

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re:

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

Debtor.

Chapter 11

Case No. 22-10506 (JKS)

**Ref. Docket No. 79**

**ORDER (I) FIXING DEADLINES FOR FILING PROOFS OF CLAIM AND  
(II) APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Upon consideration of the motion (the “**Motion**”) filed by the above captioned debtor and debtor-in-possession (the “**Debtor**”) pursuant to sections 105(a), 502, and 503 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “**Bankruptcy Code**”), Rule 2002 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule 2002-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “**Bar Date Order**”), (a) establishing deadlines for the filing of proofs of claim and (b) approving the form and manner of notice with respect thereto; and the Court<sup>2</sup> having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference*, dated February 29, 2012, issued by the United States District Court for the District of Delaware; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue of this Case and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that

<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> Capitalized terms used but not otherwise defined herein shall have the same meanings as ascribed to them in the Motion.



no other or further notice is necessary; and this Court having held a hearing (the “**Hearing**”) to consider the relief requested in the Motion; and upon the record of the Hearing, this Court having determined that there is good and sufficient cause for the relief set forth in this Order; and after due deliberation thereon,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.
2. The proposed Bar Date Notice and the Proof of Claim Form, substantially in the forms annexed hereto as **Exhibit 1** and **Exhibit 2**, respectively, are approved.
3. Except as otherwise provided for or specifically excepted in this Order, all “claims” (as defined in section 101(5) of the Bankruptcy Code) of a person or entity (other than a governmental unit) arising before June 1, 2022 (the “**Petition Date**”), including any claims under section 503(b)(9) of the Bankruptcy Code against the Debtor’s estate for the value of goods sold to the Debtor in the ordinary course of business and received by such Debtor within twenty (20) days before the Petition Date, shall be filed with Kurtzman Carson Consultants, LLC (“**KCC**”) pursuant to the procedures provided in this Order so as to be actually received on or before **August 22, 2022 at 5:00 p.m.** (prevailing Eastern Time) (the “**General Bar Date**”).
4. All governmental units (as defined in section 101(27) of the Bankruptcy Code) holding or wishing to assert claims against the Debtor arising before the Petition Date are required to file a proof of claim so that any such proof of claim is actually received by KCC on or before **November 28, 2022 at 5:00 p.m.** (prevailing Eastern Time) (the “**Government Bar Date**”).
5. If the Debtor amends or supplements its Schedules of Assets and Liabilities (the “**Schedules**”) after the Bar Date Notice is served, in accordance with Local Rule 1009-2, the Debtor shall give notice of any amendment or supplement to the holders of claims affected thereby within fourteen (14) days thereof, and such holders, as set forth in any such notice, shall have until

the later of (i) the General Bar Date or, if the creditor is a governmental unit, the Government Bar Date, and (ii) twenty-one (21) days from the date of service of such notice to file a proof of claim (the “**Amended Schedules Bar Date**”). For the avoidance of doubt, the Amended Schedules Bar Date is only applicable where a creditor previously did not file a proof of claim in reliance on the Schedules and the Schedules are subsequently amended in a way that adversely affects the creditor’s claim. The Debtor’s filing of an amendment or supplement to its Schedules will not invalidate, alter, or function as an objection to a proof of claim filed by a creditor prior to such filing, and a creditor that has filed a proof of claim prior to the Debtor’s filing of an amendment or supplement to its Schedules shall not be required to file a new proof of claim.

6. Holders of claims against the Debtor arising from the Debtor’s rejection of an executory contract or unexpired lease must file a proof of claim on or before the later of (a) the General Bar Date, (b) thirty (30) days after service of an order by the Court authorizing such rejection, and (c) such other date, if any, as the Court may fix in the order authorizing such rejection (the “**Rejection Damages Bar Date**” and together with the General Bar Date, the Government Bar Date, the Amended Schedules Bar Date, and the Supplemental Bar Date (as defined below), as applicable, the “**Bar Dates**”). For the avoidance of doubt, with respect to nonresidential real property leases, claims arising from the Debtor’s rejection of unexpired leases shall include any claims under such unexpired leases as of the Petition Date for purposes of this Order and such counterparties shall not be required to file proofs of claim with respect to prepetition amounts unless and until such unexpired leases have been rejected.

