

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
Tricida, Inc.,¹) Case No. 23-10024 (JTD)
Debtor.)
) **Objection Deadline: September 13, 2023 at 4:00 p.m.**
) **Hearing Date: September 27, 2023 at 11:00 a.m.**

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW OR MODIFY THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE BY SEPTEMBER 13, 2023, YOUR CLAIM MAY BE DISALLOWED OR MODIFIED WITHOUT A HEARING.

CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ATTACHED TO THIS OBJECTION.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

**LIQUIDATING TRUSTEE’S SECOND OMNIBUS OBJECTION TO
CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)**

Jackson Square Advisors, solely in its capacity as liquidating trustee of the Tricida Liquidating Trust (the “Liquidating Trust”), established in the above-captioned chapter 11 case (the “Chapter 11 Case”) pursuant to the above-captioned debtor’s (the “Debtor”) confirmed *Fifth Amended Chapter 11 Plan of Liquidation for Tricida, Inc.* [Docket No. 509] (the “Plan”),² by and through his undersigned counsel, hereby submits this second omnibus objection (the “Objection”) for entry of an order (the “Proposed Order”), substantially in the form attached hereto as **Exhibit 1**,

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

² All capitalized terms used herein but not otherwise defined shall have the meanings ascribed to them in the Plan.



pursuant to sections 105(a) and 502 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”) reclassifying the reclassified claims on **Exhibit A** and modified claims on **Exhibit B** to the Proposed Order. In support of the Objection, the Liquidating Trustee submits the *Declaration of Gilbert Nathan in Support of the Liquidating Trustee’s Second Omnibus Objection to Certain Reclassified Claims (Substantive)* (the “Nathan Declaration”), attached hereto as **Exhibit 2**. In further support of the Objection, the Liquidating Trustee respectfully represents as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).³

BACKGROUND

2. On January 11, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the United States Code, 11 U.S.C. § 101 through 1532 (the “Bankruptcy Code”) in this Court commencing the Chapter 11 Case.

3. On January 30, 2023, the Debtor filed its *Schedules of Assets and Liabilities and Statement of Financial Affairs* [Docket Nos. 110 and 111] (collectively the “Schedules and Statements”).

4. On January 26, 2023, the Court entered the *Order (I) Setting Bar Dates for Filing*

³ Pursuant to Local Rule 9103-1(f), the Liquidating Trustee hereby confirms its consent to the entry of a final order by this Court in connection with this Objection if it is later determined that this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

Proofs of Claim; (II) Approving Notice of Bar Dates, and (III) Granting Related Relief [Docket No. 111] (the “Bar Date Order”), establishing, among other things, (i) March 8, 2023 at 4:00 p.m. as the last date for all creditors holding a “claim” (as such term is defined in section 101(5) of the Bankruptcy Code) against the Debtor (collectively, the “Claimants”) to file and serve a written proof of claim for payment of any such claim (the “General Bar Date”) and (ii) July 10, 2023 at 4:00 p.m. as the last day for Governmental Units (as such term is defined in section 101(27) of the Bankruptcy Code) holding a claim against the Debtors to file and serve a written proof of claim for payment of any such claim (the “Governmental Bar Date” and collectively with the General Bar Date, the “Bar Dates”). Notice of the Bar Dates was in accordance with the procedures outlined in the Bar Date Order.

5. On May 23, 2023, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Fifth Amended Chapter 11 Plan of Liquidation of Tricida, Inc.* [Docket No. 515] (the “Confirmation Order”), confirming the Plan.

6. The Plan became effective on June 12, 2023 (the “Effective Date”). *See* Docket No. 550. On the Effective Date, the Liquidating Trust was established, the Liquidating Trustee was appointed to serve as such pursuant to the terms of the Plan and Liquidating Trust Agreement, and all assets of the Debtors were transferred and assigned to the Liquidating Trust. *See* Plan, Article IV; Confirmation Order, ¶ 121. Under Article IV, Section C of the Plan, the Liquidating Trustee is authorized to object to claims filed against the Debtor’s estate.

