry of an Order Approving the Settlement Agreement with Aclaris Therapeutics, Inc. ([D.I. 547](#), filed 1/23/24).

Status: On January 23, 2024, the Debtors submitted a certificate of no objection with respect to this matter. Accordingly, a hearing on this matter is only necessary if the Court has questions.

### **MATTERS GOING FORWARD**

3. Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 438](#), filed 11/22/23).

Response Deadline: January 18, 2024, at 4:00 p.m. (ET); extended to January 19, 2024, at 4:00 p.m. for the Office of the United States Trustee (the "[U.S. Trustee](#)")

Responses Received:

- a) The United States Trustee's Limited Objection to Confirmation of the Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 534](#), filed 1/19/24).

Related Documents:

- a) Debtors' Motion for Entry of an Order (I) Approving the Combined Disclosure Statement and Chapter 11 Plan of Liquidation on an Interim Basis; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Confirmation Hearing and the Deadline for Filing Objections Thereto; and (VI) Granting Related Relief ([D.I. 439](#), filed 11/22/23);

- b) Notice of Filing of Revised Order (I) Approving the Combined Disclosure Statement and Chapter 11 Plan of Liquidation on an Interim Basis; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Confirmation Hearing and the Deadline for Filing Objections Thereto; and (VI) Granting Related Relief ([D.I. 458](#), filed 12/13/23);
- c) Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 459](#), filed 12/13/23);
- d) [Redline] Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 460](#), filed 12/13/23);
- e) Notice of Committee Letter in Support of the Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 464](#), filed 12/14/23);
- f) Certification of Counsel Regarding Debtors' Motion for Entry of an Order (I) Approving the Combined Disclosure Statement and Chapter 11 Plan of Liquidation on an Interim Basis; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Confirmation Hearing and the Deadline for Filing Objections Thereto; and (VI) Granting Related Relief ([D.I. 474](#), filed 12/18/23);
- g) Order (I) Approving the Combined Disclosure Statement and Chapter 11 Plan of Liquidation on an Interim Basis; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Confirmation Hearing and the Deadline for Filing Objections Thereto; and (VI) Granting Related Relief ([D.I. 476](#), entered 12/29/23);
- h) Notice of (I) Interim Approval of Combined Disclosure Statement and Plan; and (II) the Hearing to Consider (A) Final Approval of the Combined Disclosure Statement and Plan as Containing Adequate Information and (B) Confirmation of the Combined Disclosure Statement and Plan ([D.I. 498](#), filed 12/27/23);
- i) Notice of Filing Plan Supplement with Respect to Debtors' Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 522](#), filed 1/11/24);
- j) Notice of Filing of Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 529](#), filed 1/17/24);
- k) Declaration of Darlene S. Calderon with Respect to the Tabulation of Votes on the Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 538](#), filed 1/22/24);

- l) Notice of Filing of Further Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 542](#), filed 1/22/24);
- m) Notice of Filing of Amended Plan Supplement Document with Respect to Debtors' Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 543](#), filed 1/22/24);
- n) Notice of Filing of Proposed Order (I) Approving Amended Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors as Containing Adequate Information on a Final Basis and (II) Confirming Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 544](#), filed 1/22/24);
- o) Witness List of the Debtors for January 25, 2024 Hearing ([D.I. 548](#), filed 1/23/24); and
- p) Memorandum of Law in Support of Confirmation of the Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors (to be filed).

Status: This matter is going forward.

- 4. Debtors' First Omnibus (Non-Substantive) Objection to Proofs of Claim Based Upon Insufficient Documentation and Equity Interests ([D.I. 470](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- a) Debtors' Omnibus Reply in Further Support of Their First, Second and Third Omnibus (Non-Substantive) Objections to Proofs of Claim Based Upon Equity Interests ([D.I. 520](#), filed 1/10/24); and
- b) Notice of Submission of Proof of Claim ([D.I. 521](#), filed 1/11/24).

Status: This matter is going forward.

- 5. Debtors' Second Omnibus (Non-Substantive) Objection to Proofs of Claim Based Upon Equity Interests ([D.I. 471](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received:

- a) Informal Response Received from Rami Haykal; and

- b) Response to Debtor's Omnibus Objection Claims ([D.I. 500](#), filed 12/28/23).

Related Documents:

- a) Debtors' Omnibus Reply in Further Support of Their First, Second and Third Omnibus (Non-Substantive) Objections to Proofs of Claim Based Upon Equity Interests ([D.I. 520](#), filed 1/10/24); and
- b) Notice of Submission of Proof of Claim ([D.I. 521](#), filed 1/11/24).

Status: This matter is going forward.

- 6. Debtors' Third Omnibus (Non-Substantive) Objection to Proofs of Claim Based Upon Equity Interests ([D.I. 472](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received:

- a) Informal Response Received from Pierre Duwalph; and
- b) Response to Debtor's Omnibus Objection Claims ([D.I. 501](#), filed 1/2/24).

Related Documents:

- a) Debtors' Omnibus Reply in Further Support of Their First, Second and Third Omnibus (Non-Substantive) Objections to Proofs of Claim Based Upon Equity Interests ([D.I. 520](#), filed 1/10/24); and
- b) Notice of Submission of Proof of Claim ([D.I. 521](#), filed 1/11/24).

Status: This matter is going forward.

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Dated: January 23, 2024  
Wilmington, Delaware

Respectfully submitted,

*/s/ Daniel B. Butz*

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

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