

**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)

**SUPPLEMENTAL CERTIFICATE OF SERVICE**

1. I, Heather Fellows, depose and say that I am employed by Kurtzman Carson Consultants, LLC dba Verita Global (“**Verita**”), the claims and noticing agent for the Debtors in the above-captioned case. I submit this Supplemental Certificate in connection with the service of solicitation materials for the *Amended Joint Chapter 11 Plan of Reorganization of ProSomnus, Inc. and its Debtor Affiliates* (Docket No. 192) (the “**Plan**”) and the *Disclosure Statement for Amended Joint Chapter 11 Plan of Reorganization of ProSomnus, Inc. and its Debtor Affiliates* (Docket No. 193) (the “**Disclosure Statement**”). I am over the age of 18 and not a party to this action. Except as otherwise noted, I could and would testify to the following based upon my personal knowledge.

2. On May 9, 2024, the Court entered the *Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Claims and Noticing Agent Effective as of Petition Date* (Docket No. 51).

3. On June 4, 2024, the Court entered the *Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants as Administrative Advisor, Effective as of the Petition Date* (Docket No. 118).

4. Consistent with its retention as claims and noticing agent, Verita is charged with, among other things, printing and distributing Solicitation Packages<sup>2</sup> to creditors and other interested parties pursuant to the solicitation and voting procedures within the *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. 195) (the “**Solicitation Procedures Order**”) entered on June 26, 2024.

<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.

<sup>2</sup> Terms not otherwise defined herein shall have the same meanings ascribed to them in the Solicitation Procedures Order



5. The Solicitation Package consists of the following materials (the “**Solicitation Package**”):
  - a. USB Flash Drive (the “**USB**”) containing the following documents:
    - i. Plan;
    - ii. Disclosure Statement;
  - b. the Solicitation Procedures Order (without exhibits attached);
  - c. Notice of Hearing to Consider Confirmation of the Chapter 11 Plan Filed by the Debtors and Related Voting and Objection Deadlines (the “**Confirmation Hearing Notice**”) (Docket No. 201);
  - d. a printed copy of the appropriate Ballot(s) and voting instructions for the voting class in which the creditor is entitled to vote:
    - i. Class 1 Master Ballot (Senior Notes Claims) (“**Class 1 Master Ballot**”) (substantially in the form attached as **Exhibit 2-A** to the Solicitation Procedures Order);
    - ii. Class 1 Beneficial Ballot (Senior Notes Claims) (“**Class 1 Beneficial Ballot**”) (substantially in the form attached as **Exhibit 2-B** to the Solicitation Procedures Order);
    - iii. Class 1 Registered Holder Ballot (Senior Notes Claims) (“**Class 1 Registered Holder Ballot**”) (substantially in the form attached as **Exhibit 2-C** to the Solicitation Procedures Order); or
    - iv. Class 2 Registered Holder Ballot (Subordinated Notes Claims) (“**Class 2 Registered Holder Ballot**”) (substantially in the form attached as **Exhibit 3** to the Solicitation Procedures Order);
  - e. A pre-addressed, postage pre-paid return envelope (the “**Return Envelope**”).
6. The Unimpaired Non-Voting Package consists of the following documents:
  - a. Notice of Non-Voting Status to Unimpaired Classes (the “**Notice of Non-Voting Status Unimpaired**”) (substantially in the form attached as **Exhibit 4** to the Solicitation Procedures Order);
  - b. Opt Out Form for Unimpaired Classes (the “**Opt Out Form**”) (substantially in the form attached as **Exhibit 4 – Annex A** to the Solicitation Procedures Order);
  - c. Confirmation Hearing Notice; and
  - d. Return Envelope.

7. The Impaired Non-Voting Package consists of the following documents:
- a. Notice of Non-Voting Status to Impaired Classes (the “**Notice of Non-Voting Status Impaired**”) (substantially in the form attached as **Exhibit 5** to the Solicitation Procedures Order); and
  - b. Confirmation Hearing Notice.

8. On June 28, 2024, links to the following documents were made available on the public access website of [www.veritaglobal.net/prosomnus](http://www.veritaglobal.net/prosomnus):

- a. Solicitation Procedures Order;
- b. Plan;
- c. Disclosure Statement; and
- d. Confirmation Hearing Notice.

9. On July 18, 2024, at my direction and under my supervision, employees of Verita caused the Unimpaired Non-Voting Package, including the Confirmation Hearing Notice, Notice of Non-Voting Status Unimpaired, Opt Out Form, and Return Envelope to be served per postal forwarding address via First Class Mail upon the service list attached hereto as **Exhibit A**.

Dated: July 19, 2024

/s/ Heather Fellows

Heather Fellows

Verita

222 N Pacific Coast Highway, 3rd Floor

El Segundo, CA 90245

Tel 310.823.9000

# **Exhibit A**

**Class 3, Class 5, and Unclassified Unimpaired Non-Voting Parties**  
**Served via First Class Mail**

<b>CreditorName</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
Joshua Crenshaw	Address on File			