



Caption in Compliance with D.N.J. LBR 9004-1(b)

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
In re: INVITAE CORPORATION, <i>et al.</i> , Debtors. ¹

Order Filed on June 11, 2024
 by Clerk
 Chapter 11 U.S. Bankruptcy Court
 District of New Jersey
 Case No. 24-11362 (MBK)
 (Jointly Administered)

**ORDER EXTENDING
 THE DEBTORS' EXCLUSIVITY PERIODS
 TO FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES
 THEREOF PURSUANT TO SECTION 1121 OF THE BANKRUPTCY CODE**

The relief set forth on the following pages, numbered three (3) through four (4) is
ORDERED.

DATED: June 11, 2024


 Honorable Michael B. Kaplan
 United States Bankruptcy Judge

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.



Caption in Compliance with D.N.J. LBR 9004-1(b)

**KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP**

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)

Nicole L. Greenblatt, P.C. (admitted *pro hac vice*)

Francis Petrie (admitted *pro hac vice*)

Jeffrey Goldfine (admitted *pro hac vice*)

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

joshua.sussberg@kirkland.com

nicole.greenblatt@kirkland.com

francis.petrie@kirkland.com

jeffrey.goldfine@kirkland.com

-and-

**KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP**

Spencer A. Winters, P.C. (admitted *pro hac vice*)

333 West Wolf Point Plaza

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

spencer.winters@kirkland.com

*Co-Counsel to the Debtors and
Debtors in Possession*

COLE SCHOTZ P.C.

Michael D. Sirota, Esq.

Warren A. Usatine, Esq.

Felice R. Yudkin, Esq.

Daniel J. Harris, Esq.

Court Plaza North, 25 Main Street

Hackensack, New Jersey 07601

Telephone: (201) 489-3000

msirota@coleschotz.com

wusatine@coleschotz.com

fyudkin@coleschotz.com

dharris@coleschotz.com

*Co-Counsel to the Debtors and
Debtors in Possession*

(Page | 3)

Debtors: INVITAE CORPORATION, *et al.*

Case No. 24-11362 (MBK)

Caption of Order: ORDER EXTENDING THE DEBTORS' EXCLUSIVITY PERIODS TO FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF PURSUANT TO SECTION 1121 OF THE BANKRUPTCY CODE

Upon 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* (the "Motion"),² of the above-captioned debtors and debtors in possession (collectively, the "Debtors"), for entry of an order (this "Order") extending (a) the Debtors' Filing Exclusivity Period by ~~1260~~ days through and including ~~October~~August 10~~1~~, 2024, and (b) the Debtors' Solicitation Exclusivity Period by ~~1260~~ days through and including ~~December~~October 10~~1~~, 2024, without prejudice to the Debtors' right to seek further extensions to the Exclusivity Periods, all as more fully set forth in the Motion; and upon the First Day Declaration; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); 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 sufficient cause exists for the relief set forth herein; and this Court having found that the Debtors' notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for

² Capitalized terms used but not otherwise defined herein have the meaning ascribed to them in the Motion.

(Page | 4)

Debtors: INVITAE CORPORATION, *et al.*

Case No. 24-11362 (MBK)

Caption of Order: ORDER EXTENDING THE DEBTORS' EXCLUSIVITY PERIODS TO
FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES
THEREOF PURSUANT TO SECTION 1121 OF THE
BANKRUPTCY CODE

the relief granted herein; and upon all of the proceedings had before the Court and after due
deliberation and sufficient cause appearing therefor **IT IS HEREBY ORDERED THAT**

1. The Motion is **GRANTED** as set forth herein.

2. Pursuant to section 1121(d) of the Bankruptcy Code, the Filing Exclusivity Period
pursuant to section 1121(b) of the Bankruptcy Code is hereby extended by ~~12~~60 days through
and including ~~October~~August 101, 2024.

3. Pursuant to section 1121(d) of the Bankruptcy Code, the Solicitation Exclusivity
Period pursuant to section 1121(c) of the Bankruptcy Code is hereby extended by ~~12~~60 days
through and including ~~December~~October 101, 2024.

4. Nothing herein shall prejudice the Debtors' rights to seek further extensions of the
Exclusivity Periods consistent with section 1121(d) of the Bankruptcy Code.

5. The Debtors are authorized to take all actions necessary to effectuate the relief
granted pursuant to this Order in accordance with the Motion.

6. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be
accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion
or otherwise waived.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or
related to the implementation, interpretation, and enforcement of this Order.

