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June 18, 2024

The Honorable Michael B. Kaplan
United States Bankruptcy Court, District of New Jersey
Clarkson S. Fisher US Courthouse
402 East State Street, Courtroom #8
Trenton, NJ 08608

RE: *In re Invitae Corporation*, Case No. 24-11362 (MBK)

Dear Chief Judge Kaplan:

The Official Committee of Unsecured Creditors (the “**Committee**”) by and through undersigned counsel writes in response to the letter filed by Deerfield Partners, L.P. (“**Deerfield**”) on June 17, 2024 (Docket No. 652) concerning the *Notice of the Official Committee of Unsecured Creditors’ Objection to the 2028 Senior Secured Note Claims* (Docket No. 635) scheduling a hearing on the Committee’s Claims Objection¹ for July 9, 2024.

First, the Committee is happy to proceed on July 9, 2024 with only the makewhole portion of its Claims Objection, to the extent that is the preference of the Court. If the Court intends to limit the scope of the hearing to the legal issues solely concerning the purported makewhole, the Committee respectfully requests that the Court address the remaining issues raised in the Claims Objection at its earliest convenience. The Committee also notes that, should the Court wish to proceed in the manner requested by Deerfield, Deerfield would lack an allowed secured claim at the time of the confirmation hearing.

Second, it is the Committee’s view that bifurcating related issues on the Claims Objection in the manner requested by Deerfield would force the estates to incur unnecessary litigation costs and expenses. The Committee believes that these estate would not benefit from requiring all parties to come back to the Court seriatim to litigate unresolved, interconnected issues.

The Committee therefore respectfully requests that the Court hear the entirety of the Claims Objection on July 9, 2024 to the extent that such objection pertains to legal issues, but will proceed as Your Honor requests.

¹ “**Claims Objection**” means *The Official Committee of Unsecured Creditors’ Objection to the 2028 Senior Secured Note Claims* [Claim Nos. 360, 378, 379, 380, 381, 382] (Docket No. 528).

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Respectfully submitted,



John S. Mairo

cc: All counsel of record (*via ECF*)