

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

In re:

NVN Liquidation, Inc., *et al.*,
f/k/a NOVAN, Inc.,¹
Debtors.

Chapter 11

Case No. 23-10937 (LSS)

(Jointly Administered)

Re: Docket No. 728

**CERTIFICATE OF NO OBJECTION REGARDING MOTION OF THE TRUSTEE FOR
ENTRY OF AN ORDER FURTHER EXTENDING THE PERIOD WITHIN WHICH THE
TRUSTEE MAY REMOVE ACTIONS PURSUANT TO 28 U.S.C. § 1452 AND
RULES 9006 AND 9027 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE GRANTING RELATED RELIEF**

The undersigned hereby certifies that on July 1, 2024 Alan D. Halperin, solely in his capacity as liquidating trustee (the “Trustee”) of the Liquidating Trust (the “Trust”), by and through the undersigned counsel, filed the *Motion of the Trustee for Entry of Order Further Extending the Period Within Which the Trustee May Remove Actions Pursuant to 28 U.S.C. § 1452 and Rules 9006 and 9027 of the Federal Rules of Bankruptcy Procedure and Granting Related Relief* [Docket No. 728] (the “Motion”) with the United States Bankruptcy Court for the District of Delaware (the “Court”). Attached to the Motion was, among other things, a proposed form of order approving the relief requested in the Motion (the “Proposed Order”). Any objection or response to the relief requested in the Motion was to be filed and served so as to be received by no later than **July 15, 2024 at 4:00 p.m. (Eastern Time)** (the “Objection Deadline”).

As of the date hereof, the undersigned has not received an answer, objection, or other responsive pleading to the Motion. The undersigned further certifies that the Court’s docket in these

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors’ federal tax identification number, are: NVN Liquidation, Inc. (f/k/a Novan, Inc.) (7682) and EPI Health, LLC (9118).



cases reflects that no answer, objection, or other responsive pleading to the Motion has been filed.

WHEREFORE, the Trustee respectfully requests that the Proposed Order granting the relief requested in the Motion, attached hereto as **Exhibit A**, be entered at the earliest convenience of the Court.

Dated: July 16, 2024
Wilmington, Delaware

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Counsel to the Trustee

Exhibit A

Proposed Order

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DISTRICT OF DELAWARE**

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**ORDER FURTHER EXTENDING THE PERIOD WITHIN WHICH THE
TRUSTEE MAY REMOVE ACTIONS PURSUANT TO 28 U.S.C. § 1452 AND
RULES 9006 AND 9027 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE AND GRANTING RELATED RELIEF**

Upon consideration of the motion (the “Motion”) filed by the Trustee² for entry of an order pursuant to Bankruptcy Rules 9006(b) further extending the time by which the Plan Administrator may file notices of removal under 28 U.S.C. § 1452 and Bankruptcy Rule 9027 and granting related relief, all as more fully set forth in the Motion; and the Court having reviewed the Motion having determined that the relief requested in the Motion is in the best interests of the Trust, its beneficiaries and other parties in interest; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference*, dated February 29, 2012, issued by the United States District Court for the District of Delaware; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; this Court having determined that there is good and

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

sufficient cause for the relief set forth in this Order; and after due deliberation thereon, IT IS
HEREBY ORDERED THAT

1. The Motion is GRANTED as set forth herein.
2. The time periods provided under Bankruptcy Rule 9027(a)(2) and 9027(a)(3) within which the Trustee may file notices of removal of any and all civil actions is extended to and including August 12, 2025, to the extent that the time period for filing any such notices of removal expires on or before such date.
3. This Order shall be without prejudice to (a) any position the Trustee may take regarding whether the injunctions or stays provided for in these Cases under sections 105 or 362 of the Bankruptcy Code, the Plan or otherwise apply to stay any pending civil action in which any of the Debtors is a party and (b) the rights of the Trustee to seek from this Court further extensions of the period within which notices of removal may be filed under Bankruptcy Rule 9027.
4. The Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.
5. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.