IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re Achaogen, Inc., Debtor.[1]	Chapter 11 Case No. 19-10844 (BLS)
Edward E. Neiger, not individually but as Plan Trustee of the Achaogen Plan Trust, Plaintiff v. Cipla USA Inc., Defendant.	Adv. Pro. No. 21-50479 (BLS)

NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON NOVEMBER 14, 2024 AT 11:00 A.M. (PREVAILING EASTERN TIME) BEFORE THE HONORABLE BRENDAN L. SHANNON, U.S. BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

This proceeding will be conducted via Zoom.

Please refer to Judge Shannon's Chambers Procedures (https://www.deb.uscourts.gov/content/judge-brendan-l-shannon) and the Court's website (https://www.deb.uscourts.gov/ecourt-appearances) for information on the method of allowed participation (video or audio), Judge Shannon's expectations of remote participants, and the advance registration requirements. Registration is required by one-hour prior to the hearing unless otherwise noticed using the eCourtAppearances tool available on the Court's website.

BENCH RULING

1. Motion for Partial Summary Judgment as to Liability filed by Cipla USA, Inc. (Filed February 15, 2024) [Adv. Docket No. 38]

   Related Documents:

   (a) Memorandum of Law in Support of Cipla's Motion for Partial Summary Judgment as to Liability (Filed February 15, 2024) [Adv. Docket No. 39]

   (b) Motion to Strike Portions of the Reply or, Alternatively, for Leave to File Sur-Reply to the Reply Brief in Support of Cipla's Motion for

[1] The last four digits of Achaogen's federal tax identification number are 3693. The last four digits of the Achaogen Plan Trust's tax identification number are 4172.

Partial Summary Judgment (Filed April 17, 2024) [Adv. Docket No. 45]

(c) Request for Oral Argument Filed by Edward E. Neiger (Filed May 8, 2024) [Adv. Docket No. 48]

(d) Request for Oral Argument Filed by Cipla USA Inc. (Filed May 9, 2024) [Adv. Docket No. 49]

(e) Notice of Completion of Briefing Regarding Cipla USA, Inc.'s Motion for Partial Summary Judgment as to Liability (Filed May 9, 2024) [Adv. Docket No. 50]

Response Deadline: February 29, 2024 at 4:00 p.m. (ET)

Responses Received:

(a) Plaintiff's Response in Opposition to Motion for Partial Summary Judgment as to Liability Filed by Cipla USA, Inc. (Filed February 15, 2024) [Adv. Docket No. 40]

(b) Plaintiff's Memorandum of Law in Opposition to Motion for Partial Summary Judgment as to Liability Filed by Cipla USA Inc. (Filed February 15, 2024) [Adv. Docket No. 41]

(c) Reply Brief in Support of Cipla's Motion for Partial Summary Judgment as to Liability (Filed April 8, 2024) [Adv. Docket No. 44]

(d) Cipla's Opposition to Plaintiff's Motion to Strike (Filed May 1, 2024) [Adv. Docket No. 46]

(e) Reply in Support of Motion to Strike Portions of the Reply or, Alternatively, for Leave to File Sur-Reply to the Reply Brief in Support of Cipla's Motion for Partial Summary Judgment (Filed May 8, 2024) [Adv. Docket No. 47]

Status: A hearing on this matter was held on July 25, 2024. The Court will issue its bench ruling related to the matter at the hearing.

Dated: November 11, 2024
Wilmington, Delaware

COLE SCHOTZ P.C.

/s/ Jack M. Dougherty
Justin R. Alberto (No. 5126)
Jack M. Dougherty (No. 6784)
500 Delaware Ave., Ste. 1410
Wilmington Delaware 19801
Telephone: (302) 652-3131
Email: jalberto@coleschotz.com
jdougherty@coleshotz.com

- and -

ASK LLP
Nicholas C. Brown, Esq.
2600 Eagan Woods Drive, Suite 400
St. Paul, MN 55121
Telephone: (651) 289-3846
Facsimile: (651) 406-9676
Email: nbrown@askllp.com

- and -

Edward E. Neiger, Esq.
151 West 46th Street, 4th Fl.
New York, NY 10036
Telephone: (212) 267-7342
Facsimile: (212) 918-3427

Counsel for Achaogen Plan Trustee