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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

INVITAE CORPORATION, *et al.*,

Debtors.¹

Chapter 11
Case No. 24-11362 (MBK)
(Jointly Administered)

**STATEMENT OF DEERFIELD PARTNERS L.P. IN SUPPORT OF THE DEBTORS’
MOTION FOR ENTRY OF AN ORDER EXTENDING THE DEBTORS’ EXCLUSIVITY
PERIODS TO FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF**

Deerfield Partners L.P. (“Deerfield”), by its attorneys, hereby submits this statement in support of the Debtors’ *Motion for Entry of an Order Extending the Debtors’ Exclusivity Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code* [Dkt. No. 523] (the “Exclusivity Extension Motion”).

Deerfield supports the extension of exclusivity requested in the Exclusivity Extension Motion. The Committee’s misguided theories with respect to its challenge of various prepetition transactions and issues with the Plan are a matter for another day. They will be

¹ The last four digits of Debtor Invitae Corporation’s tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ claims and noticing agent at www.kccllc.net/invitae. The Debtors’ service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.



addressed in the upcoming court-ordered mediation and, in the absence of resolution, will be fully briefed and litigated before the Court in connection with the Committee' Standing Motion and the confirmation. These cases are not yet four months old and the Debtors, with the support of Deerfield, have made good faith progress in these cases, including obtaining approval of a value-maximizing sale of substantially all of the Debtors' assets. The Committee's request that the Court prematurely truncate the Debtors' opportunity to propose and solicit a plan of its choosing is unjustified on the record before the Court and is another gamesmanship tactic.

Dated: June 7, 2024

/s/ James N. Lawlor

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