Summary report:	
Litera Compare for Word 11.7.0.54 Document comparison done on 6/4/2024 8:33:31 PM	
Style name: Color (Kirkland Default)	
Intelligent Table Comparison: Active	
Original DMS: iw://dms.kirkland.com/LEGAL/109539450/1	
Modified DMS: iw://dms.kirkland.com/LEGAL/109539450/2	
Changes:	
Add	12
Delete	12
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	24

In re:
Invitae Corporation
Debtor

Case No. 24-11362-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jun 11, 2024

User: admin
Form ID: pdf903

Page 1 of 4
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 13, 2024:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
db	^ MEBN	Jun 11 2024 20:56:51	Invitae Corporation, 1400 16th Street, San Francisco, CA 94103-5110

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 13, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 11, 2024 at the address(es) listed below:

Name	Email Address
Aaron Applebaum	on behalf of Interested Party ASB De Haro Place LLC aaron.applebaum@us.dlapiper.com, aaron--applebaum--3547@ecf.pacerpro.com
Aaron Applebaum	on behalf of Interested Party 1600 16th Street LLC aaron.applebaum@us.dlapiper.com aaron--applebaum--3547@ecf.pacerpro.com
Alan F. Kaufman	on behalf of Creditor Snowflake Inc. alan.kaufman@nelsonmullins.com crystal.revelle@nelsonmullins.com
Alison Genova	on behalf of Interested Party Pacific Biosciences of California Inc. algenova@gmail.com
Allison M. Wuertz	on behalf of Interested Party Laboratory Corporation of America Holdings allison.wuertz@hoganlovells.com

District/off: 0312-3

User: admin

Page 2 of 4

Date Rcvd: Jun 11, 2024

Form ID: pdf903

Total Noticed: 1

allison-wuertz-6035@ecf.pacerpro.com

Allison M. Wuertz

on behalf of Interested Party Labcorp Genetics, Inc. allison.wuertz@hoganlovells.com allison-wuertz-6035@ecf.pacerpro.com

Amish R. Doshi

on behalf of Creditor Oracle America Inc. amish@doshilegal.com

Andrew Zatz

on behalf of Creditor Official Committee of Unsecured Creditors azatz@whitecase.com mco@whitecase.com

Andrew R. Turner

on behalf of Creditor Fisher Scientific Company LLC courts@turnerlaw.net

Ashley Chase

on behalf of Creditor Official Committee of Unsecured Creditors ashley.chase@whitecase.com mco@whitecase.com

Brett Bakemeyer

on behalf of Creditor Official Committee of Unsecured Creditors brett.bakemeyer@whitecase.com mco@whitecase.com

Brett D. Goodman

on behalf of Interested Party Wilmington Savings Fund Society FSB brett.goodman@afslaw.com,
jeffrey.gleit@afslaw.com;matthew.bentley@afslaw.com;edocket@afslaw.com

Brett S. Theisen

on behalf of Creditor GBF Inc. btheisen@gibbonslaw.com, nmitchell@gibbonslaw.com

Catherine B. Heitzenrater

on behalf of Creditor Chubb Companies cebeideman@duanemorris.com

Christopher P. Mazza

on behalf of Creditor Official Committee of Unsecured Creditors cpmazza@pbnlaw.com
mpdermatis@pbnlaw.com;pnbalala@pbnlaw.com;jmoconnor@pbnlaw.com

Damien Nicholas Tancredi

on behalf of Creditor Alton Tech ADA LLC damien.tancredi@flastergreenberg.com
damien.tancredi@ecf.infortupty.com;krystall.hasker@flastergreenberg.com

Eamonn O'Hagan

on behalf of Creditor UNITED STATES OF AMERICA eamonn.ohagan@usdoj.gov

Elisha Kobre

on behalf of Interested Party Vaco LLC ekobre@bradley.com

Harrison Denman

on behalf of Creditor Official Committee of Unsecured Creditors harrison.denman@whitecase.com mco@whitecase.com

Holly Smith Miller

on behalf of Creditor MassMutual Asset Finance LLC hsmiller@gsbblaw.com

Jack Shrum

on behalf of Creditor California Physicians Service d/b/a Blue Shield of California jshrum@jshrumlaw.com

James L Bromley

on behalf of Creditor Deerfield Partners L.P. bromleyj@sullcrom.com

James N. Lawlor

on behalf of Creditor Deerfield Partners L.P. jlawlor@wmd-law.com

Jeffrey M. Sponder

on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov jeffrey.m.sponder@usdoj.gov

John S. Mairo

on behalf of Attorney White & Case LLP jsmairo@pbnlaw.com
pnbalala@pbnlaw.com;mpdermatis@pbnlaw.com;jmoconnor@pbnlaw.com

