

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:	Chapter 11
Zosano Pharma Corporation, ¹	Case No. 22-10506 (JKS)
Debtor.	Ref. Docket Nos. 79 & 142

**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 July 22, 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”)² 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**

¹ 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).

² 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 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.

Dated: July 22, 2022
Wilmington, Delaware

Respectfully submitted,

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