

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEW JERSEY

In re: Invitae Corporation

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Case No. 24-11362

Lead Case No. 24-11362

Debtor(s)

☒ Jointly Administered

Post-confirmation Report

Chapter 11

Quarter Ending Date: 12/31/2024

Petition Date: 02/13/2024

Plan Confirmed Date: 08/02/2024

Plan Effective Date: 08/07/2024

This Post-confirmation Report relates to: ☐ Reorganized Debtor

☒ Other Authorized Party or Entity: the Wind-Down Debtors

Name of Authorized Party or Entity

/s/ Michael D. Sirota

Signature of Responsible Party

01/27/2025

Date

Michael D. Sirota

Printed Name of Responsible Party

Court Plaza North, 25 Main Street, Hackensack, NJ,
07601

Address

STATEMENT: This Periodic Report is associated with an open bankruptcy case; therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.



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Debtor's Name Invitae Corporation

Case No. 24-11362

Part 1: Summary of Post-confirmation Transfers

	Current Quarter	Total Since Effective Date
a. Total cash disbursements	\$37,137,329	\$127,626,613
b. Non-cash securities transferred	\$0	\$0
c. Other non-cash property transferred	\$0	\$0
d. Total transferred (a+b+c)	\$37,137,329	\$127,626,613

Part 2: Preconfirmation Professional Fees and Expenses

a.			Approved Current Quarter	Approved Cumulative	Paid Current Quarter	Paid Cumulative
	Professional fees & expenses (bankruptcy) incurred by or on behalf of the debtor	<i>Aggregate Total</i>	\$21,543,253	\$59,962,533	\$24,113,817	\$59,962,533
	<i>Itemized Breakdown by Firm</i>					
	Firm Name	Role				
i	Kirkland & Ellis LLP	Lead Counsel	\$3,939,163	\$20,108,172	\$3,939,163	\$20,108,172
ii	FTI Consulting Inc.	Financial Professional	\$1,206,764	\$6,054,126	\$1,206,764	\$6,054,126
iii	Moelis & Co	Financial Professional	\$11,390,161	\$12,140,161	\$11,390,161	\$12,140,161
iv	Cole Schotz P.C.	Local Counsel	\$123,909	\$623,109	\$123,909	\$623,109
v	Kurtzman Carson Consultants, LLP	Other	\$18,133	\$90,663	\$18,133	\$90,663
vi	White & Case LLP	Lead Counsel	\$2,835,165	\$13,621,104	\$2,835,165	\$13,621,104
vii	Ducera	Financial Professional	\$723,226	\$3,638,490	\$3,293,789	\$3,638,490
viii	Province	Financial Professional	\$1,195,463	\$3,085,129	\$1,195,463	\$3,085,129
ix	Porzio, Bromberg & Newman, P.C.	Local Counsel	\$111,270	\$601,578	\$111,270	\$601,578
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Debtor's Name Invitae Corporation

Case No. 24-11362

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b.			Approved Current Quarter	Approved Cumulative	Paid Current Quarter	Paid Cumulative
	Professional fees & expenses (nonbankruptcy) incurred by or on behalf of the debtor		\$141,604	\$222,705	\$141,604	\$222,705
	<i>Aggregate Total</i>					
	<i>Itemized Breakdown by Firm</i>					
		Firm Name	Role			
	i	Deloitte Tax LLP	Other	\$141,604	\$222,705	\$141,604
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Debtor's Name Invitae Corporation

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c.	All professional fees and expenses (debtor & committees)			\$21,684,857	\$60,185,238	\$24,255,421	\$60,185,238

