

**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)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON JUNE 24, 2024 AT 1:00 P.M. (ET)**

**AT THE DIRECTION OF THE COURT, THIS HEARING HAS BEEN
ADJOURNED TO JUNE 26, 2024 AT 10:00 A.M.**

RESOLVED/ADJOURNED MATTERS

1. 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; Filed: 5/8/2024]

Objection Deadline: June 17, 2024 at 4:00 p.m.

Related Document(s):

- a) Declaration of Brian Dow, Chief Financial Officer of the Debtors, in Support of Chapter 11 Petitions and First Day Pleadings [Docket No. 14; Filed: 5/8/2024]
- b) 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 [Docket No. 50; Entered: 5/9/2024]
- c) 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 [Docket No. 53; Filed: 5/9/2024]

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.



- d) Affidavit of Publication of the 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 [Docket No. 162; Filed: 6/18/2024]
- e) Certificate of No Objection Regarding 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. 165; Filed: 6/18/2024]

Response(s) Received: None.

Status: A certificate of no objection has been filed. Should the Court require a hearing, this matter will go forward on June 26, 2024 at 10:00 a.m.

- 2. Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Wilson Sonsini Goodrich & Rosati, P.C., as Special Corporate Counsel for the Debtors, Nunc Pro Tunc to the Petition Date [Docket No. 84; Filed: 5/24/2024]

Objection Deadline: June 7, 2024 at 4:00 p.m.

Related Document(s):

- a) Supplemental Declaration of Erin R. Fay in Support of Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Wilson Sonsini Goodrich & Rosati, P.C., as Special Corporate Counsel for the Debtors, Nunc Pro Tunc to the Petition Date [Docket No. 158; Filed: 6/14/2024]
- b) Certification of Counsel Regarding Order Granting Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Wilson Sonsini Goodrich & Rosati, P.C., as Special Corporate Counsel for the Debtors, Nunc Pro Tunc to the Petition Date [Docket No. 159; Filed: 6/14/2024]
- c) Order Granting Debtors' Application for Entry of an Order Authorizing the Employment and Retention of Wilson Sonsini Goodrich & Rosati, P.C., as Special Corporate Counsel for the Debtors, Nunc Pro Tunc to the Petition Date [Docket No. 163; Entered: 6/18/2024]

Response(s) Received: Comments from United States Trustee

Status: An order has been entered. No hearing is necessary.

3. Motion of Debtors for Entry of Order (I) Approving Disclosure Statement and Form and Manner of Notice of Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling Confirmation Hearing, (IV) Establishing Notice and Objection Procedures for Confirmation of Plan, and (V) Granting Related Relief [Docket No. 88; Filed: 5/24/2024]

Objection Deadline: June 20, 2024 at 4:00 p.m.

Related Document(s):

- a) Joint Chapter 11 Plan of Reorganization of ProSomnus, Inc. and its Debtor Affiliates [Docket No. 86; Filed: 5/24/2024]
- b) Disclosure Statement for Joint Chapter 11 Plan of Reorganization of ProSomnus, Inc. and its Debtor Affiliates [Docket No. 87; Filed: 5/24/2024]
- c) Notice of Hearing to Consider Approval of Disclosure Statement and Solicitation Procedures for Joint Chapter 11 Plan of Reorganization of ProSomnus, Inc. and Its Debtor Affiliates [Docket No. 96; Filed: 5/28/2024]

Response(s) Received:

- d) United States Trustee's Objection Debtors' Motion for Entry of Order (I) Approving Disclosure Statement and Form and Manner of Notice of Disclosure Statement Hearing, (II) Establishing Solicitation and Voting Procedures, (III) Scheduling Confirmation Hearing, (IV) Establishing Notice and Objection Procedures for Confirmation of Plan, and (V) Granting Related Relief [Docket No. 164; Filed: 6/18/2024]

Status: The Debtors intend to file revised documents in support of this relief in advance of the hearing. This matter will go forward on June 26, 2024 at 10:00 a.m.

[signature page follows]

Dated: June 20, 2024
Wilmington, Delaware

POLSINELLI PC

/s/ Shanti M. Katona

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