

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)
) Chapter 11
NVN Liquidation, Inc., <i>et al.</i> ,)
f/k/a NOVAN, INC., ¹) Case No. 23-10937 (LSS)
)
Debtors.) Jointly Administered
)

**NOTICE OF AGENDA FOR HEARING
SCHEDULED FOR MARCH 6, 2024, AT 10:00 A.M. (ET)**

**THERE ARE NO MATTERS GOING FORWARD.
WITH THE PERMISSION OF THE COURT, THIS HEARING HAS BEEN CANCELLED.**

ADJOURNED MATTER

1. Motion of Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 105(a) and 554 and Federal Rule of Bankruptcy Procedure 6007 Authorizing the Abandonment of Certain Unsellable Products Subject to Certain Regulatory Obligations ([D.I. 533](#), filed 1/19/24).

Response Deadline: February 2, 2024, at 4:00 p.m. (ET); extended to February 13, 2024, at 4:00 p.m. (ET) for the United States Food and Drug Administration (the “FDA”) and extended to February 15, 2024, at 4:00 p.m. (ET) for Integrated Commercialization Solutions, Inc. (“ICS”).

Responses Received:

- a) Objection by the United States to the Debtors’ Motion to Abandon ([D.I. 587](#), filed 2/12/24).
- b) Response and Reservation of Right of Integrated Commercialization Solutions, Inc. to Motion of Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 105(a) and 554 and Federal Rule of Bankruptcy Procedure 6007 Authorizing the Abandonment

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors’ federal tax identification number (if applicable), are: NVN Liquidation, Inc., (f/k/a Novan, Inc.) (7682) and EPI Health, LLC (9118). The corporate headquarters and the mailing address for the Debtors is P.O. Box 64, Pittsboro, NC 27312.



of Certain Unsellable Products Subject to Certain Regulatory Obligations ([D.I. 613](#), filed 2/22/24).

Related Documents:

- a) Debtors' Reply in Support of the Motion of Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 105(a) and 554 and Federal Rule of Bankruptcy Procedure 6007 Authorizing the Abandonment of Certain Unsellable Products Subject to Certain Regulatory Obligations (to be filed).

Status: The Debtors have agreed to resolve the informal response from ICS with additional clarifying language that will be included in a proposed form of order. The Debtors have provided a proposal to the FDA in an effort to resolve the objection of the FDA. To give the FDA and other parties in interest time to consider the proposal, the Debtors and FDA have agreed to adjourn this matter to the omnibus hearing scheduled for March 19, 2024, at 10:00 a.m. If additional time is needed to reach an agreement, the Debtors may seek a further adjournment.

RESOLVED MATTERS

2. Debtors' Motion for Entry of an Order, Pursuant to 28 U.S.C. § 1452 and Fed. R. Bankr. P. 9006 and 9027, Further Extending the Period Within Which the Debtor May File Notices to Remove Actions and Granting Related Relief ([D.I. 589](#), filed 2/12/24).

Response Deadline: February 28, 2024, at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- a) Certificate of No Objection Regarding Debtors' Motion for Entry of an Order, Pursuant to 28 U.S.C. § 1452 and Fed. R. Bankr. P. 9006 and 9027, Further Extending the Period Within Which the Debtor May File Notices to Remove Actions and Granting Related Relief ([D.I. 620](#), filed 2/29/24).
- b) Order Further Extending the Deadline Within Which the Debtors May File Notices to Remove Actions and Granting Related Relief Pursuant to 28 U.S.C. § 1452 and Fed. R. Bankr. P. 9006 and 9027 ([D.I. 624](#), entered 3/1/24).

Status: An order has been entered. A hearing on this matter is not necessary.

3. Motion to Sell Certain Assets to Dermix Pharma, LLC ([D.I. 598](#), filed 2/14/24).

Response Deadline: February 28, 2024, at 4:00 p.m. (ET); extended to March 1, 2024, at 4:00 p.m. for the FDA.

Responses Received:

- a) Informal response received from the FDA.

Related Documents:

- a) Certification of Counsel Regarding Debtors' Motion to Sell Certain Assets to Dermix Pharma, LLC ([D.I. 622](#), filed 3/1/24).
- b) Order Authorizing Debtors' Motion to Sell Certain Assets to Dermix Pharma, LLC ([D.I. 623](#), entered 3/1/24).

Status: An order has been entered. A hearing on this matter is not necessary.

Dated: March 4, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ Casey B. Sawyer

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