Part 3: Recoveries of the Holders of Claims and Interests under Confirmed Plan

	Total Anticipated Payments Under Plan	Paid Current Quarter	Paid Cumulative	Allowed Claims	% Paid of Allowed Claims
a. Administrative claims	\$10,363,612	\$3,177,983	\$10,175,054	\$10,175,054	100%
b. Secured claims	\$309,692,795	\$20,000,000	\$283,129,909	\$283,129,909	100%
c. Priority claims	\$3,056,874	\$583,714	\$1,684,289	\$1,684,289	100%
d. General unsecured claims	\$23,296,018	\$4,000,000	\$4,000,000	\$4,000,000	100%
e. Equity interests	\$0	\$0	\$0		

Part 4: Questionnaire

a. Is this a final report? Yes ☐ No ☒

If yes, give date Final Decree was entered:

If no, give date when the application for Final Decree is anticipated: 12/31/2025

b. Are you current with quarterly U.S. Trustee fees as set forth under 28 U.S.C. § 1930? Yes ☒ No ☐

Debtor's Name Invitae Corporation

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Privacy Act Statement

28 U.S.C. § 589b authorizes the collection of this information and provision of this information is mandatory. The United States Trustee will use this information to calculate statutory fee assessments under 28 U.S.C. § 1930(a)(6) and to otherwise evaluate whether a reorganized chapter 11 debtor is performing as anticipated under a confirmed plan. Disclosure of this information may be to a bankruptcy trustee when the information is needed to perform the trustee's duties, or to the appropriate federal, state, local, regulatory, tribal, or foreign law enforcement agency when the information indicates a violation or potential violation of law. Other disclosures may be made for routine purposes. For a discussion of the types of routine disclosures that may be made, you may consult the Executive Office for United States Trustee's systems of records notice, UST-001, "Bankruptcy Case Files and Associated Records." See 71 Fed. Reg. 59,818 et seq. (Oct. 11, 2006). A copy of the notice may be obtained at the following link: http://www.justice.gov/ust/eo/rules_regulations/index.htm. Failure to provide this information could result in the dismissal or conversion of your bankruptcy case, or other action by the United States Trustee. 11 U.S.C. § 1112(b)(4)(F).

I declare under penalty of perjury that the foregoing Post-confirmation Report and its attachments, if any, are true and correct and that I have been authorized to sign this report.

