

Case 23-10024-JTD Doc 594

**FILED**

**2023 SEP -6 AM 10:45**

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

CLERK  
U.S. BANKRUPTCY COURT  
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 and in section labeled "A. Reclassified Claims" on page 5 of 9, and specifically referencing "Exhibit A," it is stated, in reference to FDAID, LLC that "Claimant, as a corporate entity, asserts a priority claim under 11 U.S.C § 507(b)(4) and had three employees when the service was provided." Consequently, it concludes that the "Claimant is not eligible for a priority claim under 11 U.S.C § 507(b)(4)." I, DeVaughn Edwards, as the sole proprietor of FDAID LLC, contest and challenge this assertion, as it is factually incorrect.

I respectfully contest the objection raised against my claim on the grounds mentioned below.

I acknowledge that on August 22, 2023, in my communication with Bill Hazeltine/Sullivan Hazeltine Allinson LLC, I mistakenly informed that FDAID had three employees at the time of the filing. To clarify, the information provided was in error, referring to a previous year (2020) when there were individuals engaged as subcontractors on a single project not connected with this case, not as employees.

I would like to emphasize that FDAID is a sole proprietorship, and I, DeVaughn Edwards, am the only individual composing it. To this end, I have attached the EIN documentation for FDAID, which clearly states "DEVAUGHN EDWARDS SOLE MBR" as proof of my sole proprietorship. This documentation serves to correct the previous miscommunication and confirm the status of FDAID.

**1. Claimant's Information:**

- Name: FDAID LLC (DeVaughn Edwards, Sole Proprietor)
- Claim Number: 60
- Basis for Amount Claimed: As a sole proprietorship, FDAID LLC is entitled to a priority claim pursuant to 11 U.S.C § 507(a)(4)(B) based on sales commissions earned by a corporation with only one employee.



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**2. Factual Basis and Legal Argument:** FDAID LLC wishes to correct an error made in our prior communication. As of the filing date and currently, FDAID is a sole proprietorship and, as such, has only one individual associated – not three employees as previously, and mistakenly, communicated to Mr. Bill Hazeltine on August 22, 2023. The reference to three persons was from the year 2020, and even in that context, those individuals were subcontractors, not employees. I apologize for any confusion this may have caused and clarify here that, as a sole proprietorship, FDAID LLC aligns with the criteria set out in 11 U.S.C § 507(a)(4)(B) and is rightfully entitled to the priority claim.

**3. Supporting Documentation:** Please refer to the original Proof of Claim filed, which correctly identified FDAID LLC as a sole proprietorship. Additionally, relevant contracts or agreements can be provided upon request to further substantiate the subcontractor status of the mentioned three individuals from 2020.

**4. 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

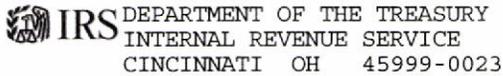
I, DeVaughn Edwards, possess full authority to reconcile, settle, or otherwise resolve the Objection and Response on behalf of FDAID LLC.

Signed,



DeVaughn Edwards  
August 28, 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.



Date of this notice: 12-13-2019

Employer Identification Number:  
84-3969202

Form: SS-4

Number of this notice: CP 575 G

FDAID LLC  
DEVAUGHN EDWARDS SOLE MBR  
5514 GARDEN ARBOR DR  
LUTZ, FL 33558

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 84-3969202. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is FDAI. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.