

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

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|----------------------|---|-------------------------|
| |) | |
| In re: |) | Chapter 11 |
| |) | |
| AKORN, INC., |) | Case No. 20-11177 (KBO) |
| |) | |
| Debtor. ¹ |) | |
| |) | |
| |) | Re: Docket No. 1195 |
| |) | |

**ORDER SUSTAINING DEBTOR’S SEVENTH OMNIBUS (NON-SUBSTANTIVE)
OBJECTION TO CERTAIN INSUFFICIENT DOCUMENTATION CLAIMS**

Upon the Objection (the “Objection”)² of the above-captioned debtor (the “Debtor”) for entry of an order (this “Order”) disallowing and expunging the proofs of claim identified on **Schedule 1** hereto (the “Insufficient Documentation Claims”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Objection is in the best interests of the Debtor’s estate, its creditors, and other parties in interest; and this Court having found that the Debtor’s notice of the Objection and opportunity for a hearing

¹ 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.

² Capitalized terms used but not defined herein have the meanings given to such terms in the Objection.



on the Objection were appropriate and no other notice need be provided; and this Court having reviewed the Objection and the FitzGerald Declaration and having heard the statements in support of the relief requested therein at a hearing (if any) before this Court (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Objection and at the Hearing (if any) establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. The Objection is sustained as set forth herein.
2. Any Response to the Objection not otherwise withdrawn, resolved, or adjourned is overruled on the merits.
3. Each Insufficient Documentation Claim identified on **Schedule 1** hereto is disallowed and expunged in its entirety and each such Insufficient Documentation Claim shall be removed from the claims register.
4. Should one or more of the grounds of objection stated in the Objection be dismissed, the Debtor’s right to object on any other grounds that the Debtor and Plan Administrator discover are preserved.
5. The objection by the Debtor to the Insufficient Documentation Claims, as addressed in the Objection and the schedule hereto, constitutes a separate contested matter with respect to each such claim, as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each Insufficient Documentation Claim.
6. Any stay of this Order pending appeal by any holder of an Insufficient Documentation Claim or any other party with an interest in such claims that are subject to this Order shall only apply to the contested matter which involves such party and shall not act to stay

the applicability and/or finality of this Order with respect to the other contested matters arising from the Objection or this Order.

7. The Debtor, the Plan Administrator, KCC, and the Clerk of this Court are authorized to modify the official claims register for these Chapter 11 Cases in compliance with the terms of this Order and to take all steps necessary or appropriate to carry out the relief granted in this Order.

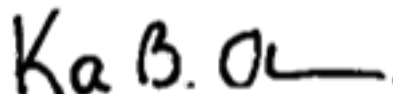
8. Nothing in this Order or the Objection is intended or shall be construed as a waiver of any of the rights the Debtor may have to enforce rights of setoff against the claimants.

9. Nothing in the Objection or this Order, nor any actions or payments made by the Debtor pursuant to this Order, shall be construed as: (a) an admission as to the amount of, basis for, or validity of any claim against the Debtors under the Bankruptcy Code or other applicable nonbankruptcy law; (b) a waiver of the Debtor's or any other party in interest's right to dispute any claim; (c) a promise or requirement to pay any particular claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Order; (e) an admission as to the validity, priority, enforceability, or perfection of any lien on, security interest in, or other encumbrance on property of the Debtor's estate; or (f) a waiver of any claims or causes of action which may exist against any entity under the Bankruptcy Code or any other applicable law.

10. This Order is immediately effective and enforceable.

11. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: February 27th, 2024
Wilmington, Delaware


KAREN B. OWENS
UNITED STATES BANKRUPTCY JUDGE

Schedule 1

Insufficient Documentation Claim

Insufficient Documents Claims Exhibit
Akorn, Inc., et al.,
Case No.: 20-11177

| | Creditor Name and Address | Claim No. to Disallow | Debtor | Claim Date | Type | Claim Amount | Basis for Claim Objection |
|--------------|---|------------------------------|-------------------------|-------------------|----------------------|---------------------|---|
| ¹ | James Roberts 19 Western Hills Drive Arkadelphia, AR 71923 | 131 | Akorn, Inc. | 7/20/2020 | General Unsecured | \$100,000.00 | Claimant failed to provide any documentation or other information to support a claim. |
| ² | Linda Dolderer 110 Delair Road Cape May, NJ 08204 | 103 | Akorn Ophthalmics, Inc. | 7/17/2020 | General Unsecured | Blank | Claimant failed to provide an amount, any other documentation or information to support a claim. |
| ³ | Riparian LLC 790 E. Colorado Blvd., Ste. 400 Pasadena, CA 91101 | 438 | Akorn, Inc. | 8/3/2020 | General Unsecured | Unliquidated | Claimant filed an unliquidated claim and failed to provide any other documentation or information to support a claim. |
| ⁴ | Thermo Fisher Scientific c/o Tucker Arensberg, P.C. Attn: Jordan S. Blask 1500 One PPG Place Pittsburgh, PA 15222 | 516 | Akorn, Inc. | 8/3/2020 | General Unsecured | \$813.97 | Claimant failed to provide any documentation or other information to support a claim. |