/s/ Andrew Spirito

Signature of Responsible Party

Plan Administrator

Title

Andrew Spirito

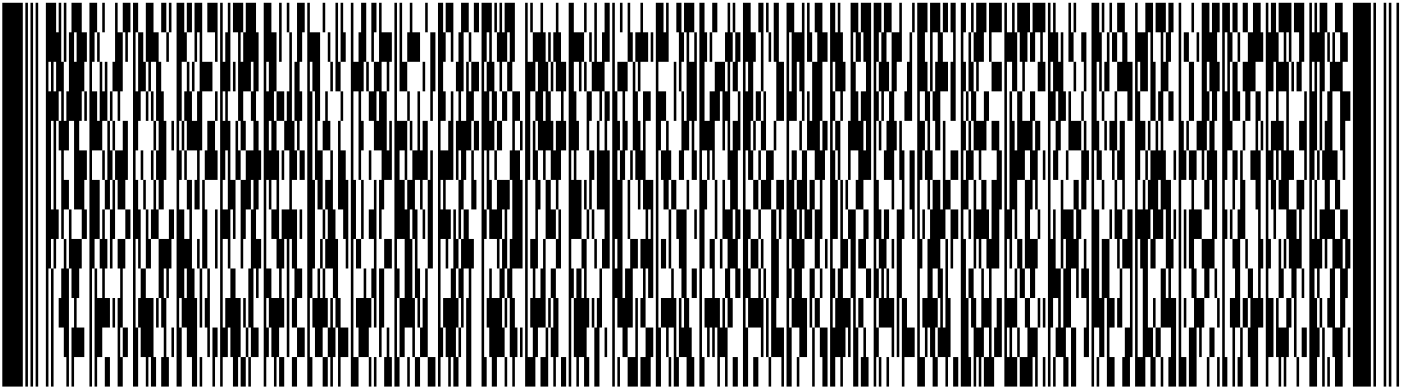
Printed Name of Responsible Party

01/27/2025

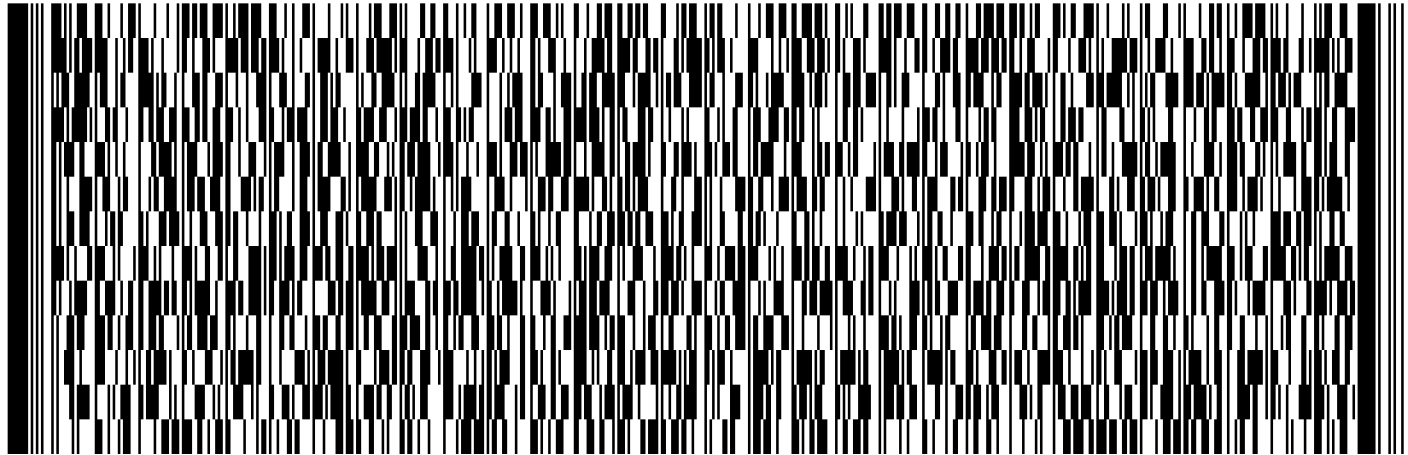
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Debtor's Name Invitae Corporation

