

Fill in this information to identify the case:

Debtor Orexigen Therapeutics, Inc.

United States Bankruptcy Court for the District of Delaware

Case number 18-10518

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KURTZMAN CARSON CONNOR LLP

- Date Stamped Copy Returned
- No self addressed stamped envelope
- No copy to return

**Official Form 410
Proof of Claim**

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Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

Part 1: Identify the Claim

1. **Who is the current creditor?** Dorsey & Whitney LLP
 Name of the current creditor (the person or entity to be paid for this claim)
 Other names the creditor used with the debtor _____

2. **Has this claim been acquired from someone else?** No
 Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?** **Where should notices to the creditor be sent?** **Where should payments to the creditor be sent? (if different)**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<u>Dorsey & Whitney LLP c/o Monica Clark, Esq.</u> Name 50 South Sixth Street, Suite 1500 Number Street Minneapolis MN 55402 City State ZIP Code USA Country Contact phone <u>612-340-2600</u> Contact email <u>clark.monica@dorsey.com</u>	Same Name Number Street City State ZIP Code Country Contact phone _____ Contact email _____
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Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____

4. **Does this claim amend one already filed?** No
 Yes. Claim number on court claims registry (if known) _____ Filed on _____
 MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?** No
 Yes. Who made the earlier filing? _____



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 1,730.75 Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Legal services. See Attachment.

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9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature of property:
 Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

KURTZMAN CARSON CONSULTANTS

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- No
- Yes. Check all that apply:
- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____
 - Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____
 - Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____
 - Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____
 - Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____
 - Other. Specify subsection of 11 U.S.C. § 507(a)() that applies. \$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

- No
- Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.
- \$ _____

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Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 05/09/2018
MM / DD / YYYY

McClank, Esq., Partner Dorsey & Whitney LLP
Signature

Print the name of the person who is completing and signing this claim:

Name Monica Clark
First name Middle name Last name

Title Partner

Company Dorsey & Whitney LLP
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 50 South Sixth Street, Suite 1500
Number Street

Minneapolis MN 55402 USA
City State ZIP Code Country

Contact phone 612-340-2600 Email clark.monica@dorsey.com

MONICA CLARK
Partner
(612) 340-5647
FAX (612) 340-2643
clark.monica@dorsey.com

May 10, 2018

VIA FEDERAL EXPRESS

Orexigen Claims Processing Center
c/o KCC
2335 Alaska Avenue
El Segundo, CA 90245

Re: Orexigen Therapeutics, Inc.
Bankruptcy Case Number: 18-10518

Dear Sir or Madam:

Enclosed for filing please find a Proof of Claim and attachment in the referenced-matter submitted on behalf of Dorsey & Whitney LLP.

Also enclosed is a copy of the first three pages of the claim. Please date stamp the copy to reflect your receipt, and return it to me in the enclosed pre-addressed, stamped envelope.

Please contact me if you have any questions.

Very truly yours,


Monica Clark *mjy*

MC:mjy

Enclosures

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

In re:

OREXIGEN THERAPEUTICS, INC.,

Debtors.

Chapter 11

Case No. 18-10518

**ATTACHMENT TO PROOF OF CLAIM OF
DORSEY & WHITNEY LLP**

1. This Proof of Claim is filed by Dorsey & Whitney LLP (“Dorsey”).
2. As of the petition date, Orexigen Therapeutics, Inc. (the “Debtor”) was and still is indebted to Dorsey for legal services in the amount of \$1,730.75, as reflected on the attached invoice.
3. Dorsey specifically reserves its right to further amend, supplement or modify this Proof of Claim in any manner and for any purpose, whether before or after the deadline for filing claims in this bankruptcy case, including, without limitation, the right to assert an administrative expense claim and to assert additional damages in the event Dorsey becomes aware of any further such damage.
4. This Proof of Claim is not intended to be, and shall not be construed as: (1) an election of remedies, (2) a waiver of defaults, or (3) a waiver or limitation on any rights, remedies, claims or interests of Dorsey. Nothing herein shall submit Dorsey to the jurisdiction of this or any other federal or state court or administrative or regulatory authority or tribunal.
5. All Court orders, notices, objections, responses and other pleadings or papers with respect to this Proof of Claim should be served upon:

Monica Clark
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402-1498
Telephone: (612) 340-2600



SOUTHERN CALIFORNIA OFFICE
714-800-1400

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Orexigen Therapeutics, Inc.
3344 North Torrey Pines Court
Suite 200
La Jolla, CA 92037-1024

April 3, 2018
Invoice No. 3413974

Client-Matter No.: 505412-00001
Everyday Health, Inc.

For Legal Services Rendered Through March 31, 2018

INVOICE TOTAL

Total For Current Legal Fees	\$9,217.00
Total For Current Disbursements and Service Charges	\$13.75
Total For Current Invoice	\$9,230.75
Less Credit on Account	-\$7,500.00
Remaining Balance Due	\$1,730.75

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:
Dorsey & Whitney LLP
P.O. Box 1680
Minneapolis, MN 55480-1680

Wire Instructions:
U.S. Bank National Association
800 Nicollet Mall
Minneapolis, MN 55402

(This account is only for Wire/ACH payments)
ABA Routing Number: 091000022
Account Number: 1047-8339-8282
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY