

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

In re:) Chapter 11
)
Tricida, Inc.,¹) Case No. 23-10024 (JTD)
Debtor.)
) **Related Docket No. 594**

**CERTIFICATION OF COUNSEL REGARDING THE LIQUIDATING
TRUSTEE'S SECOND OMNIBUS OBJECTION TO CERTAIN
RECLASSIFIED CLAIMS (SUBSTANTIVE)**

Undersigned counsel for Jackson Square Advisors, as trustee (the "Liquidating Trustee") of the Tricida Liquidating Trust (the "Liquidating Trust") hereby certifies as follows:

1. On August 25, 2023, the Liquidating Trustee filed its *Second Omnibus Objection to Certain Reclassified Claims (Substantive)* [DI 594] (the "Claim Objection"). Pursuant to the Notice filed with the Claim Objection, the deadline to object or respond to the Claim Objection was September 13, 2023.

2. The Court held a hearing on the Claim Objection and ruled that it would sustain the Claim Objection. The undersigned certifies that the proposed order attached hereto as **Exhibit 1** (the "Proposed Order") incorporates the change to the Proposed Order as discussed at the Hearing on October 10, 2023. A blacklined version of the Proposed Order showing the changes from the proposed order filed with the Claim Objection is attached hereto as **Exhibit 2**.

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor's federal tax identification number, is Tricida, Inc. (2526). The Debtor's service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.



WHEREFORE, the Liquidating Trustee respectfully requests that this Honorable Court enter the Proposed Order attached hereto as Exhibit 1.

Dated: October 11, 2023
Wilmington, Delaware

SULLIVAN • HAZELTINE • ALLINSON LLC

/s/ William A. Hazeltine

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Attorneys for Jackson Square Advisors

EXHIBIT 1

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

In re:) Chapter 11
Tricida, Inc.,¹)
Debtor.) Case No. 23-10024 (JTD)
)
) **Related Docket No. 594**

**ORDER SUSTAINING THE LIQUIDATING TRUSTEE’S SECOND OMNIBUS
OBJECTION TO CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)**

Upon the *Liquidating Trustee’s Second Omnibus Objection to Certain Reclassified Claims (Substantive)* (the “Objection”)²; and it appearing that notice of the Objection was good and sufficient upon the particular circumstances and that no other or further notice need be given; and the Court having considered the Objection, the claims listed on **Exhibit A** annexed hereto, and any responses thereto; and the Court having reviewed and considered the Hurwitz Declaration; and after due deliberation thereon and good and sufficient cause appearing therefore; it is hereby

FOUND AND DETERMINED THAT:

- A. The Objection is a core proceeding under 28 U.S.C. § 157(b)(2).
- B. This Court has authority to enter a final order in this matter consistent with Article III of the United States Constitution.
- C. Each holder of a Claim listed on **Exhibit A** attached hereto was properly and timely served with a copy of the Objection, this Order, the accompanying exhibits and the notice of hearing and response deadline.
- D. Any entity known to have an interest in the Claim subject to the Objection has been

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Objection.

afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection.

E. The relief requested in the Objection is in the best interests of the Debtors, their estates, their creditors, and other parties in interest.

IT IS THEREFORE ORDERED THAT:

1. The Objection is SUSTAINED, as set forth herein.
2. Each of the Reclassified Claims listed on Exhibit A is hereby reclassified to reflect the priority listed in the “Modified Classification Status” column on Exhibit A.
3. Nothing in the Objection or this Order shall be construed as an allowance of any Claim.
4. The Liquidating Trustee’s right to amend, modify, or supplement this Objection, to file additional objections to the Claims or any other claims (filed or not) which may be asserted against the Debtors, and to seek further reduction of any Claim to the extent such Claim has been paid, are preserved to the extent permitted by Del. Bankr. L.R. 3007-1. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Liquidating Trustee’s right to object on other stated grounds or any other grounds that the Liquidating Trustee discovers during the pendency of these chapter 11 cases are further preserved to the extent permitted by Del. Bankr. L.R. 3007-1.
5. This Court shall retain jurisdiction over the Liquidating Trustee, the Debtors and the Claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection or the implementation of this Order.
6. Each Claim and the objections by the Liquidating Trustee to such Claim, as addressed in the Objection and set forth on Exhibit A hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be

deemed a separate Order with respect to each Claim. Any stay of this Order pending appeal by any Claimant whose Claims are subject to this Order shall apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