7. The following persons and entities are *not* required to file a proof of claim on or before the applicable Bar Dates solely with respect to the types of claims held by such persons and entities described in the applicable paragraph below:

- a. any person or entity who has already filed a proof of claim in the Case with KCC or with the Clerk of the Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware, 19801, solely with respect to the claims asserted in that proof of claim;
- b. any person or entity whose claim is listed on the Debtor's Schedules, provided that (i) the claim is not listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not have or assert any other claims against the Debtor (the assertion of which would require the filing of a proof of claim unless another exception applies);
- c. any person or entity whose claim or claims have been paid in full;
- d. any holder of a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration of the Debtor's estate, except for a holder of a claim arising under section 503(b)(9) of the Bankruptcy Code, which must be asserted by filing a proof of claim on or prior to the applicable Bar Date;
- e. any person or entity holding a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;
- f. any holder of a claim for which a separate deadline is (or has been) fixed by this Court;
- g. any holder of a claim that has been allowed by an order of this Court entered on or before the applicable Bar Date; and
- h. any current or former equity security holder, as defined in section 101(17) of the Bankruptcy Code, that seeks to assert only a proof of interest with respect to the ownership of such equity interests, provided, however, that any equity security holder claiming damages or asserting causes of action based upon or arising from stock ownership would be required to file a proof of claim by the General Bar Date.

8. Any creditor whose prepetition claim against the Debtor is not listed in the Schedules or is listed therein as "disputed," "contingent," or "unliquidated" and that desires to participate in the Case or share in any distribution in the Case, and any creditor whose prepetition claim is improperly classified in the Schedules or is listed in an incorrect amount, must file a proof of claim on or before the applicable Bar Date for such claim.

9. Each proof of claim, to be properly filed pursuant to this Order, shall: (i) be signed, (ii) be written in the English language, (iii) be denominated in currency of the United States, (iv) conform substantially to the Proof of Claim Form attached hereto as **Exhibit 2**, and (v) be submitted with copies of supporting documents (or a summary if voluminous) or an explanation of why the supporting documents are not available.

10. In addition to meeting all the other requirements of the immediately preceding paragraph above, any proof of claim asserting a section 503(b)(9) claim must (i) include the value of the goods delivered to and received by the Debtor in the twenty (20) days prior to the Petition Date, (ii) attach any documentation identifying the date such goods were received by the Debtor, (iii) state whether the amount asserted in the proof of claim represents a combination of goods and services and, if applicable, the portion of the claim that relates solely to the value of goods, and (iv) identify the particular invoices on which the section 503(b)(9) claim is based.

11. Proofs of claim filed with KCC will be deemed timely filed only if *actually received* by KCC, on or before the applicable Bar Date for such claim, (i) electronically through the interface available at <https://epoc.kccllc.net/zosanopharma>, or (ii) by first class U.S. Mail, hand delivery, or overnight mail, at the following address:

**Zosano Pharma Claims Processing Center**  
**c/o KCC**  
**222 N. Pacific Coast Highway, Suite 300**  
**El Segundo, CA 90245**

12. KCC shall not accept proofs of claim submitted by fax or email. Only originally executed proofs of claim shall be filed. Parties who file an originally executed proof of claim and wish to receive from KCC a proof of receipt of their proofs of claim, must also include with their original proof of claim a copy of such claim and a self-addressed and pre-stamped envelope.

13. Pursuant to Bankruptcy Rule 3003(c)(2), any holder of a claim who is required to timely file a proof of claim on or before the applicable Bar Date as provided herein, but fails to do so, absent further order of the Court to the contrary, shall not be treated as a creditor of the Debtor for purposes of voting upon or receiving distributions under any plan of reorganization or liquidation in the Case. If it is unclear from the Schedules whether a creditor's claim is disputed, contingent, or unliquidated as to amount or is otherwise properly listed and classified, such creditor *must* file a proof of claim on or before the applicable Bar Date. Any creditor that relies on the Schedules bears responsibility for determining that its claim is accurately listed therein.

