

Case 23-10024-JTD Doc 594

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U.S. BANKRUPTCY COURT

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

**In re: Tricida, Inc., Case No. 23-10024 (JTD) Title of the Objection: LIQUIDATING TRUSTEE'S  
SECOND OMNIBUS OBJECTION TO CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)  
FDAID LLC'S RESPONSE TO LIQUIDATING TRUSTEE'S OBJECTION TO PRIORITY CLAIM**

Office of the Clerk of the United States Bankruptcy Court for the District of Delaware,  
824 N. Market Street, Wilmington, Delaware 19801

In the Court filing Titled "LIQUIDATING TRUSTEE'S SECOND OMNIBUS OBJECTION TO  
CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)" dated August 25, 2023  
Subject: FDAID LLC'S RESPONSE TO LIQUIDATING TRUSTEE'S OBJECTION TO  
PRIORITY CLAIM

This response is an **addendum** to the objections raised in the letter objecting to William  
Hazeltine, Esq. dated August 28, 2023, in relation to the LIQUIDATING TRUSTEE'S  
SECOND OMNIBUS OBJECTION TO CERTAIN RECLASSIFIED CLAIMS  
(SUBSTANTIVE) dated August 25, 2023.

Mr. Hazeltine, in an email communication forwarded on August 28, 2023, contacted me citing  
Section 507(b)(4) of the Bankruptcy Code and stated:  
"Section 507(b)(4)(a) applies to employees as it applies to the types of compensation employees  
receive. Moreover, your claim is not based on any of the categories of claims in Section  
507(b)(4). Section 507(b)(4)(b) is applicable to independent contractors such as yourself and it  
only applies to sales commission. It is clear from your consulting agreement and the invoices you  
attached that your pay was not based on sales commissions."

To clarify:

**1. Nature of Compensation:** While the statute under Section 507(b)(4)(A) refers to "wages,  
salaries, or commissions, including vacation, severance, and sick leave pay earned by an  
individual," it is imperative to recognize that the compensation structure for independent  
contractors can possess characteristics akin to both wages and commissions. The consultancy  
agreement I am under may not label my compensation explicitly as "sales commissions", but the  
essence of the arrangement is consistent with commission-based remuneration.

**2. Relevance of Section 507(b)(4)(B):** The basis of my consultancy agreement involves payment  
for specific outcomes and services. This structure aligns closely with the fundamental idea of  
commissions - a compensation model based on the achievement of specified tasks or results.

Given the aforementioned points, it is concerning that Mr. Hazeltine appears to have a  
predetermined stance, aiming to dismiss the priority of my claim without thorough consideration.



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I kindly request the court's scrutiny in this matter to ensure a just and methodical evaluation of the validity and precedence of my claim.


I am grateful for the court's attention and intervention in this matter and anticipate a judicious assessment and resolution.

**Contact Information:**

- Name: DeVaughn Edwards
- Address: FDAID LLC, 5514 Garden Arbor Dr, Lutz, FL 33558
- Telephone Number: 732-895-7831
- Email Address: devaughn@gmail.com

I, DeVaughn Edwards, possess full authority to reconcile, settle, or otherwise resolve the Objection and Response on behalf of FDAID LLC.

Signed,



DeVaughn Edwards  
August 30, 2023

**Service Information:** This Response has been filed with the Office of the Clerk of the United States Bankruptcy Court for the District of Delaware and served upon the undersigned counsel for the Liquidating Trustee, Sullivan Hazeltine Allinson LLC, 919 North Market Street, Suite 420, Wilmington, Delaware 19801, Attn: William A. Hazeltine, Esq.