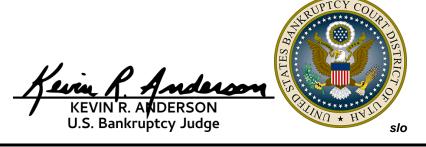
Case 23-22358 Doc 258 Filed 07/15/25 Entered 07/15/25 16:05:21 Desc Main Docket #0258 Date Filed: 7/15/2025

This order is SIGNED.

Dated: July 15, 2025



Brian M. Rothschild, USB #15316 Darren Neilson, USB #15005 PARSONS BEHLE & LATIMER

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Attorneys for the Liquidating Trustee of Debtors' Estate

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

In re:	Case No. 23-bk-22358-KRA
PolarityTE, Inc., a Delaware corporation	Case No. 23-bk-22360-KRA
Debtor	Case No. 23-bk-22361-KRA
In re:	Chapter 11
PolarityTE, MD Inc., a Nevada corporation	Judge Kevin R. Anderson
Debtor	

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In re:

PolarityTE, Inc., a Nevada corporation

Debtor

THIS FILING RELATES TO ALL DEBTORS¹

ORDER APPROVING THE STIPULATION RESOLVING PROOFS OF CLAIM NOS. 15-3, 18-1, 10-3 AND 12-1 OF KOLBY LUKE DAY

Upon consideration of the *Stipulation Resolving Proofs of Claim Nos. 15-3 and 18-1 (in Case No. 23-22358) and 10-3 and 12-1 (in Case No. 23-22360) Filed by Kolby Luke Day* (the "**Stipulation**")² [Dkt. No. 241] submitted by John Curtis, as the Liquidating Trustee of the bankruptcy estate for debtors PolarityTE, Inc. ("PTE"), PolarityTE, MD Inc. ("PTE MD"), and PolarityTE, Inc. ("PTE NV") (together, the "Debtors"); and no opposition having been filed; and the Court finding that it has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334, that this is a core matter under 28 U.S.C. § 157(b)(2), that notice of the Objection [Dkt. No. 245] was sufficient and proper, and that no further notice is necessary; and the Court having found and determined that the relief sought in the Stipulation is in the best interests of the Debtors, its estates, creditors, and all parties-in-interest, and just cause is found,

THEREFORE, IT IS HEREBY OREDERED:

- 1. The Stipulation is APPROVED.
- 2. Claim No. 15-3 in Case No. 23-22358 shall be reduced to an unsecured claim of \$333,461.55, of which \$15,150.00 is allowed as a priority unsecured claim.

¹ 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.

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

- 3. The Debtors' post-petition payment of \$15,150.00 shall be treated as a payment in full satisfaction of the allowed priority unsecured claim.
 - 4. Claim No. 18-1 in Case No. 23-22358 shall be disallowed and reduced to \$0.
 - 5. Claim No. 10-3 in Case No. 23-22360 shall be disallowed and reduced to \$0.
 - 6. Claim No. 12-1 in Case No. 23-22360 shall be disallowed and reduced to \$0.
- 7. The Parties are authorized to take all actions necessary to effectuate the agreement reached pursuant to the Stipulation and authorized by this Order.
 - 8. This Order shall be immediately effective upon its entry.
- 9. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

[END OF ORDER]

###

DESIGNATION OF PARTIES TO RECEIVE NOTICE OF COURT ORDER

Service of the foregoing *Order* shall be served on the parties in the manner designated below:

By Electronic Service: I certify that the parties of record in this case, as identified below, are registered CM/ECF users.

- James W. Anderson jwa@clydesnow.com, gmortensen@clydesnow.com
- Megan K Baker baker.megan@dorsey.com
- **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
- Elaine A. Monson emonson@rqn.com, docket@rqn.com; jsears@rqn.com
- Darren B. Neilson dneilson@parsonsbehle.com
- Ellen E. Ostrow eostrow@foley.com, ellen-ostrow-4512@ecf.pacerpro.com;docketflow@foley.com;geysa.peeler@foley.com
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- Rachel A. Sternlieb rachel.sternlieb@nelsonmullins.com
- Landon S. Troester lst@clydesnow.com, rcondos@clydesnow.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov
- Russell S. Walker russellw@pearsonbutler.com, sasha@pearsonbutler.com
- **Melinda Willden tr** melinda.willden@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Rinehart.Peshell@usdoj.go v;Rachelle.D.Hughes@usdoj.gov;Brittany.Dewitt@usdoj.gov

By U.S. Mail: In addition to the parties receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

Kolby Day 1348 E. Winderbrook Way Salt Lake City, UT 84124-4141

> /s/ Darren Nielson Darren Nielson