

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re:

Zosano Pharma Corporation,<sup>1</sup>

Debtor.

Chapter 11

Case No. 22-10506 (JKS)

**NOTICE OF AMENDED<sup>2</sup> AGENDA FOR HEARING SCHEDULED FOR  
JUNE 30, 2022 AT 1:00 P.M. (PREVAILING EASTERN TIME),  
BEFORE THE HONORABLE J. KATE STICKLES, AT THE  
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

**This hearing will be conducted entirely over Zoom and will require all participants to register in advance. All individuals participating must register at least 2 hours prior to the hearing using the link provided below:**

<https://debuscourts.zoomgov.com/meeting/register/vJItcempqTwrHMBDKod4BmyBpayX5YGnMFI>

**A. First Day Declaration:**

1. Declaration of Steven Lo in Support of the Debtor's Chapter 11 Petition and Requests for First Day Relief [Docket No. [15](#), Filed June 2, 2022]

**B. First Day Motions Going Forward on a Final Basis:**

1. Motion of the Debtor for Entry of Interim and Final Orders, (I) Authorizing the Debtor to Pay (A) All Prepetition Employee Obligations and (B) Prepetition Withholding Obligations and (II) Directing Banks to Honor Related Transfers [Docket No. [7](#), Filed June 2, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m.

Response(s) Received: None.

Related Documents:

- A. Interim Order (I) Authorizing the Debtor to Pay (A) All Prepetition

<sup>1</sup> The business address and the last four (4) digits of the Debtor's federal tax identification number is Zosano Pharma Corporation, 34790 Ardentech Court, Fremont, California 94555 (8360).

<sup>2</sup> Amended items appear in bold.



Employee Obligations and (B) Prepetition Withholding Obligations and Dues, and (II) Directing Banks to Honor Related Transfers [Docket No. [30](#), Filed June 8, 2022]

- B. Notice of First Day Motions, Entry of Interim Orders, and Final Hearing Thereon [Docket No. [38](#), Filed June 8, 2022]
- C. Notice of Rescheduled Hearing [Docket No. 45, Filed June 9, 2022]
- D. **Certification of Counsel [Docket No. [84](#), Filed June 30, 2022]**

**Status:** This matter is going forward on a final basis. **A proposed final order has been submitted under certification of counsel.**

- 2. Motion of the Debtor for Entry of an Interim and Final Orders (A) Authorizing the Maintenance of Bank Accounts and Continued Use of Existing Business Forms and Checks, (B) Authorizing the Continued Use of Cash Management System and (C) Waiving Certain Investment and Deposit Guidelines [Docket No. [8](#), Filed June 2, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m.

Response(s) Received: None.

Related Documents:

- A. Interim Order Authorizing the (I) Debtor to Pay Certain Prepetition Taxes and Fees and Related Obligations and (II) Banks to Honor and Process Check and Electronic Transfer Requests Related Thereto [Docket No. [31](#), Filed June 7, 2022]
- B. Notice of First Day Motions, Entry of Interim Orders, and Final Hearing Thereon [Docket No. [38](#), Filed June 8, 2022]
- C. Notice of Rescheduled Hearing [Docket No. 45, Filed June 9, 2022]
- D. **Certification of Counsel [Docket No. [90](#), Filed June 30, 2022]**

**Status:** This matter is going forward on a final basis. **A proposed final order has been submitted under certification of counsel.**

- 3. Motion of the Debtor for Entry of an Interim and Final Orders Authorizing the (I) Debtor to Pay Certain Prepetition Taxes and Fees and Related Obligations and (II) Banks to Honor and Process Check and Electronic Transfer Requests Related Thereto [Docket No. [9](#), June 2, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m.

Response(s) Received: None.

Related Documents:

- A. Interim Order Authorizing the (I) Debtor to Pay Certain Prepetition Taxes and Fees and Related Obligations and (II) Banks to Honor and Process Check and Electronic Transfer Requests Related Thereto [Docket No. [24](#), Filed June 7, 2022]
- B. Notice of First Day Motions, Entry of Interim Orders, and Final Hearing Thereon [Docket No. [38](#), Filed June 8, 2022]
- C. Notice of Rescheduled Hearing [Docket No. 45, Filed June 9, 2022]
- D. **Certification of Counsel [Docket No. [83](#), Filed June 30, 2022]**

**Status:** This matter is going forward on a final basis. **A proposed final order has been submitted under certification of counsel.**

- 4. Motion of the Debtor for Entry of an Order Authorizing the (I) Debtor to (A) Continue Prepetition Insurance Policies and (B) Pay All Prepetition Obligations in Respect Thereof, and (II) Banks to Honor and Process Related Checks and Transfers [Docket No. [10](#), Filed June 2, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m.

Response(s) Received: None.

Related Documents:

- A. Interim Order Authorizing the (I) Debtor to (A) Continue Prepetition Insurance Policies and (B) Pay All Prepetition Obligations in Respect Thereof, and (II) Banks to Honor and Process Related Checks and Transfers [Docket No. [32](#), Filed June 8, 2022]
- B. Notice of First Day Motions, Entry of Interim Orders, and Final Hearing Thereon [Docket No. [38](#), Filed June 8, 2022]
- C. Notice of Rescheduled Hearing [Docket No. 45, Filed June 9, 2022]
- D. **Certification of Counsel [Docket No. [91](#), Filed June 30, 2022]**

**Status:** This matter is going forward on a final basis. **A proposed final order has been submitted under certification of counsel.**

- 5. Motion of the Debtor for Entry of Interim and Final Orders (I) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Service; (II) Deeming Utility Providers Adequately Assured of Future Performance; (III) Establishing Procedures for Determining Adequate Assurance of Payment [Docket No. [12](#), Filed June 2, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m.

Response(s) Received: None.

Related Documents:

- A. Interim Order (A) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Service; (B) Deeming Utility Providers Adequately Assured of Future Performance; (C) Establishing Procedures for Determining Adequate Assurance of Payment; and (D) Granting Related Relief [Docket No. [33](#), Filed June 8, 2022]
- B. Notice of First Day Motions, Entry of Interim Orders, and Final Hearing Thereon [Docket No. [38](#), Filed June 8, 2022]
- C. Notice of Rescheduled Hearing [Docket No. 45, Filed June 9, 2022]
- D. **Certification of Counsel [Docket No. [85](#), Filed June 30, 2022]**

Status: This matter is going forward on a final basis. **A proposed final order has been submitted under certification of counsel.**

**C. Uncontested Matters Going Forward:**

- 6. Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Docket No. [36](#), Filed June 8, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received: Informal comments from the Office of the United States Trustee.

Related Documents:

- A. **Certification of Counsel [Docket No. [86](#), Filed June 30, 2022]**

Status: **A proposed final order has been submitted under certification of counsel.**

- 7. Motion of the Debtor for Entry of an Order Authorizing the Retention and Payment of Professionals Utilized by the Debtor in the Ordinary Course of Business [Docket No. [37](#), Filed June 8, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received: Informal comments from the Office of the United States Trustee.

Related Documents:

**A. Certification of Counsel [Docket No. [87](#), Filed June 29, 2022]**

**Status: A proposed final order has been submitted under certification of counsel.**

8. Application of the Debtor for Authorization to Employ and Retain Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date [Docket No. [39](#), Filed June 8, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received: Informal comments from the Office of the United States Trustee.

Related Documents:

**A. Certification of Counsel [Docket No. [88](#), Filed June 30, 2022]**

**Status: A proposed final order has been submitted under certification of counsel.**

**Status:** The Debtor intends to submit a revised proposed order at or prior to the hearing. This matter is going forward.

9. Application of the Debtor for Entry of an Order Authorizing the Employment and Retention of Greenberg Traurig, LLP as Counsel for the Debtor Effective as of the Petition Date [Docket No. [42](#), Filed June 8, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received: Informal comments from the Office of the United States Trustee.

Related Documents:

**A. Certification of Counsel [Docket No. [89](#), Filed June 30, 2022]**

**Status: A proposed final order has been submitted under certification of counsel.**

**D. Contested Matters Going Forward:**

10. Application of the Debtor for Entry of an Order Authorizing the Retention and Employment of SierraConstellation Partners, LLC as Financial Advisor to the Debtor, Effective as of the Petition Date [Docket No. [40](#), Filed June 8, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received:

- A. Objection of Patheon Manufacturing Services LLC to Application of the Debtor for Entry of an Order Authorizing the Retention and

Employment of SierraConstellation Partners, LLC as Financial Advisor to the Debtor [Docket No. [64](#), Filed June 22, 2022]

- B. Informal comments from the Office of the United States Trustee
- C. Reply to Objection of Patheon Manufacturing Services LLC to Application of the Debtor for Entry of an Order Authorizing the Retention and Employment of SierraConstellation Partners, LLC as Financial Advisor to the Debtor [Docket No. [75](#), Filed June 27, 2022]

Related Documents:

- A. Notice of Witness List in Connection With Application of the Debtor for Entry of an Order Authorizing the Retention and Employment of SierraConstellation Partners, LLC as Financial Advisor to the Debtor, Effective as of the Petition Date Docket No. [80](#), Filed June 28, 2022]**

**Status: This matter is going forward. The Debtor intends to call Lawrence Perkins, CEO of SierraConstellation Partners, LLC, as a witness in connection with this Application. Mr. Perkins will testify from his office in New York, NY.**

- 11. Application of the Debtor for Entry of an Order Approving the Retention and Employment of Onyx Asset Advisors, LLC and Rabin Worldwide, Inc. as Sale Agent [Docket No. [41](#), Filed June 8, 2022]

Response Deadline: June 22, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received:

- A. Objection of the United States Trustee to the Application of the Debtor for Entry of an Order Approving the Retention and Employment of Onyx Asset Advisors, LLC and Rabin Worldwide, Inc. as Sale Agent [Docket No. [77](#), Filed June 28, 2022]

Related Documents:

- A. Notice of Filing Exhibits C and D to Application of the Debtor for Entry of an Order Approving the Retention and Employment of Onyx Asset Advisors, LLC and Rabin Worldwide, Inc. as Sale Agent [Docket No. [59](#), Filed June 17, 2022]

Status: This matter is going forward.

- 12. Motion of the Debtor for Entry of Orders (I) (A) Approving Bid Procedures for the Sale of Assets of the Debtor, (B) Establishing Procedures for the Debtor to Enter Into a Stalking Horse Agreement with Bid Protections, (C) Approving Alternate Liquidation Sales Conducted by a Sale Agent, (D) Establishing Assumption and Assignment Procedures,

(E) Establishing Notice Procedures, and (F) Granting Related Relief; and (II) (A) Authorizing the Sale of Assets of the Debtor Free and Clear of Liens, Claims, Encumbrances, and Other Interests; (B) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [Docket No. [44](#), Filed June 9, 2022]

Response Deadline: June 23, 2022 at 4:00 p.m. (extended for the U.S. Trustee)

Response(s) Received:

- A. Objection of the United States Trustee to the Motion of the Debtor for Entry of Orders (I) (A) Approving Bid Procedures for the Sale of Assets of the Debtor, (B) Establishing Procedures for the Debtor to Enter Into a Stalking Horse Agreement with Bid Protections, (C) Approving Alternate Liquidation Sales Conducted by a Sale Agent, (D) Establishing Assumption and Assignment Procedures, (E) Establishing Notice Procedures, and (F) Granting Related Relief [Docket No. [76](#), Filed June 28, 2022]

Related Documents:

- A. **Notice of Filing Revised Proposed Order (I) (A) Approving Bid Procedures for the Sale of Assets of the Debtor, (B) Establishing Procedures for the Debtor to Enter Into a Stalking Horse Agreement with Bid Protections, (C) Approving Alternate Liquidation Sales Conducted by a Sale Agent, (D) Establishing Assumption and Assignment Procedures, (E) Establishing Notice Procedures, and (F) Granting Related Relief [Docket No. [92](#), Filed June 30, 2022]**

Status: **The Debtor has resolved the objection of the United States Trustee.** This matter is going forward.

Dated: June 30, 2022

GREENBERG TRAURIG, LLP

/s/ Dennis A. Meloro

Dennis A. Meloro (DE Bar No. 4435)  
The Nemours Building  
1007 North Orange Street, Suite 1200  
Wilmington, Delaware 19801  
Telephone: (302) 661-7000  
Facsimile: (302) 661-7360  
Email: melorod@gtlaw.com

-and-

John D. Elrod (admitted *pro hac vice*)  
Terminus 200

3333 Piedmont Road NE, Suite 2500  
Atlanta, Georgia 30305  
Telephone: (678) 553-2100  
Facsimile: (678) 553-2212  
Email: elrodj@gtlaw.com

-and-

Ari Newman (admitted *pro hac vice*)  
333 S.E. Second Ave, Suite 4400  
Miami, Florida 33131  
Telephone: (305) 579-0500  
Facsimile: (305) 579-0717  
Email: newmanar@gtlaw.com

*Proposed Counsel for the Debtor  
and Debtor-in-Possession*

ADMIN 64971590v1