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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)

APPLICATION FOR ORDER SHORTENING TIME

TO: THE HONORABLE MICHAEL B. KAPLAN
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

Deerfield Partners, L.P. (together with its applicable affiliated funds and entities, “Deerfield”), by and through their undersigned co-counsel, requests that the time period prescribed under Rule 2002(b) of the Federal Rules of Bankruptcy Procedures (the “Bankruptcy Rules”) to notice a hearing on Deerfield’s *Motion to Submit Under Seal Its (I) Objection to the Committee’s Standing Motion and (II) Response to the Committee’s Objections to the Make Whole Amount* (the

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.kcellc.net/invitae. The Debtors’ service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.



“Motion”) be shortened pursuant Fed. R. Bankr. P. 9006(c)(1).² In support of this application (this “Application”), Deerfield states the following:

1. The Court scheduled a hearing on *The Official Committee of Unsecured Creditors’ Motion For (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors’ Estates and (II) Exclusive Settlement Authority* [Docket No. 536] (the “Standing Motion”) to take place on July 9, 2024 (the “Standing Motion Hearing”). In advance of the Standing Motion Hearing, the parties have agreed to complete depositions, exchange deposition designations and exhibit lists, and file opposition briefs to the Standing Motion by July 2, 2024.

2. The Motion seeks to seal portions of Deerfield’s objection (and exhibits thereto) to the Standing Motion. Considering that Deerfield’s objection will be heard at the Standing Motion Hearing, Deerfield respectfully requests the Court enter an order, substantially in the form of the proposed order submitted herewith, shortening time to consider the Motion.

3. Deerfield respectfully requests that the Court hear the Motion on **July 9, 2024, at 11:00 a.m., prevailing Eastern Time.**

4. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

5. Deerfield will provide notice of this Application and the Motion to the parties in interest on the Master Service List established by the Court’s *Order Establishing Certain Notice, Case Management, and Administrative Procedures* [Dkt. No. 62] via e-mail or first class mail, as applicable. In light of the nature of the relief requested herein, Deerfield submits that no other or further notice is required.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

Deerfield respectfully requests entry of the proposed order shortening time, in substantially the form submitted herewith, granting the relief requested herein and such other relief as is just and proper under the circumstances.

[Remainder of page intentionally left blank.]

Dated: July 2, 2024

/s/ James N. Lawlor

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In re:

INVITAE CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No.: 24-11362 (MBK)

Judge: Hon. Michael B. Kaplan

(Jointly Administered)

**ORDER SHORTENING TIME PERIOD
FOR NOTICE, SETTING HEARING AND LIMITING NOTICE**

The relief set forth on the following pages is hereby **ORDERED**.

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.kcellc.net/invitae. The Debtors' service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.

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Debtors: Invitae Corporation

Case No. 24-11362(MBK)

Caption of Order: Order Shortening Time Period for Notice, Setting Hearing and Limiting
Notice

Upon review of Deerfield Partners, L.P.'s *Application for Order Shortening Time* (the "Application")² for entry of an order (this "Order") requesting that the time period for the *Motion of Deerfield Partners, L.P. to Submit Under Seal Its (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount* (the "Motion") be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1).

IT IS HEREBY ORDERED THAT:

1. A hearing will be conducted on the Motion on _____, 2024, at _____, prevailing Eastern Time, before the Honorable Judge Michael B. Kaplan, United States Bankruptcy Court, Clarkson S. Fisher U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608.

2. The Applicant must serve a copy of this Order, and all related documents, on the following parties:

Parties in interest on the Master Service List established by the Court's *Order Establishing Certain Notice, Case Management, and Administrative Procedures* [Dkt. No. 62]

by each, any of the following methods selected by the Court:

fax, overnight mail, regular mail, email, hand delivery.

3. Service must be made:

on the same day as the date of this order, or

within _____ day(s) of the date of this Order.

4. Notice by telephone:

² Capitalized Terms used but not otherwise defined herein have the meaning ascribed to them in the Application and the Motion to Compel.

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Debtors: Invitae Corporation

Case No. 24-11362(MBK)

Caption of Order: Order Shortening Time Period for Notice, Setting Hearing and Limiting
Notice

is not required

must be provided to

on the same day as the date of this Order, or

within _____ day(s) of the date of this Order.

5. A *Certification of Service* must be filed prior to the hearing date.

6. Any objections to said motion/application identified above:

must be filed with the Court and served on all parties in interest by electronic
or overnight mail _____ day(s) prior to the scheduled hearing; or

may be presented orally at the hearing.

7. Court appearances are required to prosecute said motion/application and any
objections.

Parties may request to appear by phone by contacting Chambers prior to the
return date.