



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> , Wind-Down Debtors. ¹

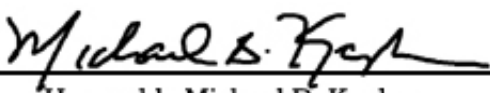
Chapter 11
Case No. 24-11362 (MBK)
(Jointly Administered)

Order Filed on August 26, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**ORDER AUTHORIZING THE DEBTORS TO
FILE UNDER SEAL THE NAMES OF CERTAIN
CONFIDENTIAL TRANSACTION PARTIES IN INTEREST
RELATED TO THE DEBTORS' PROFESSIONAL RETENTION APPLICATIONS**

The relief set forth on the following pages, numbered three (3) through five (5), is
ORDERED.

DATED: August 26, 2024


Honorable Michael B. Kaplan
United States Bankruptcy Judge



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(Page | 3)

Debtors: INVITAE CORPORATION, *et al.*

Case No. 24-11362 (MBK)

Caption of Order: ORDER AUTHORIZING THE DEBTORS TO FILE UNDER SEAL THE NAMES OF CERTAIN CONFIDENTIAL TRANSACTION PARTIES IN INTEREST RELATED TO THE DEBTORS' PROFESSIONAL RETENTION APPLICATIONS

Upon the Debtors' Motion for Entry of an Order Authorizing the Debtors to File Under Seal the Names of Certain Confidential Transaction Parties in Interest Related to the Debtors' Professional Retention Applications (the "Motion"),² of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for entry of an order (this "Order") authorizing the Debtors to redact and file under seal the names of the Confidential Transaction Parties, 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 reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; and the Debtors having resolved the informal objection of the United States Trustee; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for 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:**

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

(Page | 4)

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1. The Motion is **GRANTED** as set forth herein.
2. The Debtors are authorized, pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, to (i) file the Professional Declarations and any documents related thereto in a form redacted as to the names and identifiable information of certain Confidential Transaction Parties, *provided* that the confidentiality agreements between the Debtors and such Confidential Transaction Parties require the consent of the Confidential Transaction Parties to disclose their names and identifiable information, and (ii) file the unredacted versions of the Professional Declarations under seal pursuant to section 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Local Rule 9018-1.
3. Each Professional shall file a supplemental declaration that includes the unredacted names of certain Confidential Transaction Parties whose confidentiality agreements with the Debtors do not require the prior consent of such Confidential Transaction Parties to disclose their names.
4. The unredacted versions of the Professional Declarations shall not be made available to any party (other than those specified in paragraph 5 of this Order) without the Debtors' written consent, may not be filed on the public docket, and shall remain under seal until further order of the Court.
5. The Debtors are authorized to cause the unredacted versions of the Professional Declarations and any documents related thereto to be served on and made available, on a confidential basis, to: (a) the Court; (b) the U.S. Trustee; (c) the Unsecured Creditors' Committee; and (d) any other party as may be ordered by the Court or agreed to in writing by the Debtors and

(Page | 5)

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the Professionals, in each case under appropriate confidentiality agreements reasonably satisfactory to the Debtors and the Professionals, that preserve the confidentiality of the names of the Confidential Transaction Parties (and any information derived therefrom).

6. For the avoidance of doubt, this Order is without prejudice to the rights of the U.S. Trustee or any party in interest to seek to unseal the Professional Declarations, or any part thereof.

7. Any party who receives the names of the Confidential Transaction Parties that were redacted in accordance with this Order shall not disclose or otherwise disseminate this information to any other person or entity, including in response to a request under the Freedom of Information Act.

8. The requirements of Local Rule 9018-1 are satisfied by the contents of the Motion or otherwise deemed waived.

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

10. 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.

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