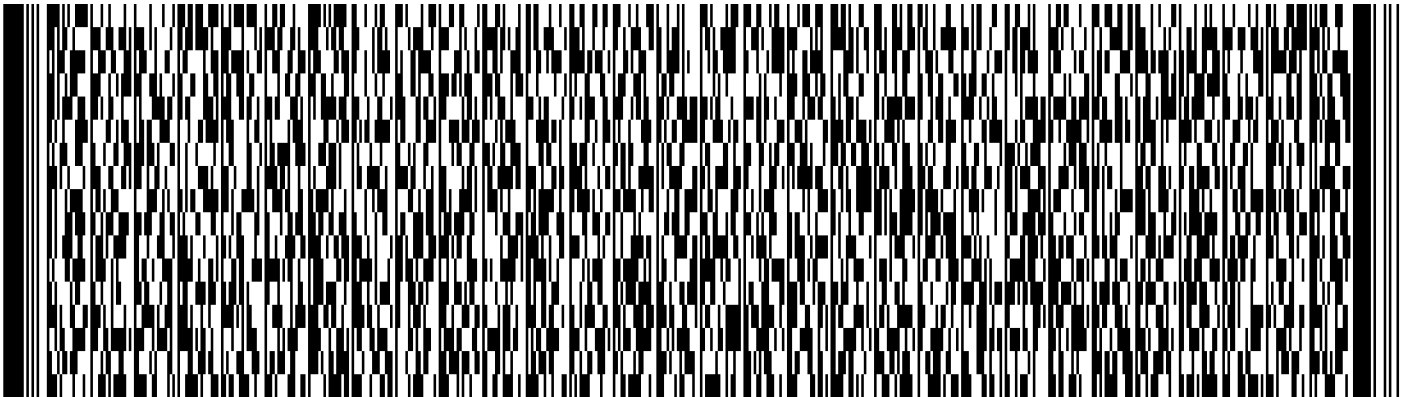
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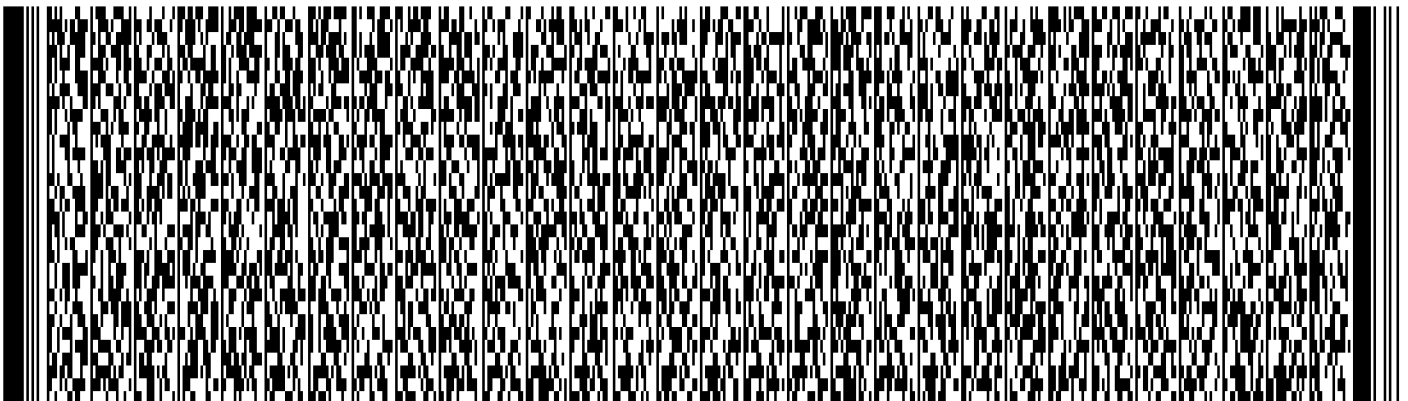
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Other Page 1