THE CLAIMS RESOLUTION PROCESS

7. In the ordinary course of business, the Debtor maintained books and records (the “Books and Records”) that reflect, among other things, the Debtor’s liabilities and the amounts owed to its creditors. Since the Effective Date of the Plan, certain of the Books and Records have

been transferred to the Liquidating Trustee.

8. The Debtor's register of claims (the "Claims Register"), prepared and provided to the Liquidating Trustee by Kurtzman Carson Consultants LLC ("KCC") (the "Claims Agent"), reflects that approximately 193 proofs of claim (collectively, the "Proofs of Claim") were filed in this Chapter 11 Case asserting claims against the Debtor (the "Claims" and "Administrative Claims"). The Liquidating Trustee and his advisors are comprehensively reviewing and reconciling all Claims and Administrative Claims, including both the Claims listed on the Schedules and the Claims asserted in the Proofs of Claim (including any supporting documentation) filed in this Chapter 11 Case. The Liquidating Trustee is also comparing the Claims asserted in the Proofs of Claim with the relevant Books and Records to determine the validity of such asserted claims.

9. This reconciliation process includes identifying particular categories of claims that may be disallowed and expunged, reduced and allowed, or reclassified. This is the second omnibus objection to claims filed by the Liquidating Trustee. The Liquidating Trustee anticipates filing additional omnibus objections, as necessary, to the categories of claims to avoid improper recovery by Claimants.

RELIEF REQUESTED

10. By this Objection, and for the reasons described more fully below, the Liquidating Trustee objects to the Claims set forth on **Exhibit A** and **Exhibit B** attached to the Proposed Order pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rules 3007 and 9014, and Local Rule 3007-1. The Liquidating Trustee respectfully requests entry of the Proposed Order reclassifying the Claims.

LEGAL BASIS FOR OBJECTION

11. When asserting a proof of claim against a bankrupt estate, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *In re Allegheny Int'l, Inc.*, 954 F.2d 167, 173 (3d Cir. 1992); *Matter of Int'l Match Corp.*, 69 F.2d 73, 76 (2d Cir. 1934) (finding that a proof of claim should at least allege facts from which legal liability can be seen to exist). Where the claimant alleges sufficient facts to support its claim, its claim is afforded *prima facie* validity. *In re Allegheny Int'l Inc.*, 954 F.2d at 173. A party wishing to dispute such a claim must produce evidence in sufficient force to negate the claim's *prima facie* validity. *Id.* In practice, the objecting party must produce evidence that would refute at least one of the allegations essential to the claim's legal sufficiency. *Id.* Once the objecting party produces such evidence, the burden shifts back to the claimant to prove the validity of his or her claim by a preponderance of the evidence. *Id.* The burden of persuasion is always on the claimant. *Id.*

12. For the reasons set forth below, there is ample evidence to rebut the *prima facie* validity of each Claim.

A. Reclassified Claims

13. The Liquidating Trustee has identified certain Claims listed on **Exhibit A** to the Proposed Order that were filed incorrectly by asserting administrative or priority unsecured status where no basis for such treatment exists under the Bankruptcy Code and/or the Plan (the "Reclassified Claims").

14. In evaluating the Reclassified Claims, the Liquidating Trustee has reviewed the relevant Books and Records and the relevant Proofs of Claim, as well as the supporting documentation provided by the Claimant, and has determined that the Reclassified Claims are

improperly and incorrectly classified for the reasons set forth on **Exhibit A**, which provides a detailed explanation of the basis for each objection.

15. The Liquidating Trustee therefore (a) objects to the Reclassified Claims and (b) seeks entry of an order modifying the Reclassified Claims by requesting reclassification to reflect the priority listed in the “Modified Classification Status” column of **Exhibit A**.