14. In accordance with Bankruptcy Rule 2002, the Debtor is authorized and directed to serve the Bar Date Notice and a Proof of Claim Form by first-class mail, postage prepaid, within three (3) business days following the date on which this Order is entered (such mailing date, the “**Bar Date Notice Mailing Date**”) on: (a) the Office of the United States Trustee for the District of Delaware; (b) all known creditors; (c) all persons and entities with whom the Debtor conducted business post-petition; (d) all parties listed on the Debtor's mailing matrix; (e) all entities who have filed a notice of appearance in this Case; (f) the Securities and Exchange Commission; (g) the Internal Revenue Service; and (h) local taxing authorities and state attorneys general in jurisdictions in which the Debtor conducts business.

15. The Proof of Claim Form may be customized for each creditor whose claim is listed on the Schedules with the creditor's name, address, and/or information regarding the nature, amount, and status of its claim(s) as reflected in the Schedules.

16. Prior to mailing the Bar Date Package, the Debtor may cause to be filled in any missing dates and other information, correct any typographical errors, conform the provisions

thereof to this Order, and make such other non-material changes to the Bar Date Notice and the Proof of Claim Form as the Debtor deems necessary or appropriate.

17. After the initial mailing of the Bar Date Package, the Debtor may, in its discretion, make supplemental mailings of the Bar Date Package, including in the event that: (i) the Bar Date Package is returned by the post office with forwarding addresses; and (ii) additional potential claimants become known as a result of the Bar Date mailing process. If notices are returned as “return to sender” without a forwarding address, the Debtor shall not be required to mail additional notices to such creditors. If the Debtor determines after the Bar Date Notice Mailing Date that additional parties should receive the Bar Date Package, then the date by which a proof of claim must be filed by such parties shall be the later of (i) the General Bar Date or, if the creditor is a governmental unit, the Government Bar Date, and (ii) 21 days from the mailing of the Bar Date Package to such parties (the “**Supplemental Bar Date**”).

18. The Debtor, through KCC, shall post the Proof of Claim Form and the Bar Date Notice on the following website maintained by KCC: <http://www.kcellc.net/zosanopharma>.

19. The Debtor retains all rights to (i) object to any proof of claim on any grounds; (ii) dispute, or assert offsets or defenses to, any claim reflected on the Schedules, or any amendments thereto, as to amount, liability, classification, or otherwise; and (iii) subsequently designate any claim as disputed, contingent, and/or unliquidated.

20. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

21. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order.

22. This Court shall retain jurisdiction with respect to all matters arising from or relating to the interpretation or implementation of this Order.

Dated: July 22nd, 2022  
Wilmington, Delaware

  
J. KATE STICKLES  
UNITED STATES BANKRUPTCY JUDGE

**Exhibit 1**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

In re:

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

Debtor.

Chapter 11

Case No. 22-10506 (JKS)

Ref. Docket No. \_\_\_\_\_

**NOTICE OF BAR DATES FOR FILING PROOFS OF CLAIM  
INCLUDING SECTION 503(b)(9) CLAIMS**

The chapter 11 bankruptcy case (the “**Case**”) concerning the above-captioned debtor and debtor in possession (the “**Debtor**”) was filed on June 1, 2022 (the “**Petition Date**”). You may be a creditor of the Debtor.

On [●], 2022 the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) entered an order (the “**Bar Date Order**”) in the Case in accordance with Bankruptcy Rule 3003(c) fixing:

- (a) **August 22, 2022 at 5:00 p.m.** (prevailing Eastern Time) (the “**General Bar Date**”) as the last date for persons or entities, other than governmental units, to file proofs of claim against the Debtor on account of claims arising, or deemed to have arisen, prior to the Petition Date, including, for the avoidance of doubt, claims arising under section 503(b)(9) of title 11 of the United States Code (the “**Bankruptcy Code**”); and
- (b) **November 28, 2022 at 5:00 p.m.** (prevailing Eastern Time) (the “**Government Bar Date**”) <sup>2</sup> as the last date for all governmental units, as defined in section 101(27) of the Bankruptcy Code, to file proofs of claim against the Debtor on account of claims arising, or deemed to have arisen, prior to the Petition Date.

