Claim #75 Date Filed: 7/2/2019

Fill in this information to identify the case:	
Debtor	Achaogen, Inc.
United States Bankruptcy Court for the District of Delaware	
Case number	19-10844

Official Form 410
Proof of Claim

04/19

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

1. **Who is the current creditor?**
   David Hou
   Name of the current creditor (the person or entity to be paid for this claim)
   Other names the creditor used with the debtor

2. **Has this claim been acquired from someone else?**
   ☒ No
   ☐ Yes. From whom?

3. **Where should notices and payments to the creditor be sent?**
   Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

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   Where should notices to the creditor be sent?
   David Hou
   Name
   1223 Chelsen Cross
   Number Street
   Mechanicsburg PA 17050
   City State ZIP Code
   U.S.A.
   Country
   Contact phone 732-334-8468
   Contact email david.hou2@gmail.com

   Where should payments to the creditor be sent? (if different)
   Name
   Number Street
   City State ZIP Code
   Country
   Contact phone
   Contact email

   Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. **Does this claim amend one already filed?**
   ☒ No
   ☐ Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**
   ☒ No
   ☐ Yes. Who made the earlier filing?



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?** $ ~~$6,650~~ $5,790 **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

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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: _____

https://reorgdocumentlibrary.broadridge.com/Client/Client?data=0619/E14110/000449104/c

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

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ No

☐ Yes. *Check all that apply:*

Amount entitled to priority

- ☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). $_____
- ☐ Up to $3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). $_____
- ☐ Wages, salaries, or commissions (up to $13,650*) 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). $_____
- ☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). $_____
- ☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). $_____
- ☐ Other. Specify subsection of 11 U.S.C. § 507(a)(__) that applies. $_____

* Amounts are subject to adjustment on 4/01/22 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 06/27/2019
MM / DD / YYYY

David T-Hou
Signature

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

Name: David (First name) Ta-Wei (Middle name) Hou (Last name)

Title: _____

Company: _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address: 1223 (Number) Chelsen Cross (Street)
Mechanicsburg (City) PA (State) 17050 (ZIP Code) USA (Country)

Contact phone 732-334-8468 Email hou2@hotmail.com

20180902 073835 RSBJM616 406A 00000083719740O C

Account activity for Vanguard Brokerage Account—35388131 continued

Completed transactions continued

Settlement date	Trade date	Symbol	Name	Transaction type	Account type	Quantity	Price	Commissions & fees	Amount
08/09	08/09	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep in	-	-	-	-	-3,203.96
08/10	08/08	HAIR	RESTORATION ROBOTICS INC	Buy	Cash	1,000.0000	1.8500	2.00	-1,852.00
08/10	08/10	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep out	-	-	-	-	1,852.00
08/14	08/13	VMMXX	VANGUARD PRIME MONEY MARKET INVESTOR CL	Buy	Cash	30,000.0000	1.0000	0.00	-30,000.00
08/14	08/14	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep out	-	-	-	-	30,000.00
08/15	08/13	MOS	MOSAIC COMPANY NEW	Buy	Cash	100.0000	30.1500	2.00	-3,017.00
08/15	08/15	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep out	-	-	-	-	3,017.00
08/27	08/23	AKAO	ACHAOGEN INC	Buy	Cash	1,000.0000	5.0500	2.00	-5,052.00
08/27	08/27	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep out	-	-	-	-	5,052.00
08/28	08/27	VMMXX	VANGUARD PRIME MONEY MARKET INVESTOR CL	Sell	Cash	-10,000.0000	1.0000	0.00	10,000.00
08/28	08/28	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep in	-	-	-	-	-10,000.00
08/29	08/27	XLY	CONSUMER DISCRETIONARY SELECT SECTOR SPDR ETF ETF	Buy	Cash	30.0000	115.5699	0.00	-3,467.10

20190202 123934 RSBJM616 406A 00000083719740O C

Account activity for Vanguard Brokerage Account—35388131 continued

Completed transactions continued

Settlement date	Trade date	Symbol	Name	Transaction type	Account type	Quantity	Price	Commissions & fees	Amount

If you had an adjustment to a dividend or interest payment from a previous month, the monthly amount shown under the Income Summary section of your brokerage statement may be overstated.

Unsettled activity (These are unsettled transactions that have yet to be swept to or from the settlement fund.)

Settlement date	Trade date	Symbol	Name	Transaction type	Account type	Quantity	Price	Commissions & fees	Amount
02/04	01/31	AKAO	ACHAOGEN INC	Buy	Cash	1,000.0000	$1.6000	$2.00	-$1,602.00
									-$1,602.00

Net credit/debit = -$1,602.00

20190303 033855 RSBJM616 406A 00000083197400 C

Account activity for Vanguard Brokerage Account—35388131 continued

Completed transactions continued

Settlement date	Trade date	Symbol	Name	Transaction type	Account type	Quantity	Price	Commissions & fees	Amount
02/04	02/04	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep out	-	-	-	-	1,602.00
02/05	02/01	GLD	SPDR GOLD TRUST GOLD SHARES	Sell	Cash	-50.0000	$124.6101	$0.08	6,230.43
02/05	02/05	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep in	-	-	-	-	-6,230.43
02/06	02/04	ADUS	ADDUS HOMECARE CORP	Sell	Cash	-100.0000	65.2000	2.08	6,517.92
02/06	02/04	MDY	SPDR S&P MID CAP 400 ETF	Sell	Cash	-10.0000	337.0000	0.04	3,369.96
02/06	02/06	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep in	-	-	-	-	-9,887.88
02/14	02/12	GSS	GOLDEN STAR RESOURCES LTD CANADA NO PAR	Sell	Cash	-500.0000	3.9401	2.03	1,968.02
02/14	02/14	-	WINDTREE THERAPEUTIC WTS NON-TRANS EXP 00/00/00 INC SER H SPIN FR WINDTREE THERAP	Spinoff	Cash	1.0000	-	-	0.00
02/14	02/14	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep in	-	-	-	-	-1,968.02
02/22	02/20	AKAO	ACHAOGEN INC	Sell	Cash	-1,000.0000	0.8602	2.01	858.21
02/22	02/20	CVS	CVS HEALTH CORP	Buy	Cash	50.0000	64.7000	2.00	-3,237.00
02/22	02/22	-	VANGUARD FEDERAL MONEY MARKET FUND	Sweep out	-	-	-	-	2,378.79