B. Modified Claims

16. The Liquidating Trustee has identified two claims listed on **Exhibit B** that assert priority claims pursuant to 11 U.S.C. § 507(b)(4) in excess of the \$15,150.00 statutory cap. The amount of the asserted priority claim should be reduced to \$15,150.00 and the remainder of each claim should be reclassified as a non-priority general unsecured claim.⁴

RESPONSES TO THE OMNIBUS OBJECTION

17. To contest an objection, a Claimant must file and serve a written notice to this Objection (a “Response”) so that it is **actually received by no later than September 13, 2023 at 4:00 p.m. (prevailing Eastern Time)** (the “Response Deadline”). Each Response must be filed with the Office of the Clerk of the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, Wilmington, Delaware 19801 and served upon undersigned counsel for the Liquidating Trustee so that it is actually received no later than the Response Deadline, at the following addresses: Sullivan Hazeltine Allinson LLC, 919 North Market Street, Suite 420, Wilmington, Delaware 19801, Attn: William A. Hazeltine, Esq.

18. Every Response to this Objection must contain, at a minimum, the following information:

a. a caption setting forth the name of the Court, the name of the Debtors, the case

⁴ The Liquidating Trustee has separately objected to the classification of each of these claims as priority claims in **Exhibit A** to this omnibus objection because they do not satisfy the requirements for classification of the claims as priority claims pursuant to 11 U.S.C § 507(b)(4).

number, and the title of this Objection to which the Response is directed;

- b. the Claimant's name, the claim number, and a description of the basis for the amount claim;
- c. the specific factual basis and supporting legal argument upon which the party will rely in opposing this objection;
- d. any supporting documentation to the extent it was not included with the Proof of Claim previously filed with the clerk or Claims Agent, upon which the party will rely to support the basis for and amounts asserted in the Proofs of Claim; and
- e. the name, address, telephone number, and email address of the person(s) (which may be the Claimant or the Claimant's legal representative) with whom counsel for the Liquidating Trustee should communicate with respect to the Objection and Response and who possesses authority to reconcile, settle, or otherwise resolve the Objection and Response on behalf of the Claimant.

19. If a Claimant fails to file and serve a timely Response by the Response Deadline, the Liquidating Trustee may present to the Court an appropriate order modifying and/or disallowing and expunging the claim, as set forth in **Exhibit A** and **Exhibit B** to the Proposed Order without further notice to the Claimant or a hearing.

REPLIES TO RESPONSES

20. Consistent with Local Rule 9006-1(d), the Liquidating Trustee may, at his option, file and serve a reply to any Response no later than 4:00 p.m. (prevailing Eastern Time) one day prior to the deadline for filing the agenda on any hearing to consider the Objection.

SEPARATE CONTESTED MATTERS

21. To the extent that a Response is filed regarding any Claim listed in the Objection and the Liquidating Trustee is unable to resolve the response, each such Claim, and the objection by the Liquidating Trustee to each such Claim asserted herein, shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Any order entered by the Court regarding any

individual objection asserted in the Objection shall be deemed a separate order with respect to each affected Claim.

RESERVATION OF RIGHTS

22. The Liquidating Trustee hereby reserves the right to object in the future to any of the Proofs of Claim listed in this Objection or on the exhibits attached hereto on any ground to the extent permitted by Del. Bankr. L.R, 3007-1, and amend, modify, and/or supplement this Objection.

23. Notwithstanding anything contained in this Objection or the exhibit attached to the Proposed Order, nothing herein shall be construed as a waiver of any rights that the Liquidating Trustee may have to: (a) bring avoidance actions under the applicable section of the Bankruptcy Code against the holders of claims subject to the Objection; (b) exercise his rights of setoff against the holders of such claims relating to such avoidance actions; or (c) otherwise contest such claims.

