

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

	)	
In re:	)	Chapter 11
	)	
AKORN, INC.,	)	Case No. 20-11177 (KBO)
	)	
Debtor. <sup>1</sup>	)	
	)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR TELEPHONIC  
HEARING ON MARCH 25, 2021 AT 1:00 P.M. (PREVAILING EASTERN TIME)**

**AS NO MATTERS ARE GOING FORWARD, THE HEARING HAS  
BEEN CANCELLED WITH THE PERMISSION OF THE COURT.**

**I. CONTINUED/RESOLVED MATTERS:**

1. Debtors’ Motion Seeking Entry of an Order (A) Approving Bidding Procedures, (B) Scheduling an Auction and Sale Hearing, (C) Approving the Form and Manner of Notice Thereof, (D) Establishing Notice and Procedures for the Assumption and Assignment of Certain Executory Contracts and Leases, and (E) Granting Related Relief [[Docket No. 18](#) – filed May 21, 2020]

Contract Objection Deadline: August 25, 2020 at 12:00 p.m. (ET); extended to August 27, 2020 at 12:00 p.m. (ET) for the United States; extended to August 28, 2020 at 12:00 p.m. (ET) for Chubb Companies and Oracle America, Inc. (“Oracle”)

Contract Objections Received:

- A. Simple Science, LLC’s Objection to Assumption and Assignment Identified Contracts Between Simple Science, LLC and Various [[Docket No. 515](#) – filed

<sup>1</sup> The Debtor in this chapter 11 case, along with the last four digits of the Debtor’s federal tax identification number, is: Akorn, Inc. (7400). The Chapter 11 Cases of the following entities, formerly administratively consolidated with the foregoing case, have been closed: 10 Edison Street LLC (7890); 13 Edison Street LLC; Advanced Vision Research, Inc. (9046); Akorn (New Jersey), Inc. (1474); Akorn Animal Health, Inc. (6645); Akorn Ophthalmics, Inc. (6266); Akorn Sales, Inc. (7866); Clover Pharmaceuticals Corp. (3735); Covenant Pharma, Inc. (0115); Hi-Tech Pharmacal Co., Inc. (8720); Inspire Pharmaceuticals, Inc. (9022); Oak Pharmaceuticals, Inc. (6647); Olta Pharmaceuticals Corp. (3621); VersaPharm Incorporated (6739); VPI Holdings Corp. (6716); and VPI Holdings Sub, LLC. The location of the Debtor’s service address is: 1925 W. Field Court, Suite 300, Lake Forest, Illinois 60045.



August 21, 2020]

Status: The parties have reached an agreement resolving this matter. Simple Science, LLC intends to file a notice of withdrawal of their objection. Accordingly, a hearing regarding this matter is not required.

- B. Objection of Leadiant Biosciences Inc. to Notices to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases [[Docket No. 563](#) – filed August 25, 2020]

Status: The parties have reached an agreement resolving this matter and intend to submit a stipulation reflecting the resolution under certification of counsel. Accordingly, a hearing regarding this matter is not required.

- C. Objection of Leadiant Biosciences Inc. to Debtors' Supplemental Cure Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases [[Docket No. 700](#) – filed September 11, 2020]

Status: The parties have reached an agreement resolving this matter and intend to submit a stipulation reflecting the resolution under certification of counsel. Accordingly, a hearing regarding this matter is not required.

Related Documents:

- i. Order (A) Approving the Asset Purchase Agreement, (B) Authorizing the Sale of Assets, (C) Authorizing the Assumption and Assignment of Contracts and Leases, and (D) Granting Related Relief [[Docket No. 656](#) – entered September 2, 2020]
- ii. Supplemental Cure Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases [[Docket No. 674](#) – filed September 4, 2020]
- iii. Certification of Counsel Regarding Supplemental Order (A) Approving the Asset Purchase Agreement, (B) Authorizing the Sale of Assets, (C) Authorizing the Assumption and Assignment of Contracts and Leases, and (D) Granting Related Relief [[Docket No. 770](#) – filed October 9, 2020]
- iv. Supplemental Order (A) Approving the Asset Purchase Agreement, (B) Authorizing the Sale of Assets, (C) Authorizing the Assumption and Assignment of Contracts and Leases, and (D) Granting Related Relief [[Docket No. 772](#) – entered October 13, 2020]
- v. Certification of Counsel Regarding Supplemental Order (A) Approving the Asset Purchase Agreement, (B) Authorizing the Sale of Assets, (C) Authorizing the Assumption and Assignment of Contracts and Leases, and (D) Granting Related Relief [[Docket No. 796](#) – filed October 20, 2020]

- vi. Supplemental Order (A) Approving the Asset Purchase Agreement, (B) Authorizing the Sale of Assets, (C) Authorizing the Assumption and Assignment of Contracts and Leases, and (D) Granting Related Relief [[Docket No. 798](#) – entered October 21, 2020]

Cure Objection Status: On September 2, 2020, October 13, 2020 and October 21, 2020, the Court entered orders approving the Sale. The Post-Effective Date Debtors have resolved the outstanding cure objections. The status of the individual cure objections is listed above. A hearing with respect to such objections is not required.

2. MDL Plaintiffs' Motion for Relief from the Automatic Stay [[Docket No. 500](#) – filed August 19, 2020]

Objection/Response Deadline: September 2, 2020 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Debtors' Limited Objection and Reservation of Rights to Motion for Relief from the Automatic Stay [[Docket No. 695](#) – filed September 11, 2020]

Status: The parties are working on a revised form of order regarding this matter. The parties expect to file the revised order under certification of counsel prior to March 31, 2021. If the parties are unable to reach agreement on the form of order, the parties will contact the Court regarding scheduling a hearing on this matter. At this time, the hearing on this matter is continued to a date to be determined.

3. Leadiant Biosciences Inc.'s Application for Allowance and Payment of Administrative Expense Claims [[Docket No. 831](#) – filed November 4, 2020]

Objection/Response Deadline: November 16, 2020 at 4:00 p.m. (ET), extended to January 28, 2021 at 4:00 p.m. (ET) for the Post-Effective Date Debtors

Objections/Responses Received: None to date

Status: The parties have reached an agreement resolving this matter and intend to submit a stipulation reflecting the resolution under certification of counsel. Accordingly, a hearing regarding this matter is not required.

4. Motion of Debtors for Entry of an Order Closing Subsidiary Chapter 11 Cases [[Docket No. 915](#) – filed February 2, 2021]

Objection/Response Deadline: February 16, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None

Related Documents:

- i. Certificate of No Objection Regarding Motion of Debtors for Entry of an Order Closing Subsidiary Chapter 11 Cases [[Docket No. 923](#) – filed February 17, 2021]
- ii. Order Closing Subsidiary Chapter 11 Cases [[Docket No. 924](#) – entered February 18, 2021]

Status: On February 18, 2021, the Court entered an order granting the relief requested. Accordingly, a hearing regarding this matter is not required.

5. Debtors' Motion for Entry of an Order (I) Enlarging the Period Within Which the Debtors May Remove Actions and (II) Granting Related Relief [[Docket No. 921](#) – filed February 16, 2021]

Objection/Response Deadline: March 2, 2021 at 4:00 p.m. (ET)

Objections/Responses Received: None

Related Documents:

- i. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Enlarging the Period Within Which the Debtors May Remove Actions and (II) Granting Related Relief [[Docket No. 928](#) – filed March 3, 2021]
- ii. Order (I) Enlarging the Period Within Which the Debtor May Remove Actions and (II) Granting Related Relief [[Docket No. 929](#) – entered March 4, 2021]

Status: On March 4, 2021, the Court entered an order granting the relief requested. Accordingly, a hearing regarding this matter is not required.

Wilmington, Delaware  
March 23, 2021

*/s/ Amanda R. Steele*

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