

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

In re:

PROSOMNUS, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-10972 (JTD)

(Jointly Administered)

**Objection Deadline: June 17, 2024 at 4:00 p.m. (ET)**

**Hearing Date: June 24, 2024 at 1:00 p.m. (ET)**

**NOTICE OF (A) ENTRY OF INTERIM ORDER (I) ESTABLISHING NOTIFICATION PROCEDURES AND APPROVING RESTRICTIONS ON CERTAIN TRANSFERS OF, OR WORTHLESSNESS DEDUCTIONS WITH RESPECT TO, STOCK OF THE DEBTORS AND (II) GRANTING RELATED RELIEF AND  
(B) SCHEDULING OF FINAL HEARING**

**PLEASE TAKE NOTICE** that on May 7, 2024, the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) filed, among others, the *Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of, or Worthlessness Deductions with Respect to, Stock of the Debtors and (II) Granting Related Relief* [Docket No. 15] (the “**Equity Trading Motion**”) with the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”):

**PLEASE TAKE FURTHER NOTICE** that a hearing on the Equity Trading Motion, and certain other motions and applications, was held on May 9, 2024, at which time the Bankruptcy Court approved the Equity Trading Motion on an interim basis. *See* Docket Nos. 50 (the “**Interim Order**”). Copies of the Equity Trading Motion and Interim Order are being served concurrently herewith.

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: ProSomnus, Inc. (8216), ProSomnus Holdings, Inc. (3855), and ProSomnus Sleep Technologies, Inc. (0766). The location of the Debtors’ principal place of business and the Debtors’ mailing address is 5675 Gibraltar Dr., Pleasanton, California 94588.



**PLEASE TAKE FURTHER NOTICE** that pursuant to the Interim Order, objections, if any, to entry of final orders approving the First Day Pleadings must be filed on or before **June 17, 2024 at 4:00 p.m. (ET)** (the “**Objection Deadline**”) with the Clerk of the Bankruptcy Court, 824 N. Market Street, 3<sup>rd</sup> Floor, Wilmington, Delaware 19801 and served upon (a) the Debtors, c/o ProSomnus, Inc., 5675 Gibraltar Dr., Pleasanton, California 94588; (b) proposed counsel to the Debtors, Polsinelli PC, 222 Delaware Avenue, Suite 1101, Wilmington, Delaware 19801, Attn: Shanti M. Katona (skatona@polsinelli.com) and Katherine M. Devanney (kdevanney@polsinelli.com); (c) counsel to the Sponsoring Noteholders and DIP Lenders, Kilpatrick Townsend & Stockton LLP, 1114 Avenue of the Americas, New York, New York 10036, Attn: David M. Posner (dposner@ktslaw.com) and Gianfranco Finizio (gfinizio@ktslaw.com) and Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, Delaware 19801, Attn: Eric J. Monzo (emonzo@morrisjames.com) and Brya M. Keilson (bkeilson@morrisjames.com); (d) counsel to the Prepetition Agents, Pryor Cashman LLP, 7 Times Square, 40th Floor, New York, New York 10036, Attn: Seth H. Lieberman (slieberman@pryorcashman.com); and (e) counsel to the proposed DIP Agent, Seward & Kissel LLP, One Battery Park Plaza, New York, NY 10004, Attn: Gregg Bateman (bateman@sewkis.com) and (f) the Office of the United States Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Jon Lipshie (jon.lipshie@usdoj.gov).

**PLEASE TAKE FURTHER NOTICE** that a hearing to consider final approval of the Equity Trading Motion will be held on **June 24, 2024 at 1:00 p.m. (ET)** before the Honorable John T. Dorsey, at the Bankruptcy Court, 824 N. Market Street, 5<sup>th</sup> Floor, Courtroom No. 5, Wilmington, Delaware 19801. Only those objections made in writing and timely filed and served

in accordance with the above procedures will be considered by the Bankruptcy Court at such hearing.

**PLEASE TAKE FURTHER NOTICE THAT IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY GRANT THE FINAL RELIEF REQUESTED IN THE EQUITY TRADING MOTION WITHOUT FURTHER NOTICE OR HEARING.**

Dated: May 9, 2024  
Wilmington, Delaware

POLSINELLI PC

/s/ Shanti M. Katona

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