

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

GRITSTONE BIO, INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 24-12305 (KBO)

**DEBTOR'S MOTION FOR ENTRY OF AN ORDER (I) EXTENDING TIME TO  
FILE SCHEDULES OF ASSETS AND LIABILITIES AND STATEMENTS  
OF FINANCIAL AFFAIRS, AND (II) GRANTING RELATED RELIEF**

The above-captioned debtor and debtor in possession (the “Debtor”) files this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A**: (i) extending the deadline by which the Debtor must file its schedules of assets and liabilities and statements of financial affairs (collectively, the “Schedules and Statements”) and (ii) granting related relief. In support of this Motion, the Debtor respectfully represents as follows:

**Jurisdiction and Venue**

1. The United States Bankruptcy Court for the District of Delaware (the “Court”) has 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. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and the Debtor confirms its consent pursuant to Rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”) to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot

<sup>1</sup> The Debtor’s mailing address is 4698 Willow Road, Pleasanton, CA 94588, and the last four digits of the Debtor’s federal tax identification number is 9534.



enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory bases for the relief requested herein are sections 105(a) and 521 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), and Rules 1007(c) and 9006(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

### **Background**

4. On October 10, 2024 (the “Petition Date”), the Debtor commenced a voluntary case for relief under chapter 11 of the Bankruptcy Code. The Debtor is authorized to continue operating its businesses and managing its properties as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory committee has been appointed in the chapter 11 case.

### **Relief Requested**

5. The Debtor seeks entry of an order substantially in the form attached hereto as **Exhibit A**: (a) extending the deadline by which the Debtor must file its Schedules and Statements by fourteen (14) days in addition to the extension provided by Rule 1007-1(b) of the Local Rules of Bankruptcy Procedures for the Bankruptcy Court for the District of Delaware (the “Local Rules”), for a total of 42 days from the Petition Date, through and including November 21, 2024, without prejudice to the Debtor’s ability to request additional extensions for cause shown and (b) granting related relief.<sup>2</sup>

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<sup>2</sup> The Debtor filed this Motion before the expiration of the current November 7, 2024 deadline. Pursuant to Local Rule 9006-2, “if a motion to extend the time to take any action is filed before the expiration of the period prescribed by the [Bankruptcy] Code, the [Bankruptcy Rules], these Local Rules or Court order, the time shall automatically be

**Basis for Relief**

**A. Extension of Time for Filing of the Schedules and Statements**

6. Local Rule 1007-1(b) extends the filing deadline for the Schedules and Statements to twenty-eight (28) days after the petition date if the bankruptcy petition is accompanied by a list of all of the debtor's creditors and their addresses and if the total number of creditors in a debtor's case or, in the case of jointly administered cases, the debtors' cases, exceeds 200. *See* 11 U.S.C. § 521 (requiring debtor to file Schedules and Statements). The Debtor in the instant case has filed a list of creditors in accordance with Local Rule 1007-2 which list reflects that the total number of its creditors exceeds 200.

7. Pursuant to Local Rule 1007-1(b), the Debtor's current deadline to file the Schedules and Statements is November 7, 2024. This Court has the authority to grant the requested extension to file the Schedules and Statements under Bankruptcy Rules 1007(c) and 9006(b). Bankruptcy Rule 1007(c) together with Bankruptcy Rule 9006(b) allows the Court to extend the filing deadline for the Schedules and Statements "for cause shown." Fed. R. Bankr. P. 9006(b).

8. Here, sufficient cause for granting an extension of time to file the Schedules and Statements exists. To prepare the Schedules and Statements, the Debtor must compile information from books, records, and documents relating to creditor claims. Thus far, the Debtor's efforts have been dedicated to preparing to file the case and the Debtor will now pivot to transitioning into the chapter 11 case as smoothly as possible.

9. Although the Debtor has commenced the process that will enable them to prepare and finalize the Schedules and Statements, the Debtor anticipates that they may require at least fourteen (14) additional days to complete the Schedules and Statements. The Debtor

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extended until the Court acts on the motion, without the necessity for the entry of a bridge order." Accordingly, Local Rule 9006-2 automatically extends the deadline pending the Court acts on this Motion.

therefore request that the Court extend the Schedules and Statements filing deadline to November 21, 2024, without prejudice to the Debtor's right to request further extensions, for cause shown.

10. Courts in this district have granted similar relief to that requested herein in a number of cases. *See, e.g., First Guaranty Mortgage Corporation*, Case No. 22-10584 (CTG) (extending time to file schedules and statements to 58 days from the petition date); *In re Sequential Brands Group, Inc.*, Case No. 21-11194 (JTD) (extending time to file schedules and statements to 48 days from the petition date); *In re Global Eagle Entertainment, Inc.*, Case No. 20-11835 (JTD) (extending time to file schedules and statements to 53 days from the petition date); *In re Sportco Holdings, Inc.*, Case No. 19-11299 (LSS) (Bankr. D. Del. June 11, 2019) (extending time to file schedules and statements to 60 days from the petition date); *In re General Wireless Operations Inc.*, Case No. 17-10506 (BLS) (Bankr. D. Del. Mar. 8, 2017) (extending time to file schedules and statements to 45 days from the petition date).

#### **Notice**

11. The Debtor will provide notice of this Motion to: (a) the Office of the U.S. Trustee for the District of Delaware, 844 King Street, Suite 2207, Lock Box 35, Wilmington, Delaware, 19801; (b) the holders of the 20 largest unsecured claims against the Debtor; (c) counsel to the Prepetition Secured Lenders; (d) the United States Attorney's Office for the District of Delaware; (e) and (f) any party that requests service pursuant to Bankruptcy Rule 2002. The Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

#### **No Prior Request**

12. No prior motion for the relief requested herein has been made to this or any other court.

WHEREFORE, for the reasons set forth herein, the Debtor respectfully requests entry of an order, substantially in the form attached hereto as **Exhibit A** and for such other and further relief as may be appropriate.

Dated: October 14, 2024

PACHULSKI STANG ZIEHL & JONES LLP

*/s/ James E. O'Neill*

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**EXHIBIT A**

**(Proposed Order)**

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

In re:

GRITSTONE BIO, INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 24-12305 (KBO)

**ORDER (I) EXTENDING TIME TO FILE SCHEDULES OF ASSETS AND  
LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS,  
AND (II) GRANTING RELATED RELIEF**

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Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtor and debtor in possession (the “Debtor”) for entry of an order (this “Order”): (i) extending the time period to file its Schedules and Statements and (ii) granting related relief; all as more fully set forth in the Motion; 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 that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion 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 Motion 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 Motion and opportunity for a hearing on the Motion were appropriate and no other notice need be provided; and this Court having reviewed the Motion and determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon

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<sup>1</sup> The Debtor’s mailing address is 4698 Willow Road, Pleasanton, CA 94588, and the last four digits of the Debtor’s federal tax identification number is 9534.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is GRANTED as forth herein.
2. The Debtor is granted an extension of fourteen (14) days, to and including November 21, 2024, to file the Schedules and Statements.
3. Such extension is without prejudice to the Debtor's right to request further extensions.
4. The Debtor is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
5. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.