NOTICE

24. Notice of this Objection will be given to: (a) the United States Trustee, (b) all parties requesting notice pursuant to Bankruptcy Rule 2002, and (c) all holders of Claims affected by this Objection. A copy of this Objection is also available on the Claims Agent's case website for the Debtor at <https://www.kccllc.net/tricida>. Due to the nature of the relief requested herein, the Liquidating Trustee respectfully submits that no other or further notice of this Objection is required.

COMPLIANCE WITH LOCAL RULE 3007-1

25. To the best of the Liquidating Trustee's knowledge and belief, this Objection and related **Exhibit A** and **Exhibit B** to the Proposed Order comply with Local Rule 3007-1. To the extent this Objection does not comply in all respects with the requirements of Local Rule 3007-1, the undersigned believes such deviations are not material and respectfully requests that any such requirement be waived.

WHEREFORE, the Liquidating Trustee respectfully requests that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit 1**, granting the relief requested herein and grant such other relief as the Court deems just and proper.

Date: August 25, 2023
Wilmington, DE

SULLIVAN · HAZELTINE · ALLINSON LLC

/s/ William A. Hazeltine

William D. Sullivan (No. 2820)

William A. Hazeltine (No. 3294)

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Attorneys for Jackson Square Advisors

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
Tricida, Inc.,¹) Case No. 23-10024 (JTD)
Debtor.)
) **Objection Deadline: September 13, 2023 at 4:00 p.m.**
) **Hearing Date: September 27, 2023 at 11:00 a.m.**

**NOTICE OF LIQUIDATING TRUSTEE'S SECOND OMNIBUS OBJECTION TO
CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)**

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO RECLASSIFY OR MODIFY THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE BY SEPTEMBER 13, 2023, YOUR CLAIM MAY BE DISALLOWED OR MODIFIED WITHOUT A HEARING.

CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ATTACHED TO THIS OBJECTION.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

PLEASE TAKE NOTICE, Jackson Square Advisors, solely in its capacity as liquidating trustee of the Tricida Liquidating Trust (the "Liquidating Trust"), hereby files its *Second Omnibus Objection to Certain Reclassified Claims (Substantive)* ("Objection") with the United States Bankruptcy Court for the District of Delaware ("Court").

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor's federal tax identification number, is Tricida, Inc. (2526). The Debtor's service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

PLEASE TAKE FURTHER NOTICE, that by the Objection, the Liquidating Trustee seeks to reclassify your claim as set forth more fully in the exhibitS to the Objection. **YOUR RIGHTS MAY BE AFFECTED BY THIS OBJECTION.**

PLEASE TAKE FURTHER NOTICE that responses to the Objection, if any, must be filed on or before **September 13, 2023 at 4:00 p.m. (Prevailing Eastern Time)** (“Response Deadline”) with the United States Bankruptcy Court for the District of Delaware, Clerk’s Office, 824 North Market Street, Third Floor, Wilmington, Delaware 19081 and served on the undersigned counsel to the Liquidating Trustee so as to be received on or before the Response Deadline.

PLEASE TAKE FURTHER NOTICE that every response to the Objection should contain, at a minimum, the following:

- a. a caption setting forth the name of the Court, the name of the Debtors, the case number, and the title of this Objection to which the Response is directed;
- b. the Claimant’s name, the claim number, and a description of the basis for the amount claim;
- c. the specific factual basis and supporting legal argument upon which the party will rely in opposing this objection;
- d. any supporting documentation to the extent it was not included with the Proof of Claim previously filed with the clerk or Claims Agent, upon which the party will rely to support the basis for and amounts asserted in the Proofs of Claim; and
- e. the name, address, telephone number, and email address of the person(s) (which may be the Claimant or the Claimant’s legal representative) with whom counsel for the Liquidating Trustee should communicate with respect to the Objection and Response and who possesses authority to reconcile, settle, or otherwise resolve the Objection and Response on behalf of the Claimant.

