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Proposed Attorneys for the Debtors

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In re: Case No. 23-bk-22358-KRA PolarityTE, Inc., a Delaware corporation Case No. 23-bk-22360-KRA Case No. 23-bk-22361-KRA Debtor In re: Chapter 11 PolarityTE, MD Inc., a Nevada corporation Judge Kevin R. Anderson Debtor In re: THIS FILING RELATES TO ALL **DEBTORS**<sup>1</sup> PolarityTE, Inc., a Nevada corporation Debtor

## DISCLOSURE AFFIDAVIT OF ORDINARY COURSE PROFESSIONAL

<sup>&</sup>lt;sup>1</sup> The Debtors in these jointly administered chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are PolarityTE, Inc. (9524); PolarityTE MD, Inc. (1555); and PolarityTE, Inc. (6882). The location of the Debtors' service address is 1960 S. 4250 W., Salt Lake City, UT 84104.



## **AFFIDAVIT**

- I, Dr. Edward Swanson, hereby declare that the following is true to the best of my knowledge, information, and belief:
- I am a Medical Doctor that provides consulting services who maintains offices at
   Plymouth Rd,
- 2. This Affidavit is submitted in connection with an Order of the United States Bankruptcy Court for the District of Utah dated June 16, 2023, authorizing the above-captioned debtors and debtors-in-possession (collectively, the "**Debtors**") to retain certain professionals in the ordinary course of business during the pendency of the Debtors' chapter 11 cases.
- 3. I have represented and/or advised the Debtors as an independent consultant with respect to certain aspects of the Debtors' business, including product development and clinical trials, since May 2021.
- 4. The Debtors have requested, and I have agreed, to continue to provide services to the Debtors with respect to such matters.
- 5. My consulting fee is a base fee of \$10,000 per month plus \$500 per hour for medical monitoring services.
- 6. To the best of my knowledge, formed after due inquiry, I do not have any connection with the Debtors or currently represent any of their creditors, other parties-in-interest, the United States Trustee, or any person employed by the Office of the United States Trustee with respect to the matters upon which it is to be engaged, and I do not, by reason of any direct or indirect relationship to, connection with, or interest in the Debtors, hold or represent any interest adverse to the Debtors, their estates, or any class of creditors or equity interest holders.

- 7. In the past year, I have rendered services that have been billed but with respect to which payment has not yet been received. I am currently owed \$14,500 on account of such prepetition services.
- 8. In light of the foregoing, I believe that I do not hold or represent any interest materially adverse to the Debtors, their estates, creditors, or equity interest holders with respect to the matters for which the firm will be engaged.
- 9. Except as set forth herein, no promises have been received by me as to compensation in connection with these chapter 11 cases other than in accordance with any applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, and orders of this Court.
- 10. I further state that I have not shared, nor agreed to share any compensation received in connection with these chapter 11 cases with another party or person, other than as permitted by section 504(b) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 2016.
- 11. The foregoing constitutes the statement of the undersigned pursuant to sections 329 and 504 of the Bankruptcy Code and Federal Rules of Bankruptcy Procedure 2014 and 2016(b).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct this  $23^{rd}$  day of June 2023.

Edward Swanson

211 Plymouth Rd, Blue Bell PA 19422