

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. 784

**CERTIFICATION OF COUNSEL REGARDING TRUSTEE’S THIRD
OMNIBUS OBJECTION TO CLAIMS (NON-SUBSTANTIVE)
(LATE FILED AND UNSUPPORTED CLAIMS)**

The undersigned hereby certifies as follows:

1. On February 21, 2025, 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 *Trustee’s Third Omnibus Objection to Claims (Non-Substantive) (Late Filed and Unsupported Claims)* [Docket No. 784] (the “Third Omnibus Objection”) with the United States Bankruptcy Court for the District of Delaware (the “Court”). Attached to the Third Omnibus Objection was, among other things, a proposed form of order approving the relief requested in the Third Omnibus Objection (the “Proposed Order”).

2. Pursuant to the notice appended to the Third Omnibus Objection, responses to the Third Omnibus Objection were due on or before March 17, 2025 at 4:00 p.m. (Eastern Time) (the “Objection Deadline”). The undersigned certifies that the Court’s docket in these cases reflects that no answer, objection, or other responsive pleading to the Third Omnibus Objection has been filed.

3. The Trustee has adjourned the Third Omnibus Objection as it relates to Master Control Solutions, Inc (Proof of Claim No. 20) to a date and time to be determined. This

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).



adjournment is reflected in revisions to the Proposed Order (the “Revised Proposed Order”), attached hereto as **Exhibit A**. For the Court’s convenience, a redline of the Revised Proposed Order compared against the Proposed Order is attached hereto as **Exhibit B**.

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

Dated: March 21, 2025
Wilmington, Delaware

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Counsel to the Trustee

Exhibit A

Proposed Order

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

In re:

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

Debtors.

Chapter 11

Case No. 23-10937 (LSS)

(Jointly Administered)

Re: Docket No. 784

**ORDER GRANTING TRUSTEE’S THIRD OMNIBUS OBJECTION TO CLAIMS
(NON-SUBSTANTIVE)
(Late Filed and Unsupported Claims)**

Upon the *Trustee’s Third Omnibus Objection to Claims* (the “Objection”) seeking entry of an order disallowing and expunging the claims (collectively, the “Subject Claims”) set forth on Schedules 1 and 2 attached hereto and made a part hereof (the “Schedules”), all as more fully set forth in the Objection; and upon the *Declaration of Alan D. Halperin Pursuant to 28 U.S.C. § 1746 and Local Rule 3007-1 in Support of Trustee’s Third Omnibus Objection to Claims (Non-Substantive)* filed contemporaneously with the Objection and in support thereof; and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided, and no other or further notice being required; and the Court having considered all responses to the Objection, if any, and all such responses having been either overruled or withdrawn; and upon all proceedings had before the Court; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and

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This Court having **FOUND AND DETERMINED THAT:**

A. The holders of the Subject Claims listed on the Schedules were properly and timely served with a copy of the Objection and all of its accompanying exhibits, schedules and notice of hearing on the Objection and response deadline.

B. Any entity known to have an interest in the Subject Claims has been afforded reasonable opportunity to respond to, or being heard regarding, the relief requested in the Objection, and

C. The relief requested in the Objection is the in the best interests of the Debtors, their estates, the Trust² and its beneficiaries, and other parties in interest;
And after due deliberation and sufficient cause appearing therefor,

IT IS THEREFORE ORDERED THAT:

1. The Objection is GRANTED.
2. The Late Filed Claims listed on **Schedule 1** are hereby disallowed and expunged in their entirety as reflected on **Schedule 1**.
3. The Unsupported Claims listed on **Schedule 2** are hereby disallowed and expunged in their entirety as reflected on the **Schedule 2**.
4. The Claims Agent is hereby authorized and directed to disallow a expunge the Subject Claims on the Claims Register as reflected in and consistent with this Order and to make other changes to the Claims Register as necessary to effectuate the terms of this Order.
5. The Objection to each of the Subject Claims constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate Order with respect to each of the Subject Claims. Any stay of this Order pending appeal by any holder of any

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

of the Subject Claims shall apply only to the contested matter which involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to other contested matters covered hereby.

6. Nothing in the Objection or this Order shall be construed as an allowance of any of the Subject Claims or any other claims.

7. The Trustee's right to amend, modify, or supplement the Objection, to file additional objections to the Subject Claims or any other claims (filed or not) which have or may be asserted against the Debtors, and to seek further reduction of any of the Subject Claims, are fully preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Trustee's right to object on other stated grounds or any other grounds that the Trustee discovers during the pendency of these Cases are further preserved.

8. 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.

SCHEDULE 1

Schedule 1 - Late Filed Claims

<u>Late Filed Claims to Be Disallowed</u>	<u>Claim Number</u>	<u>Filed Date</u>	<u>Debtor</u>	<u>Claim Amount(s)</u>	<u>Classification</u>	<u>Reason for Disallowance</u>
New York State Department of Taxation and Finance	364	7/8/2024	EPI Health, LLC	\$1,000.00	Administrative Priority	Filed after applicable bar date.
New York State Department of Taxation and Finance	363	7/8/2024	Novan, Inc.	\$2,031.04	Administrative Priority	Filed after applicable bar date.
Synergistix Inc.	365	7/29/2024	Novan, Inc.	\$67,983.33	General Unsecured	Filed after applicable bar date.

SCHEDULE 2

Schedule 2 - Unsupported Claims

<u>Name of Claimnt</u>	<u>Claim No.</u>	<u>Debtor</u>	<u>Claim Amount</u>	<u>Classification</u>	<u>Reason for Disallowance</u>
Callahan, Carole	346	Novan, Inc.	\$1,399.99	General Unsecured	Claimant does not provide sufficient or any documentation to determine the validity of the claim.
Djalma, Shanara	205	Novan, Inc.	\$96.07	Secured	Claimant does not provide sufficient or any documentation to determine the validity of the claim.
Korouyenis, Paraskevas	308	Novan, Inc.	\$64.95	Administrative	Claimant does not provide sufficient or any documentation to determine the validity of the claim.
Medina, Franco	109	Novan, Inc.	\$60,000.00	Priority	Claimant does not provide sufficient or any documentation to determine the validity of the claim.

EXHIBIT B

Schedule 1 - Late Filed Claims

<u>Late Filed Claims to Be Disallowed</u>	<u>Claim Number</u>	<u>Filed Date</u>	<u>Debtor</u>	<u>Claim Amount(s)</u>	<u>Classification</u>	<u>Reason for Disallowance</u>
New York State Department of Taxation and Finance	364	07/08/2024	EPI Health, LLC	\$1,000.00	Administrative Priority	Filed after applicable bar date.
New York State Department of Taxation and Finance	363	07/08/2024	Novan, Inc.	\$2,031.04	Administrative Priority	Filed after applicable bar date.
Synergistix Inc.	365	07/29/2024	Novan, Inc.	\$67,983.33	General Unsecured	Filed after applicable bar date.

Schedule 2 - Unsupported Claims

<u>Name of Claimnt</u>	<u>Claim No.</u>	<u>Debtor</u>	<u>Claim Amount</u>	<u>Classification</u>	<u>Reason for Disallowance</u>
Callahan, Carole	346	Novan, Inc.	\$1,399.99	General Unsecured	Claimant does not provide sufficient or any documentation to determine the validity of the claim.
Djalma, Shanara	205	Novan, Inc.	\$96.07	Secured	Claimant does not provide sufficient or any documentation to determine the validity of the claim.
Korouyenis, Paraskevas	308	Novan, Inc.	\$64.95	Administrative	Claimant does not provide sufficient or any documentation to determine the validity of the claim.
MasterControl Solutions, Inc.	20	Novan, Inc.	\$181,393.10	General Unsecured	Claimant does not provide sufficient documentation to determine the validity and amount of the claim. Claimant includes a price quote and after reviewing the Debtors' books and records, the Trustee cannot ascertain whether services were provided.
Medina, Franco	109	Novan, Inc.	\$60,000.00	Priority	Claimant does not provide sufficient or any documentation to determine the validity of the claim.

Report	Litera Compare for Excel 11.10.0.38
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Modified:	0
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Formula Change Only:	0
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Format Modified:	0
Hyperlink Add:	0
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