Dated: _____, 2023
Wilmington, Delaware

The Honorable John T. Dorsey
United States Bankruptcy Judge

EXHIBIT A

Tricida, Inc.
Case No. 23-10024 (JTD)
Exhibit A
Reclassify Claims

Date Filed	Claim No.	Creditor Name	Claim Amount	Claim Classification Status	Modified Classification Status	Reason for Reclassification
02/24/2023	88	Emily Chao 677 Riverband Pl Henderson, NV 89052	\$20,000.00	Priority	General Unsecured Claim	Claim no. 88 asserts a claim for administrative priority pursuant to 11 U.S.C § 507(b)(4) pursuant to the Retention Agreement attached to the claim. The Retention Agreement provides that Claimant was entitled to receive a Cash Retention Award in four installments. The last installment became effective December 31, 2021 and the payment was due thirty days thereafter. Accordingly, Claimant is not entitled to a priority claim because the claim was not earned within 180 before the filing of the petition.
02/27/2023	94	Falk GmbH & Co KG WPG StBg Im Breitspiel 21 Heidelberg, BW 69126 Germany	\$919.13	Administrative Priority	General Unsecured Claim	Claim no. 94 asserts a claim for priority pursuant to 11 U.S.C § 503(b)(9). Claimant did not sell goods to Debtor. Invoices attached to the proof of claim show that Claimant provided services to Debtor.
02/10/2023	60	FDAID LLC 5514 Garden Arbor Dr Lutz, FL 33558	\$3,000.00	Priority	General Unsecured Claim	Claimant, a corporate entity, asserts a priority claim pursuant to 11 U.S.C § 507(b)(4). Claimant had three employees at the time the service was provided. As a result, Claimant is not entitled to a priority claim pursuant to 11 U.S.C § 507(b)(4).
03/24/2023	166	Intrado Digital Media LLC 11808 Miracle Hills Drive Omaha, NE 68154	\$816.67	Administrative Priority	General Unsecured Claim	Claim no. 166 asserts a claim for priority pursuant to 11 U.S.C § 503(b)(9). Claimant did not sell goods to Debtor. Box 8 of the claim form and invoices attached

Tricida, Inc.
Case No. 23-10024 (JTD)
Exhibit A - Reclassify Claims

Date Filed	Claim No.	Creditor Name	Claim Amount	Claim Classification Status	Modified Classification Status	Reason for Reclassification
						to the claim provide that the basis of the claim is subscription charges.
02/16/2023	61	Stacy A Meluskey 3027 Risdon Drive Union City, CA 94587	\$21,825.00	Priority	General Unsecured Claim	Claimant, a corporate entity, asserts a claim for priority pursuant to 11 U.S.C § 507(b)(4) but Claimant has provided no documentation showing that it has only one employee.

EXHIBIT 2

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

In re:) Chapter 11
)
Tricida, Inc.,¹) Case No. 23-10024 (JTD)
Debtor.)
Related Docket No. [594](#)

**ORDER SUSTAINING THE LIQUIDATING TRUSTEE’S SECOND OMNIBUS
OBJECTION TO CERTAIN RECLASSIFIED CLAIMS (SUBSTANTIVE)**

Upon the *Liquidating Trustee’s Second Omnibus Objection to Certain Reclassified Claims (Substantive)* (the “Objection”)²; and it appearing that notice of the Objection was good and sufficient upon the particular circumstances and that no other or further notice need be given; and the Court having considered the Objection, the claims listed on Exhibit A and Exhibit B annexed hereto, and any responses thereto; and the Court having reviewed and considered the Hurwitz Declaration; and after due deliberation thereon and good and sufficient cause appearing therefore; it is hereby

FOUND AND DETERMINED THAT:

- A. The Objection is a core proceeding under 28 U.S.C. § 157(b)(2).
- B. This Court has authority to enter a final order in this matter consistent with Article III of the United States Constitution.
- C. Each holder of a Claim listed on Exhibit A and Exhibit B attached hereto was properly and timely served with a copy of the Objection, this Order, the accompanying exhibits and the notice of hearing and response deadline.