John S. Mairo

on behalf of Creditor Official Committee of Unsecured Creditors jsmairo@pbnlaw.com
pnbalala@pbnlaw.com;mpdermatis@pbnlaw.com;jmoconnor@pbnlaw.com

John S. Mairo

on behalf of Other Prof. Ducera Partners LLC jsmairo@pbnlaw.com,
pnbalala@pbnlaw.com;mpdermatis@pbnlaw.com;jmoconnor@pbnlaw.com

John S. Mairo

on behalf of Attorney Porzio Bromberg & Newman, P.C. jsmairo@pbnlaw.com,
pnbalala@pbnlaw.com;mpdermatis@pbnlaw.com;jmoconnor@pbnlaw.com

Joseph Charles Barsalona, II

on behalf of Creditor UnitedHealthcare Insurance Company jbarsalona@pashmanstein.com

Joseph L. Schwartz

on behalf of Creditor U.S. Bank Trust Company National Association as Trustee and Collateral Agent for the 4.5% Series A and

District/off: 0312-3
Date Rcvd: Jun 11, 2024

User: admin
Form ID: pdf903

Page 3 of 4
Total Noticed: 1

Series B Convertible Senior Secured Notes due 2028 jschwartz@riker.com

Kenneth L. Baum

on behalf of Creditor Amacon Westpark Investment Corporation kbaum@kenbaumdebtssolutions.com
ddipiazza@kenbaumdebtssolutions.com

Kristin Wigness

on behalf of Creditor EPAM Systems Inc. kwigness@mcguirewoods.com

Kyle McEvelly

on behalf of Creditor Natera Inc. kmcevilly@gibbonslaw.com

Lauren Bielskie

on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov

Meredith Mitnick

on behalf of Creditor Tecan Genomics Inc. mmitnick@goodwinlaw.com

Michael A Filoromo, III

on behalf of Creditor Page Sorensen filoromo@katzbanks.com dolphin@katzbanks.com

Michael D. Sirota

on behalf of Debtor ArcherDX LLC msirota@coleschotz.com,
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael D. Sirota

on behalf of Debtor ArcherDX Clinical Services Inc. msirota@coleschotz.com,
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael D. Sirota

on behalf of Debtor Genosity LLC msirota@coleschotz.com,
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael D. Sirota

on behalf of Attorney Cole Schotz P.C. msirota@coleschotz.com
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael D. Sirota

on behalf of Debtor Genetic Solutions LLC msirota@coleschotz.com
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael D. Sirota

on behalf of Debtor Ommdom Inc. msirota@coleschotz.com
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael D. Sirota

on behalf of Debtor Invitae Corporation msirota@coleschotz.com
fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Nicholas Marten

on behalf of Interested Party Wilmington Savings Fund Society FSB nicholas.marten@afslaw.com,
lisa.indelicato@afslaw.com;alyssa.fiorentino@afslaw.com

Patricia B. Fugee

on behalf of Creditor BrainDo LLC Patricia.Fugee@FisherBroyles.com ecf@cftechsolutions.com

Rachel Ehrlich Albanese

on behalf of Creditor Braidwell LP rachel.albanese@us.dlapiper.com DLAPiper@ecfxmail.com

Robert Malone

on behalf of Creditor Natera Inc. rmalone@gibbonslaw.com nmitchell@gibbonslaw.com

Samuel P. Hershey

on behalf of Creditor Official Committee of Unsecured Creditors sam.hershey@whitecase.com mco@whitecase.com

Shawn M. Christianson

on behalf of Creditor Oracle America Inc. schristianson@buchalter.com, cmcintire@buchalter.com

Terri Jane Freedman

on behalf of Creditor CSC Leasing Co. tfreedman@csglaw.com mpdermatis@pbnlaw.com;rasegall@pbnlaw.com

Tina Moss

on behalf of Creditor Workday Inc. tmoss@perkinscoie.com,
tina-moss-8527@ecf.pacerpro.com;Docketnyc@perkinscoie.com;nvargas@perkinscoie.com;MichelleRose@perkinscoie.com

U.S. Trustee

District/off: 0312-3

User: admin

Page 4 of 4

Date Rcvd: Jun 11, 2024

Form ID: pdf903

Total Noticed: 1

USTPRegion03.NE.ECF@usdoj.gov

Warren J. Martin, Jr.

on behalf of Creditor Official Committee of Unsecured Creditors wjmartin@pbnlaw.com
mpdermatis@pbnlaw.com;pnbalala@pbnlaw.com;raparisi@pbnlaw.com;jmoconnor@pbnlaw.com

TOTAL: 53