

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

In re:

PROSOMNUS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-10972 (JTD)

(Jointly Administered)

**JOINDER OF AD HOC CROSSOVER GROUP OF CONVERTIBLE NOTEHOLDERS
TO MOTION OF DEBTORS FOR ENTRY OF ORDER
(I) SHORTENING NOTICE OF HEARING ON MOTION FOR AN ORDER
APPROVING DISCLOSURE STATEMENT AND (II) GRANTING RELATED RELIEF**

The Ad Hoc Crossover Group of Convertible Noteholders (the “Ad Hoc Crossover Group”) of ProSomnus, Inc. (together with its affiliated debtors and debtors-in-possession, the “Debtors”), by and through its undersigned counsel, submits this joinder (the “Joinder”) in support of the *Motion of Debtors for Entry of Order (I) Shortening Notice of Hearing on Motion for an Order Approving Disclosure Statement and (II) Granting Related Relief* [Dkt. No. 89] (the “Motion”).² In support of this Joinder, the Ad Hoc Crossover Group respectfully states as follows:

JOINDER

1. The Ad Hoc Crossover Group adopts, joins, and incorporates the arguments made and the relief requested in the Motion.
2. The Ad Hoc Crossover Group expressly reserves, and does not waive, its right to supplement, amend, and/or modify this Joinder on any additional grounds that governing law permits and to raise additional arguments at any hearing to consider the Motion.

¹ 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.

² Capitalized terms used but not define herein shall have the meanings ascribed to such terms in the Motion.



WHEREFORE, for the reasons set forth in the Motion, the Ad Hoc Crossover Group respectfully requests entry of an order (i) granting the Motion and shortening the notice period of the Disclosure Statement as set forth therein, and (ii) granting such other and further relief as the Court deems just and proper.

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Dated: May 24, 2024

MORRIS JAMES LLP

/s/ Brya M. Keilson

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Convertible Noteholders of ProSomnus, Inc.*

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of May, 2024, I caused to be filed with the Court electronically, and I caused to be served a true and correct copy of the *Joinder of Ad Hoc Crossover Group of Convertible Noteholders to Motion of Debtors for Entry of Order (I) Shortening Notice of Hearing on Motion for an Order Approving Disclosure Statement and (II) Granting Related Relief* upon the parties that are registered to receive notice via the Court's CM/ECF notification system and an additional service was competed via electronic mail on the parties listed on the attached service list.

Dated: May 24, 2024

/s/ Brya M. Keilson
Brya M. Keilson (DE Bar No. 4643)

¹ 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.

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