**1. WHO MUST FILE A PROOF OF CLAIM**

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtor but may not have a claim against the Debtor. The fact that you have received this Notice does not mean that you have a claim against the Debtor or that the Debtor or the Court believe that you have such a claim. **YOU SHOULD NOT FILE A PROOF**

---

<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> The General Bar Date, the Government Bar Date, the Rejection Damages Bar Date (as defined below), the Amended Schedules Bar Date (as defined below), and the Supplemental Bar Date (as defined below) are collectively referred to herein as the “**Bar Dates**”.

## **OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTOR.**

You **MUST** file a proof of claim to vote on any chapter 11 plan of reorganization or liquidation or to share in distributions from the Debtor's bankruptcy estate if you have a claim (as defined in section 101(5) of the Bankruptcy Code) that arose prior to June 1, 2022 and it is not one of the types of claims described in Section 2 subparagraphs (a) through (h) below.

Acts or omissions of the Debtor that arose before the Petition Date may give rise to claims against the Debtor that must be filed by the applicable Bar Date, notwithstanding that such claims may not have matured or become fixed or liquidated prior to the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used herein, the word "claim" means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

### **2. PARTIES WHO NEED NOT FILE A PROOF OF CLAIM**

The following persons and entities are **not** required to file a proof of claim on or before the applicable Bar Dates solely with respect to the types of claims held by such persons and entities described in the applicable paragraph below:

- a. any person or entity who has already filed a proof of claim in the Case with KCC or with the Clerk of the Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware, 19801, solely with respect to the claims asserted in that proof of claim;
- b. any person or entity whose claim is listed on the Debtor's Schedules, provided that (i) the claim is not listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not have or assert any other claims against the Debtor (the assertion of which would require the filing of a proof of claim unless another exception applies);
- c. any person or entity whose claim or claims have been paid in full;
- d. any holder of a claim allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration of the Debtor's estate, except for a holder of a claim arising under section 503(b)(9) of the Bankruptcy Code, which must be asserted by filing a proof of claim on or prior to the applicable Bar Date;
- e. any person or entity holding a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;

- f. any holder of a claim for which a separate deadline is (or has been) fixed by this Court; and
- g. any holder of a claim that has been allowed by an order of this Court entered on or before the applicable Bar Date; and
- h. any current or former equity security holder, as defined in section 101(17) of the Bankruptcy Code, that seeks to assert only a proof of interest with respect to the ownership of such equity interests, provided, however, that any equity security holder claiming damages or asserting causes of action based upon or arising from stock ownership would be required to file a proof of claim by the General Bar Date.

If the Bankruptcy Court, in the future, fixes a date by which the claims described in Section 2 subparagraphs (a) through (h) must be filed, you will be notified.

### **3. AMENDMENTS OR SUPPLEMENTS TO SCHEDULES**

If the Debtor amends or supplements its Schedules after this Notice is served, the Debtor shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders, as set forth in any such notice, shall have until the later of (i) the General Bar Date or, if the creditor is a governmental unit, the Government Bar Date, and (ii) twenty-one (21) days from the date of service of such notice to file a proof of claim or be barred from so doing (the “**Amended Schedules Bar Date**”).

### **4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

If you hold a claim against the Debtor arising from the rejection of an executory contract or unexpired lease, you must file a proof of claim on or before the later of: (a) the General Bar Date; (b) thirty (30) days after the entry of an order by the Court authorizing such rejection; and (c) such other date, if any, as the Court may fix in the order authorizing such rejection (the “**Rejection Damages Bar Date**”). For the avoidance of doubt, with respect to nonresidential real property leases, claims arising from the Debtor’s rejection of unexpired leases shall include any claims under such unexpired leases as of the Petition Date for purposes of the Bar Date Order and such counterparties shall not be required to file proofs of claim with respect to prepetition amounts unless and until such unexpired leases have been rejected.