PLEASE TAKE FURTHER NOTICE that questions about the Objection should be directed to the undersigned counsel for the Trustee. **CLAIMANTS SHOULD NOT CONTACT**

THE CLERK OF THE COURT TO DISCUSS THE MERITS OF THEIR DISPUTED CLAIMS OR THE OBJECTION.

PLEASE TAKE FURTHER NOTICE, that a hearing with respect to the Objection, if required, is scheduled before the Honorable John T. Dorsey at the Bankruptcy Court, 5th Floor, Courtroom 5, on **September 27, 2023 at 11:00 a.m.**

PLEASE TAKE FURTHER NOTICE THAT IF NO RESPONSE TO AN INDIVIDUAL CLAIM LISTED IN THE OBJECTION IS TIMELY FILED, SERVED, AND RECEIVED BY THE RESPONSE DEADLINE IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION WITH RESPECT TO ANY SUCH CLAIM WITHOUT FURTHER NOTICE OR HEARING.

Date: August 25, 2023
Wilmington, DE

SULLIVAN • HAZELTINE • ALLINSON LLC

/s/ William A. Hazeltine

William D. Sullivan (No. 2820)
William A. Hazeltine (No. 3294)
919 North Market Street, Suite 420
Wilmington, DE 19801
Tel: (302) 428-8191
Fax: (302) 428-8195
Email: bsullivan@sha-llc.com
whazeltine@sha-llc.com

Attorneys for Jackson Square Advisors

EXHIBIT 1

Proposed Order

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

In re:) Chapter 11
)
Tricida, Inc.,¹) Case No. 23-10024 (JTD)
Debtor.)
)
) **Related Docket No. ____**

**ORDER SUSTAINING THE LIQUIDATING TRUSTEE’S SECOND OMNIBUS
OBJECTION TO CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)**

Upon the *Liquidating Trustee’s Second Omnibus Objection to Certain Reclassified Claims (Substantive)* (the “Objection”)²; and it appearing that notice of the Objection was good and sufficient upon the particular circumstances and that no other or further notice need be given; and the Court having considered the Objection, the claims listed on **Exhibit A** and **Exhibit B** annexed hereto, and any responses thereto; and the Court having reviewed and considered the Hurwitz Declaration; and after due deliberation thereon and good and sufficient cause appearing therefore; it is hereby

FOUND AND DETERMINED THAT:

- A. The Objection is a core proceeding under 28 U.S.C. § 157(b)(2).
- B. This Court has authority to enter a final order in this matter consistent with Article III of the United States Constitution.
- C. Each holder of a Claim listed on **Exhibit A** and **Exhibit B** attached hereto was properly and timely served with a copy of the Objection, this Order, the accompanying exhibits and the notice of hearing and response deadline.

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Objection.

D. Any entity known to have an interest in the Claim subject to the Objection has been afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection.

E. The relief requested in the Objection is in the best interests of the Debtors, their estates, their creditors, and other parties in interest.

IT IS THEREFORE ORDERED THAT:

1. The Objection is SUSTAINED, as set forth herein.
2. Each of the Reclassified Claims listed on Exhibit A is hereby reclassified to reflect the priority listed in the “Modified Classification Status” column on Exhibit A.
3. Each of the Modified Claims listed on Exhibit B is hereby reclassified to reflect the modified priority and amount listed in the “Modified Classification Status” column on Exhibit A.
4. Nothing in the Objection or this Order shall be construed as an allowance of any Claim.
5. The Liquidating Trustee’s right to amend, modify, or supplement this Objection, to file additional objections to the Claims or any other claims (filed or not) which may be asserted against the Debtors, and to seek further reduction of any Claim to the extent such Claim has been paid, are preserved to the extent permitted by Del. Bankr. L.R. 3007-1. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Liquidating Trustee’s right to object on other stated grounds or any other grounds that the Liquidating Trustee discovers during the pendency of these chapter 11 cases are further preserved to the extent permitted by Del. Bankr. L.R. 3007-1.

