Docket #0866 Date Filed: 06/01/2022

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CLERK
U.S. BANKRUPTCY COURT
DISTRICT OF DELAWARE

Office of the Clerk

United States Bankruptcy Court for the District of Delaware

824 North Market Street 3rd Floor

Wilmington, Delaware 19801

Case # 19-10844 – Achaogen, Inc. Debtor

Sir/Madam,

In response to Case No. 19-10844 (BLS) – Achaogen Plan Trustee's Second Omnibus Objection (Substantive) to Certain Claims Pursuant to 11 U.S.C. 52, Fed R. Bankr.P.3007 and Del. L.R. 3007-1 (Reclassified Claims), I am formally objecting to the Plan's Trustee regarding Exhibit A Reclassified Claims for Mary Rogers, Claim #209 in the amount of $7,144.83. This claim represents unpaid PTO (i.e., lost vacation pay). This PTO balance was earned prior to the debtor filing bankruptcy (pre-petition) and should be considered for payment. The PTO/vacation time could not be taken due to workload; therefore, should not be penalized, not be reclassified as general unsecured status, and not be part of the KERP. A copy of the Achaogen calculation of PTO and Pre-Petition value is attached for your files.

Thank you for your consideration.

Regards,

Mary Rogers – Claim #209

cc: Cole Schotz P.C.

500 Delaware Ave., Ste. 1410

Wilmington, DE 19801

ATTN: Justin R. Alberto

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Unanet Organizations Project People Time Admin **Reports**

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People Accrual Summary

Date Range: 1/1/2019 - 4/15/2019
Initial Balance calculated as of: 12/31/2018
Accrued Hours through Accrual Periods overlapping Date Range
Cost Rate as of Date Range End Date
Including Projected Accruals
Including Pending Adjustments

Person Organization: Achaogen-1050 Finance and Accounting

Accrual Plan: Full-Time PTO Plan 2013+ (Semi-Monthly)

PERSON	COST RATE	BUS WEEK HOURS	HIRE DATE	INITIAL BALANCE	PERIOD HOURS ACCRUED	TOTAL BALANCE	USED	AVAILABLE	TOTAL LIABILITY
Rogers, Mary	$106.46	40	6/23/2016	264.00	7.33	271.33	24.00	247.33	$26,330.75
Totals for Full-Time PTO Plan 2013+ (Semi-Monthly):				**264.00**	**7.33**	**271.33**	**24.00**	**247.33**	**$26,330.75**
Totals for Achaogen-1050 Finance and Accounting:				**264.00**	**7.33**	**271.33**	**24.00**	**247.33**	**$26,330.75**
Grand Totals:				**264.00**	**7.33**	**271.33**	**24.00**	**247.33**	**$26,330.75**

Used Hours = Hours taken by the user
Accrued Hours = Hours from all transactions posted by the Administrator including Accrued, Adjusted, and Transferred hours
Initial Balance = Accrual plan balance on the day prior to the report's date range, but not before the plan's starting date

Please see the following calculation for your Pre-Petition PTO Amount

Your total Pre-Petition PTO as of 4/15/2019 was	$26,330.75
Between 4/16-6/30 You used an additional (Hours):	52
At your current cost rate of	$106.46
Means a reduction of	$5,535.92
Your Pre Petition PTO as of 6/30/2019 was	$20,794.83
As of 6/30/2019, You received, related to Employee Reimbursement:	$0.00
Per regulations, you are allowed a maximum cash payout related to Pre-petition amounts	$13,650.00
As such, you received a payout on 6/28/2019 related to your Pre-Petition PTO of:	$13,650.00
This is your remaining amount of Unpaid Pre-Petition PTO:	$7,144.83