Page 2 Minus Tables



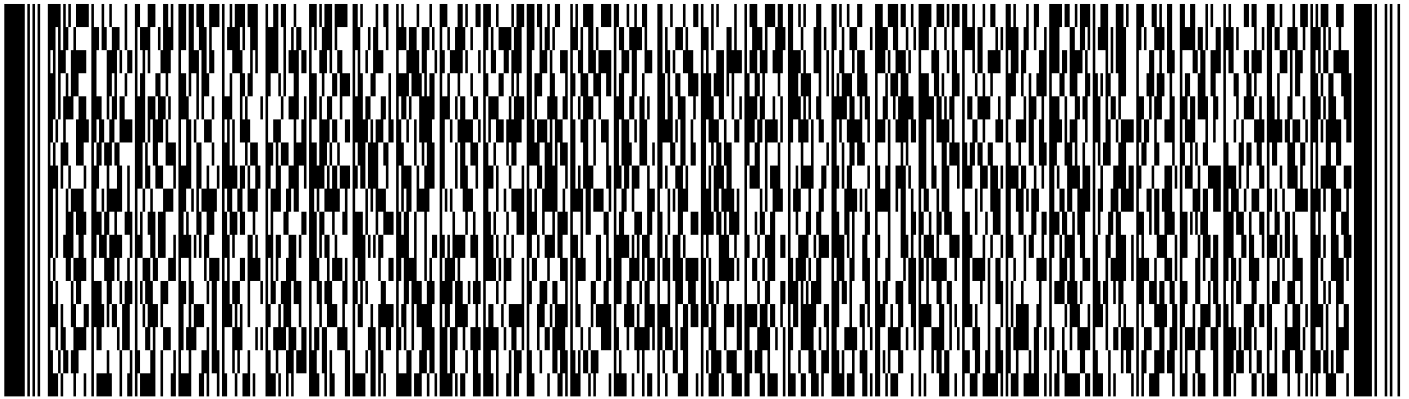
Bankruptcy Table 1-50

Debtor's Name Invitae Corporation

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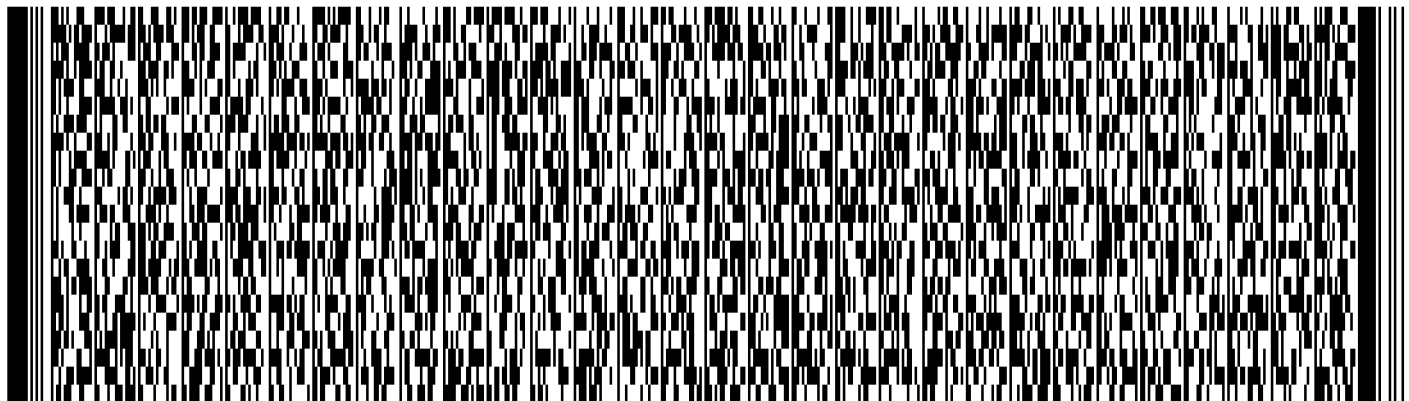
Bankruptcy Table 51-100



Non-Bankruptcy Table 1-50



Non-Bankruptcy Table 51-100



Part 3, Part 4, Last Page

General Notes

On February 13, 2024 (the “Petition Date”), Invitae Corporation (“Invitae”) and five of its subsidiaries (such subsidiaries, each a “Debtor,” collectively with Invitae, the “Debtors”), filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”), thereby commencing the instant cases (the “Chapter 11 Cases”). The Debtors are authorized to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. On February 16, 2024, the Bankruptcy Court entered an order authorizing the joint administration of these Chapter 11 Cases pursuant to Bankruptcy Rule 1015(b) [Docket No. 54]. On March 1, 2024, the United States Trustee for the District of New Jersey (the “U.S. Trustee”) appointed an official committee of unsecured creditors pursuant to section 1102(a)(1) of the Bankruptcy Code.

Additional information about these Chapter 11 Cases, court filings, and claims information is available at the Debtors’ restructuring website: <https://www.veritaglobal.net/invitae>.

On August 2, 2024, the Bankruptcy Court entered an order [Docket No. 913] confirming the *Debtors’ Third Amended Joint Plan of Invitae Corporation and its Debtor Affiliates* [Docket No. 909] (as amended, supplemented or otherwise modified, the “Plan”) in these Chapter 11 Cases, and the Plan became effective on August 7, 2024 (the “Effective Date”) [Docket No. 927]. The Plan provides for the appointment of a Plan Administrator (the “Plan Administrator”) to succeed to the rights and obligations of the Debtors as set forth in, and to facilitate the administration of, the Plan. Pursuant to the Plan and the *Plan Administrator Agreement* [Docket No. 910], Andrew Spirito was appointed as the Plan Administrator as of the Effective Date.

