

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY		REQUEST FOR PAYMENT OF ADMINISTRATIVE EXPENSE
In re: Invitae Corporation, et al.	Chapter 11 Case Number: 24-11362(MBK)	THIS SPACE IS FOR COURT USE ONLY
NOTE: This form should not be used for an unsecured claim arising prior to the commencement of the case. In such instances, a proof of claim should be filed.		
Name of Creditor: Life Technologies Corp (The person or other entity to whom the debtor owed money or property.)  Name and Addresses Where Notices Should Be Sent: c/o Beverly Weiss Manne Tucker Arensberg, P.C. 1 PPG Place Suite 1500 Pittsburgh, PA 15222	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:	Check here if this request: <input type="checkbox"/> replaces a previously filed request, dated: see attached <input checked="" type="checkbox"/> amends a previously filed request, dated:	
1. BASIS FOR CLAIM  <input checked="" type="checkbox"/> Goods Sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other (Describe briefly)	<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. §1114(a) <input type="checkbox"/> Wages, salaries and compensations (Fill out below)  Provide last four digits of your social security number _____	
2. DATE DEBT WAS INCURRED: see attached		
3. TOTAL AMOUNT OF REQUEST AS OF ABOVE DATE: <u>180005.44</u> <input type="checkbox"/> Check this box if the request includes interest or other charges in addition to the principal amount of the request. Attach itemized statement of all interest or additional charges.		
4. Secured Claim <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral:  <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other (Describe briefly) _____  Value of Collateral: \$ _____  <input type="checkbox"/> Check this box if there is no collateral or lien securing your claim.		
5. <b>Credits:</b> The amount of all payments have been credited and deducted for the purposes of making this request for payment of administrative expenses.  6. <b>Supporting Documents:</b> Attach copies of supporting documents, such as purchase orders, invoices, itemized statements of running accounts, contracts as well as any evidence of perfection of a lien.  DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.  7. <b>Date-Stamped Copy:</b> To receive an acknowledgment of the filing of your request, enclose a self-addressed envelope and copy of this request.		THIS SPACE IS FOR COURT USE ONLY
Date:  10/27/2024	Sign and print below the name and title, if any, of the creditor or other person authorized to file this request (attach copy of power of attorney, if any).  _____ /s/ Beverly Weiss Manne	

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

NOTE: The filing of this request will not result in the scheduling of a hearing to consider payment of your administrative claim but will result in the registry of your administrative claim with the Bankruptcy Court. If you wish to have a hearing on your claim, you must file a motion in accordance with D.N.J. LBR 3001-1(b).



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TURNER LAW FIRM, LLC  
Andrew R. Turner, Esq.  
76 South Orange Avenue  
South Orange, New Jersey 07079  
Phone: (973) 763-5000  
Fax: (973) 763-0568  
[aturner@turnerlaw.net](mailto:aturner@turnerlaw.net)

-and-

TUCKER ARENSBERG, P.C.  
Beverly Weiss Manne, Esq.  
Maribeth Thomas, Esq.  
1500 One PPG Place  
Pittsburgh, Pennsylvania 15222  
Telephone: (412) 566-1212  
Fax: (412) 594-5619  
[bmanne@tuckerlaw.com](mailto:bmanne@tuckerlaw.com)  
[mthomas@tuckerlaw.com](mailto:mthomas@tuckerlaw.com)

*Counsel to Life Technologies*

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE:	:	Chapter 11
	:	
INVITAE CORPORATION, <i>et al.</i> , <sup>1</sup>	:	Case No. 24-11362 (MBK)
	:	
Debtors.	:	(Jointly Administered)
	:	

**APPLICATION FOR PAYMENT OF ADMINISTRATIVE CLAIM**

Life Technologies Corporation, a division of Thermo Fisher Scientific, by and through its undersigned counsel, files this Application for Allowance and Payment of Administrative Expense Priority Claim Pursuant to 11 U.S.C. § 503(b)(1) and 503(b)(9) (the “**Application**”), and in support thereof, states as follows.

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<sup>1</sup> 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](http://www.kccllc.net/invitae). The Debtors’ service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334.
2. Venue in the District of New Jersey is appropriate under 28 U.S.C. §§ 1408 and 1409.
3. This is a core proceeding pursuant to 28 U.S.C. § 157(b).
4. Life Technologies filed its Proof of Claim at claim 910 wherein it asserted entitled to an administrative expense claim of \$142,689.18. reserving the right to amend as additional post-petition goods/services were provided.
5. Debtors continued to obtain additional goods on a post-petition basis and the amount due (as set forth in Exhibit “A” and inclusive of some or all of the amounts set forth in the filed claim) is now \$180,030.44.
6. Life Technologies is entitled to, and seeks payment of the asserted administrative claim in the amended amount of \$180,030.44, amending the previously asserted \$142,689.18.

### **BASIS FOR REQUESTED RELIEF**

7. Section 503(b)(1)(A) of the Bankruptcy Code states that “the actual, necessary costs and expenses of preserving the estate” shall be allowed administrative expenses that are entitled to priority under section 507(a)(2) of the Bankruptcy Code. 11 U.S.C. § 503(b)(1)(A); 11 U.S.C. § 507(a)(2).
8. Pursuant to section 503(b)(9) of the Bankruptcy Code, after notice and a hearing, “there shall be allowed, administrative expenses, . . . including . . . (9) the value of any goods received by the debtor within 20 days before the date of commencement of a case under this title

in which the goods have been sold to the debtor in the ordinary course of such debtor's business.”  
11 U.S.C. § 503(b)(9).

