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**Hearing:** August 8, 2023, at 1:30 p.m.

**Objection Deadline:** August 7, 2023, at 5:00

p.m.

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

In re: Case No. 23-bk-22358-KRA Case No. 23-bk-22360-KRA PolarityTE, Inc., a Delaware corporation 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

## NOTICE UNDER LOCAL RULE 9013-1 OF EXPEDITED HEARING ON DEBTORS' MOTION TO AUTHORIZE PAYMENT TO CRITICAL VENDOR ALIRA HEALTH

<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.



PLEASE TAKE NOTICE that the Honorable Judge Kevin R. Anderson has set a hearing on the Debtors' Motion (the "Motion") to approve payment of employees under the Debtors' key employee incentive program for an expedited hearing on <u>August 8, 2023, at 1:30 p.m., (Prevailing Utah Time)</u> (the "Hearing") in the United States Bankruptcy Court via using the following video conference information:

Cases before Judge Anderson:

https://www.zoomgov.com/j/16030076397

Meeting ID: 160 3007 6397

Passcode/Participant ID: 6001201 CALL NOW or +1 669 254 5252

At the Hearing, the Court will consider relief requested in the Motion by which the Debtors seek authorization to pay key employees under the Debtor's key employee incentive program.

A copy of the Motion and all other pleadings in these chapter 11 cases can be obtained through the Bankruptcy Court's Public Access to Court's Electronic Records (PACER) system, available at <a href="http://www.utb.uscourts.gov">http://www.utb.uscourts.gov</a> or by contacting undersigned counsel and requesting a copy, which will be delivered free of charge electronically or in paper format.

## YOUR RIGHTS MAY BE AFFECTED.

IF YOU OBJECT TO THE INTERIM OR EXPEDITED RELIEF REQUESTED IN THE MOTION, YOU MUST, (1) NO LATER THAN AUGUST 7, 2023, AT 5:00 P.M. FILE YOUR OBJECTION WITH THE BANKRUPTCY COURT AND SERVE IT ON THE UNDERSIGNED, THE UNITED STATES TRUSTEE, AND ANY PARTY WHO HAS FILED A REQUEST FOR NOTICE IN THIS CASE; AND (3) ATTEND THE HEARING SCHEDULED FOR AUGUST 8, 2023, AT 1:30 P.M., (PREVAILING UTAH TIME) AT THE ABOVE VIDEO CONFERENCE LINE.

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IF YOU FAIL TO OBJECT, THE BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT HEARING YOUR OBJECTION.

PARSONS BEHLE & LATIMER

DATED July 27, 2023.

/s/ Darren Neilson

J. Thomas Beckett Brian M. Rothschild Darren Neilson

Attorneys for the Debtors

## **CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2023, I caused a true and correct copy of the foregoing NOTICE UNDER LOCAL RULE 9013-1 OF EXPEDITED HEARING ON DEBTORS' MOTION TO APPROVE DEBTORS KEY EMPLOYEE INCENTIVE PLAN to be served as follows:

- (1) by filing on the Courts' docket, which sent notice by electronic mail to the following:
  - J. Thomas Beckett tbeckett@parsonsbehle.com, ecf@parsonsbehle.com;brothschild@parsonsbehle.com
  - Gary M. Freedman gary.freedman@nelsonmullins.com, sarah.castillo@nelsonmullins.com;francis.santelices@nelsonmullins.com
  - Darren B. Neilson dneilson@parsonsbehle.com
  - Ellen E. Ostrow eostrow@foley.com, lbailey@foley.com;ellen-ostrow-4512@ecf.pacerpro.com;rgledhill@foley.com;skamaya@foley.com;docketflow@foley.com;tschuman@foley.com;docketflow@foley.com
  - Brian M. Rothschild brothschild@parsonsbehle.com, ecf@parsonsbehle.com;docket@parsonsbehle.com
  - Rachel A. Sternlieb rachel.sternlieb@nelsonmullins.com
  - United States Trustee USTPRegion19.SK.ECF@usdoj.gov
  - Melinda Willden tr melinda.willden@usdoj.gov, Lindsey.Huston@usdoj.gov;James.Gee@usdoj.gov;Rinehart.Peshell@usdoj.gov;Rachell e.D.Armstrong@usdoj.gov;Brittany.Eichorn@usdoj.gov
- (2) by mail to the Debtors' combined list of 20 largest unsecured creditors attached hereto and to the following:

Crowell & Moring LLP Attn: Deborah Yellin 590 Madison Avenue 20th Floor New York, NY 10022 Kurtzman Carson Consultants, LLC 222 N Pacific Coast Highway 3rd Floor El Segundo, CA 90245

Rocky Mountain Advisory, LLC 15 W South Temple Ste 500 Salt Lake City, UT 84101

/s/ Darren Neilson

Darren Neilson