6. This Court shall retain jurisdiction over the Liquidating Trustee, the Debtors and the Claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection or the implementation of this Order.

7. Each Claim and the objections by the Liquidating Trustee to such Claim, as addressed in the Objection and set forth on **Exhibit A** and **Exhibit B** hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each Claim. Any stay of this Order pending appeal by any Claimant whose Claims are subject to this Order shall apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

Dated: _____, 2023
Wilmington, Delaware

The Honorable John T. Dorsey
United States Bankruptcy Judge

EXHIBIT A

Tricida, Inc.
Case No. 23-10024 (JTD)
Exhibit A
Reclassify Claims

Date Filed	Claim No.	Creditor Name	Claim Amount	Claim Classification Status	Modified Classification Status	Reason for Reclassification
02/24/2023	88	Emily Chao 677 Riverband Pl Henderson, NV 89052	\$20,000.00	Priority	General Unsecured Claim	Claim no. 88 asserts a claim for administrative priority pursuant to 11 U.S.C § 507(b)(4) pursuant to the Retention Agreement attached to the claim. The Retention Agreement provides that Claimant was entitled to receive a Cash Retention Award in four installments. The last installment became effective December 31, 2021 and the payment was due thirty days thereafter. Accordingly, Claimant is not entitled to a priority claim because the claim was not earned within 180 before the filing of the petition.
02/27/2023	94	Falk GmbH & Co KG WPG StBg Im Breitspiel 21 Heidelberg, BW 69126 Germany	\$919.13	Administrative Priority	General Unsecured Claim	Claim no. 94 asserts a claim for priority pursuant to 11 U.S.C § 503(b)(9). Claimant did not sell goods to Debtor. Invoices attached to the proof of claim show that Claimant provided services to Debtor.
02/10/2023	60	FDAID LLC 5514 Garden Arbor Dr Lutz, FL 33558	\$3,000.00	Priority	General Unsecured Claim	Claimant, a corporate entity, asserts a priority claim pursuant to 11 U.S.C § 507(b)(4). Claimant had three employees at the time the service was provided. As a result, Claimant is not entitled to a priority claim pursuant to 11 U.S.C § 507(b)(4).
03/24/2023	166	Intrado Digital Media LLC 11808 Miracle Hills Drive Omaha, NE 68154	\$816.67	Administrative Priority	General Unsecured Claim	Claim no. 166 asserts a claim for priority pursuant to 11 U.S.C § 503(b)(9). Claimant did not sell goods to Debtor. Box 8 of the claim form and invoices attached

Tricida, Inc.
Case No. 23-10024 (JTD)
Exhibit A - Reclassify Claims

Date Filed	Claim No.	Creditor Name	Claim Amount	Claim Classification Status	Modified Classification Status	Reason for Reclassification
						to the claim provide that the basis of the claim is subscription charges.
02/16/2023	61	Stacy A Meluskey 3027 Risdon Drive Union City, CA 94587	\$21,825.00	Priority	General Unsecured Claim	Claimant, a corporate entity, asserts a claim for priority pursuant to 11 U.S.C § 507(b)(4) but Claimant has provided no documentation showing that it has only one employee.

EXHIBIT B

Tricida, Inc.
Case No. 23-10024 (JTD)
Exhibit B
Modified Claims¹

Date Filed	Claim No.	Creditor Name	Claim Amount	Claim Classification Status	Modified Classification Status and Amount	Reason for Modification
02/16/2023	61	Stacy A Meluskey 3027 Risdon Drive Union City, CA 94587	\$21,825.00	Priority	Priority Claim Amount \$15,150.00 General Unsecured Claim Amount \$6,675.00	Claim no. 61 asserts a claim for priority pursuant to 11 U.S.C § 507(b)(4) in excess of the \$15,150.00 cap imposed by 11 U.S.C § 507(b)(4).
02/24/2023	88	Emily Chao 677 Riverband Pl Henderson, NV 89052	\$20,000.00	Priority	Priority Claim Amount \$15,150.00 General Unsecured Claim Amount \$4,850.00	Claim no. 88 asserts a claim for priority pursuant to 11 U.S.C § 507(b)(4) in excess of the \$15,150.00 cap imposed by 11 U.S.C § 507(b)(4).