The Plan Administrator is filing the quarterly post-confirmation report (the “PCR”) solely for the purposes of reporting to the Office of the United States Trustee for the District of New Jersey (the “U.S. Trustee”) in accordance with the Instructions for UST Form 11-PCR: Post-Confirmation Report (12/01/2021) (“PCR Instructions”). The following notes, statements, and limitations should be referred to and referenced in connection with any review of the PCR. Capitalized terms used but not otherwise defined herein have the meanings given to them in the Plan.

The financial information contained in the PCR is preliminary, unaudited, limited in scope, and is not prepared in accordance with Generally Accepted Accounting Principles in the United States (“U.S. GAAP”) or in accordance with other applicable non-bankruptcy law.

Notes to Part 1: Summary of Post-confirmation Transfers: In accordance with the PCR Instructions, Part 1 provides detail for disbursements made in the current quarter and cumulatively since the Confirmation Date. It does not include disbursements made by or on behalf of the Debtors in the quarter ending December 31, 2024 but prior to the Confirmation Date, which are detailed in the Monthly Operating Reports filed for the reporting period ending July 31, 2024.

Notes to Part 2: Pre-confirmation Professional Fees and Expenses: In accordance with the PCR Instructions, Part 2 provides detail for professional fees incurred prior to the Confirmation

Date that were approved or paid in the current quarter and cumulatively since the Petition Date. Per the PCR Instructions, Section (c) includes the total amounts reported in Section (a) bankruptcy professionals incurred by or on behalf of the Debtors and professional fees approved or paid since the Confirmation Date to professionals retained by the Official Committee of Unsecured Creditors. Section (b) includes non-bankruptcy professional fees incurred by or on behalf of the Debtors. For Sections (a), (b) and (c) of Part 2 of the PCR, “Approved” fees and expenses include only those fees and expenses specifically allowed by an order of the Bankruptcy Court.

Notes to Part 3: Recoveries of the Holders of Claims and Interests under Confirmed Plan:

The PCR Instructions provide that for each class of claims and interests included in the PCR, “the total anticipated payments as disclosed in the plan” should be provided. Due to the Debtors’ centralized cash management systems, any and all recoveries will be paid by Invitae Corporation on behalf of other Debtors. As such, Part 3 is populated for Invitae Corporation but is blank for all other Debtors. Claim recoveries are subject to the Plan Administrator’s objection to certain asserted claims, a process which is on-going. Claims that are currently disputed or have not yet been reconciled are not reflected in the PCR as Allowed Claims or otherwise, and therefore, the final Allowed Claims pool may be higher than reflected herein. As and when unreconciled claims become allowed, they will be added to the Allowed Claims total. Recoveries are dependent on the realization of significant contingent value from the collection of receivables and the Retained Causes of Action as well as settlement of the Committee Appeal [Docket No. 955]. As such recoveries are projections and subject to change.

RECONCILIATION OF CERTAIN CLAIMS REMAINS ONGOING AND TOTAL ANTICIPATED PAYMENTS UNDER THE PLAN MAY VARY DEPENDING ON, AMONG OTHER THINGS, ALLOWANCE OR DISALLOWANCE OF CLAIMS.

Reservation of Rights: Given that the Plan Administrator is relying on the Debtors’ books and records, inadvertent errors or omissions may have occurred. The Plan Administrator reserves all right to amend or supplement the PCR in all respects as may be necessary or appropriate. Nothing contained in this PCR shall constitute an admission of any kind or nature or a waiver of any rights of the Plan Administrator or the Debtors’ wind down estates, all of which are expressly reserved in full.

The Post-confirmation Report was executed by Andrew Spirito solely in his capacity as Plan Administrator.