9. “Goods”, for purposes of section 503(b)(9), is not defined in the Bankruptcy Code; however, this Court has utilized the definition set forth in Article 2-105(1) of the Uniform Commercial Code (the “UCC”), which defines “goods” as “all things (including specially manufactured goods) which are movable at the time of identification to the contract for sale other than the money in which the price is to be paid, investment securities (Article 8) and things in action.” UCC § 2-105(1).

10. As of the date of this Application, Life Technologies has not received payment of the \$180,030.44.

11. Life Technologies requests that the Court allow its Administrative Claim in the amount of \$180,030.44 and direct the immediate payment of the same.

#### **NO PRIOR REQUEST**

12. Except for the proof of claim setting forth Life Technologies' administrative claim, no prior request for the relief sought in this Application has been made to this Court or any other Court.

#### **RESERVATION OF RIGHTS**

13. Life Technologies reserves all rights and remedies with regard to the amounts and claims identified herein, including, without limitation, the right to amend, supplement, or clarify this claim as allowed by contract and under applicable law.

WHEREFORE, Life Technologies prays this Honorable Court allow and immediate payment of the \$180,030.44 to Life Technologies, and to grant such additional relief as the Court deems just and proper.

Dated: October 7, 2024

Respectfully Submitted,

/s/ Andrew R. Turner

Andrew R. Turner, Esq. (NJ 8574)

TURNER LAW FIRM, LLC

76 South Orange Avenue

South Orange, New Jersey 07079

Phone: (973) 763-5000

Fax: (973) 763-0568

[aturner@turnerlaw.net](mailto:aturner@turnerlaw.net)

-and-

TUCKER ARENSBERG, P.C.

Beverly Weiss Manne, Esq.

Maribeth Thomas, Esq.

1500 One PPG Place

Pittsburgh, Pennsylvania 15222

Telephone: (412) 566-1212

Fax: (412) 594-5619

[bmanne@tuckerlaw.com](mailto:bmanne@tuckerlaw.com)

[mthomas@tuckerlaw.com](mailto:mthomas@tuckerlaw.com)

*Counsel to Life Technologies Corporation*

EXHIBIT "A"

Invoice #	Date	502(b)9 (\$)	502(b)(2) (\$)	Total Amount (\$)
113232015.00	4/29/2024		10,891.70	10,891.70
84472017.00	1/23/2024	3,818.39		3,818.39
84480994.00	1/24/2024	16,054.02		16,054.02
84481912.00	1/24/2024	261.24		261.24
84546212.00	2/5/2024	414.10		414.1
84546465.00	2/5/2024	2,596.47		2,596.47
84555434.00	2/6/2024	225.40		225.4
84556439.00	2/6/2024	13,931.16		13,931.16
77220606.00	7/1/2024		27,136.26	27,136.26
100864.00	8/1/2024			-3,420.56
100865.00	8/1/2024			-3,842.94
85517904.00	7/23/2024		187896.3	187,921.25
Credits			-83219.55	-83219.55
Totals		37,300.78	142,704.71	180,030.44

CERTIFICATE OF SERVICE

The undersigned does certify that a true and correct copy of the foregoing Application via the Court's CM/ECF notification system to all parties registered to receive such notifications in this case and also by email upon the following parties as stated below:

Invitae Corporation  
Attn: Tom Brida ([tom.brida@invitae.com](mailto:tom.brida@invitae.com))

Kirkland & Ellis LLP  
([nicole.greenblatt@kirkland.com](mailto:nicole.greenblatt@kirkland.com))  
Francis Petrie ([francis.petrie@kirkland.com](mailto:francis.petrie@kirkland.com))  
Nikki Gavey ([nikki.gavey@kirkland.com](mailto:nikki.gavey@kirkland.com))

Kirkland & Ellis LLP  
([spencer.winters@kirkland.com](mailto:spencer.winters@kirkland.com))

Cole Schotz P.C.  
Michael D. Sirota ([msirota@coleschotz.com](mailto:msirota@coleschotz.com))  
Warren A. Usatine ([wusatine@coleschotz.com](mailto:wusatine@coleschotz.com))  
Felice R. Yudkin ([fyudkin@coleschotz.com](mailto:fyudkin@coleschotz.com))  
Daniel J. Harris ([dharris@coleschotz.com](mailto:dharris@coleschotz.com))

Office of the United States Trustee  
for the District of New Jersey  
Jeffrey Sponder ([jeffrey.m.sponder@usdoj.gov](mailto:jeffrey.m.sponder@usdoj.gov))  
Lauren Bielskie ([lauren.bielskie@usdoj.gov](mailto:lauren.bielskie@usdoj.gov))

White & Case LLP  
Harrison Denman  
([harrison.denman@whitecase.com](mailto:harrison.denman@whitecase.com))  
Brett Bakemeyer  
([brett.bakemeyer@whitecase.com](mailto:brett.bakemeyer@whitecase.com))

Hogan Lovells US LLP  
Erin N. Brady ([erin.brady@hoganlovells.com](mailto:erin.brady@hoganlovells.com))  
Edward McNeilly  
([edward.mcneilly@hoganlovells.com](mailto:edward.mcneilly@hoganlovells.com))  
William Intner ([william.intner@hoganlovells.com](mailto:william.intner@hoganlovells.com))

Dated: October 7, 2024

/s/ Andrew R. Turner  
Andrew R. Turner, Esq. (NJ 8574)  
TURNER LAW FIRM, LLC  
76 South Orange Avenue  
South Orange, New Jersey 07079  
Phone: (973) 763-5000  
Fax: (973) 763-0568  
[aturner@turnerlaw.net](mailto:aturner@turnerlaw.net)

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