¹ The Debtor in this chapter 11 case, together with the last four digits of the Debtor’s federal tax identification number, is Tricida, Inc. (2526). The Debtor’s service address is 2108 N Street, Suite 4935, Sacramento, CA 95816.

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Objection.

D. Any entity known to have an interest in the Claim subject to the Objection has been afforded reasonable opportunity to respond to, or be heard regarding, the relief requested in the Objection.

E. The relief requested in the Objection is in the best interests of the Debtors, their estates, their creditors, and other parties in interest.

IT IS THEREFORE ORDERED THAT:

1. The Objection is SUSTAINED, as set forth herein.

2. Each of the Reclassified Claims listed on Exhibit A is hereby reclassified to reflect the priority listed in the “Modified Classification Status” column on Exhibit A.

~~3. Each of the Modified Claims listed on Exhibit B is hereby reclassified to reflect the modified priority and amount listed in the “Modified Classification Status” column on Exhibit A.~~

~~4.3.~~ Nothing in the Objection or this Order shall be construed as an allowance of any Claim.

~~5.4.~~ The Liquidating Trustee’s right to amend, modify, or supplement this Objection, to file additional objections to the Claims or any other claims (filed or not) which may be asserted against the Debtors, and to seek further reduction of any Claim to the extent such Claim has been paid, are preserved to the extent permitted by Del. Bankr. L.R. 3007-1. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Liquidating Trustee’s right to object on other stated grounds or any other grounds that the Liquidating Trustee discovers during the pendency of these chapter 11 cases are further preserved to the extent permitted by Del. Bankr. L.R. 3007-1.

~~6.5.~~ This Court shall retain jurisdiction over the Liquidating Trustee, the Debtors and the Claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection or the implementation of this Order.

~~7.6.~~ Each Claim and the objections by the Liquidating Trustee to such Claim, as addressed in the Objection and set forth on Exhibit A and ~~Exhibit B~~ hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each Claim. Any stay of this Order pending appeal by any Claimant whose Claims are subject to this Order shall apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

Dated: _____, 2023
Wilmington, Delaware

The Honorable John T. Dorsey
United States Bankruptcy Judge

EXHIBIT B

Tricida, Inc.
Case No. 23-10024 (JTD)
Exhibit B
Modified Claims¹

Date Filed	Claim No.	Creditor Name	Claim Amount	Claim Classification Status	Modified Classification Status and Amount	Reason for Modification
02/16/2023	61	Stacy A Meluskey 3027 Risdon Drive Union City, CA 94587	\$21,825.00	Priority	Priority Claim Amount \$15,150.00 General Unsecured Claim Amount \$6,675.00	Claim no. 61 asserts a claim for priority pursuant to 11 U.S.C § 507(b)(4) in excess of the \$15,150.00 cap imposed by 11 U.S.C § 507(b)(4).
02/24/2023	88	Emily Chao 677 Riverband Pl Henderson, NV 89052	\$20,000.00	Priority	Priority Claim Amount \$15,150.00 General Unsecured Claim Amount \$4,850.00	Claim no. 88 asserts a claim for priority pursuant to 11 U.S.C § 507(b)(4) in excess of the \$15,150.00 cap imposed by 11 U.S.C § 507(b)(4).

¹The Liquidating Trustee has separately objected to the classification of each of these claims as priority claims in Exhibit A to this omnibus objection because they do not satisfy the requirements for classification of the claims as priority claims pursuant to 11 U.S.C § 507(b)(4).