¹ The Liquidating Trustee has separately objected to the classification of each of these claims as priority claims in **Exhibit A** to this omnibus objection because they do not satisfy the requirements for classification of the claims as priority claims pursuant to 11 U.S.C § 507(b)(4).

EXHIBIT 2

(Nathan Declaration)

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

In re:) Chapter 11
)
Tricida, Inc.,¹) Case No. 23-10024 (JTD)
Debtor.)

**DECLARATION OF GILBERT NATHAN IN SUPPORT OF THE
LIQUIDATING TRUSTEE'S SECOND OMNIBUS OBJECTION TO CERTAIN
RECLASSIFIED CLAIMS (SUBSTANTIVE)**

I, Gilbert Nathan, hereby declare that the following is true to the best of my knowledge, information and belief:

1. I am the principal of Jackson Square Advisors, LLC (the "Liquidating Trustee"), in this case (the "Case"). I am familiar with the Debtor's day-to-day operations, the books and records that have been transferred to me, and the Debtor's business and financial affairs.

2. This declaration (the "Nathan Declaration") is submitted in support of the *Liquidating Trustee's Second Omnibus Objection to Certain Reclassified Claims (Substantive)* (the "Objection"),² pursuant to which the Liquidating Trustee is requesting that this Court enter an order substantially in the form of the Proposed Order, reclassifying certain claims.

3. All statements in the Nathan Declaration are based on my personal knowledge, my review (or the review of the advisors and/or consultants under my supervision) of certain business records kept by the Debtor in the ordinary course of business (the "Books and Records"), my review (or the review by my advisors and/or consultants under my supervisors) of the relevant

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor's federal tax identification number, is Tricida, Inc. (2526). The Debtor's service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

proofs of claim, and/or my review (or the review of the advisors and/or consultants under my supervision) of the Claims Register.

4. Either I or the advisors and/or consultants under my supervision have reviewed the Reclassified Claims and the Reclassify and Reduce claims, copies of which were provided by KCC, the Debtor's claims and noticing agent. In addition, KCC prepared and transmitted the Claims Register to me.

5. I, and my advisors and/or consultants, then reviewed the claims listed on **Exhibit A** and **Exhibit B** to the Proposed Order and the Debtor's current Books and Records. The objections set forth in the Objection are based on the review conducted by myself, my advisors, and/or consultants and the knowledge of myself and my advisors and/or consultants. I have personally reviewed the Objection and to the best of my knowledge and belief, the information contained on **Exhibit A** to the Proposed Order attached as **Exhibit 1** to the Objection is true and correct.

Claim Objection

A. Reclassified Claims

6. To the best of my knowledge and belief, and based on the information and records available to me, the claims set forth on **Exhibit A** to the Proposed Order (the "**Reclassified Claims**") were filed incorrectly asserting administrative or priority unsecured status where no basis for such respective treatment exists under the applicable sections of the Bankruptcy Code. Based on my review of the relevant Books and Records and the supporting documentation provided by the Claimant, the Reclassified Claims are improperly and incorrectly classified for the reasons set forth in detail on **Exhibit A** to the Proposed Order.

7. If the relief sought is granted, the Reclassified Claims listed under the column titled "Claim Number" on **Exhibit A** to the Proposed Order will be reclassified as listed in the "Modified

Classification Status” column on **Exhibit A** to the Proposed Order.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed this 25th day of August 2023.

Jackson Square Advisors, LLC

/s/ Gilbert Nathan
Gilbert Nathan, solely on behalf of Jackson
Square Advisors as Liquidating Trustee