### **5. WHEN AND WHERE TO FILE**

All proofs of claim shall be filed with the Debtor’s notice and claims agent, Kurtzman Carson Consultants, LLC (“**KCC**”), pursuant to the procedures provided herein *so as to actually be received* by KCC, on or before the applicable Bar Date, (i) electronically through the interface available at <https://epoc.kccllc.net/zosanopharma>, or (ii) by first class U.S. Mail, hand delivery, or overnight mail, at the following address:

**Zosano Pharma Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Highway, Suite 300**

**El Segundo, CA 90245**

***Proofs of claim sent by fax and email will not be accepted.***

If you wish to receive from KCC a proof of receipt of your proof of claim, you must also include with your original proof of claim a copy of such claim and a self-addressed and pre-stamped envelope.

**6. WHAT TO FILE**

The Debtor is enclosing a proof of claim form (the “**Proof of Claim Form**”) for use in the Case. If your claim is scheduled by the Debtor, the form also may set forth the amount of your claim as scheduled by the Debtor. You will receive a different Proof of Claim Form for each claim scheduled in your name by the Debtor.

To be properly filed pursuant to this Notice, each proof of claim must: (i) be signed, (ii) be written in the English language, (iii) be denominated in currency of the United States, (iv) conform substantially with the Proof of Claim Form provided with this Notice, and (v) be submitted with copies of supporting documents (or a summary if voluminous) or an explanation of why the supporting documents are not available. In addition, any proof of claim asserting a section 503(b)(9) claim must: (a) include the value of the goods delivered to and received by the Debtor in the twenty (20) days prior to the Petition Date, (b) attach any documentation identifying the date such goods were received by the Debtor, (c) state whether the amount asserted in the proof of claim represents a combination of goods and services and, if applicable, the portion of the claim that relates solely to the value of goods, and (d) identify the particular invoices on which the section 503(b)(9) claim is based.

The Proof of Claim Form can be obtained on the website maintained by KCC at <http://www.kccllc.net/zosanopharma>. Alternatively, the Official Bankruptcy Form B410 can be found at <http://www.uscourts.gov/forms/bankruptcy-forms>.

**7. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

ANY HOLDER OF A CLAIM THAT IS NOT EXCEPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION 2 SUBPARAGRAPHS (a) THROUGH (h) ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM AS SET FORTH HEREIN ON OR BEFORE THE APPLICABLE BAR DATE, ABSENT FURTHER ORDER OF THE COURT TO THE CONTRARY, SHALL NOT BE TREATED AS A CREDITOR OF THE DEBTOR FOR PURPOSES OF VOTING UPON OR RECEIVING DISTRIBUTIONS UNDER ANY PLAN OF REORGANIZATION OR LIQUIDATION FILED IN THE CASE.

**8. THE DEBTOR’S SCHEDULES AND ACCESS THERETO**

You may be listed as the holder of a claim against the Debtor in the Schedules. Copies of the Debtor’s Schedules may be examined and inspected by interested parties during regular business hours at the office of the Clerk of the Bankruptcy Court, 824 Market Street, Wilmington,

DE, 19801, or at the KCC website, <http://www.kccllc.net/zosanopharma>.

If it is unclear from the Schedules whether your claim is disputed, contingent, or unliquidated as to amount or is otherwise properly listed and classified, you *must* file a proof of claim on or before the applicable Bar Date. Any creditor that relies on the Schedules bears responsibility for determining that its claim is accurately listed therein.

**9. ADDITIONAL INFORMATION**

If you require additional information regarding this Notice, you may contact KCC toll free at 1-888-830-4665 or submit an inquiry via KCC's website at <http://www.kccllc.net/zosanopharma/inquiry>.

**If you believe that you hold a claim against the Debtor, you should consult an attorney if you have any questions regarding this Notice, including whether you should file a proof of claim. The fact that you received this Notice does not mean that you have a claim or that the Debtor or the Bankruptcy Court concedes that you have a claim.**

*[Remainder of Page Intentionally Left Blank]*

Dated: July [●], 2022  
Wilmington, Delaware

Respectfully submitted,

**GREENBERG TRAUIG, 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*

**Exhibit 2**

**Proof of Claim Form**

Your claim can be filed electronically on KCC's website at <https://epoc.kccllc.net/ZosanoPharma>.

**Fill in this information to identify the case:**

Debtor Zosano Pharma Corporation

United States Bankruptcy Court for the District of Delaware

Case number 22-10506

**Official Form 410  
Proof of Claim**

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

**Part 1: Identify the Claim**

<p>1. <b>Who is the current creditor?</b></p>	<p>_____</p> <p>Name of the current creditor (the person or entity to be paid for this claim)</p> <p>Other names the creditor used with the debtor _____</p>	
<p>2. <b>Has this claim been acquired from someone else?</b></p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. From whom? _____</p>	
<p>3. <b>Where should notices and payments to the creditor be sent?</b></p> <p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p><b>Where should notices to the creditor be sent?</b></p> <p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Country _____</p> <p>Contact phone _____</p> <p>Contact email _____</p> <p>Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____</p>	<p><b>Where should payments to the creditor be sent? (if different)</b></p> <p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Country _____</p> <p>Contact phone _____</p> <p>Contact email _____</p>
<p>4. <b>Does this claim amend one already filed?</b></p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY</p>	
<p>5. <b>Do you know if anyone else has filed a proof of claim for this claim?</b></p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Who made the earlier filing? _____</p>	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?  No  
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_ \_ \_ \_ \_

7. How much is the claim? \$ \_\_\_\_\_ Does this amount include interest or other charges?  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
 Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
 Limit disclosing information that is entitled to privacy, such as health care information.  
 \_\_\_\_\_

9. Is all or part of the claim secured?  No  
 Yes. The claim is secured by a lien on property.  
**Nature of property:**  
 Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
 Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amount should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_%  
 Fixed  
 Variable

10. Is this claim based on a lease?  No  
 Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?  No  
 Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check all that apply:

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150* earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies.	\$ _____

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

---

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_  
MM / DD / YYYY

\_\_\_\_\_  
Signature

**Print the name of the person who is completing and signing this claim:**

Name \_\_\_\_\_  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
Number Street

City State ZIP Code Country

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

## Official Form 410

**Instructions for Proof of Claim**

United States Bankruptcy Court

12/15

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571

**PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:**

Zosano Pharma Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Hwy., Ste. 300  
El Segundo, CA 90245

**How to fill out this form**

■ **Fill in all of the information about the claim as of the date the case was filed.**

■ **Fill in the caption at the top of the form**

■ **If the claim has been acquired from someone else, then state the identity of the last party** who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.

■ **Attach any supporting documents to this form.** Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called “Bankruptcy Rule”) 3001(c) and (d).

■ **Do not attach original documents because attachments may be destroyed after scanning.**

■ **If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.**

Alternatively, your claim can be filed electronically on KCC’s website at <https://epoc.kccllc.net/ZosanoPharma>.

■ **A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual’s tax identification number, or financial account number, and only the year of any person’s date of birth.** See Bankruptcy Rule 9037.

■ **For a minor child, fill in only the child’s initials and the full name and address of the child’s parent or guardian.** For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

**Confirmation that the claim has been filed**

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent’s website at <http://www.kccllc.net/ZosanoPharma>.

**Understand the terms used in this form**

**Administrative expense:** Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate.

11 U.S.C. § 503

**Claim:** A creditor’s right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (5). A claim may be secured or unsecured.

**Claim Pursuant to 11 U.S.C. §503(b)(9):** A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

**Creditor:** A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

**Debtor:** A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

**Evidence of perfection:** Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

**Information that is entitled to privacy:** A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

**Priority claim:** A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

**Proof of claim:** A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

**Redaction of information:** Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

**Do not file these instructions with your form.**

**Secured claim under 11 U.S.C. §506(a):** A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

**Setoff:** Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

**Uniform claim identifier:** An optional 24-character identifier that some creditors use to facilitate electronic payment.

**Unsecured claim:** A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

### Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.