IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re: Apple Tree Life Sciences, Inc., *et al*.,[1] Debtors.	Chapter 11 Case No. 25-12177 (LSS) (Jointly Administered)
Rigmora Biotech Investor One LP, *et al*., Appellants, v. Apple Tree Life Sciences, Inc., *et al*., Appellees.	C.A. No. 26-cv-495 (JLH) BAP No. 26-23

APPELLANTS' MOTION TO ACCEPT DOCUMENTS
UNDER SEAL INTO THE APPELLATE RECORD

Pursuant to Rules 8009(f) and 8013(b) of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), parties in interest Rigmora Biotech Investor One LP, by its general partner Unicorn Biotech Ventures One Ltd and Rigmora Biotech Investor Two LP, by its general partner Unicorn Biotech Ventures Two Ltd (collectively, the "**Appellants**"), hereby file this motion (the "**Motion**") requesting that the Court enter an order, substantially in the form attached hereto as **Exhibit A** (the "**Proposed Order**"), accepting under seal into the appellate record certain documents that were placed under seal in the above-captioned chapter 11 cases (the "**Bankruptcy**

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number include: Apple Tree Life Sciences, Inc. (4506); ATP Life Science Ventures, L.P. (8224); ATP III GP, Ltd. (6091); Apertor Pharmaceuticals, Inc. (3161); Initial Therapeutics, Inc. (2453); Marlinspike Therapeutics, Inc. (4757); Red Queen Therapeutics, Inc. (8563); Evercrisp Biosciences, Inc. (4437); Nine Square Therapeutics, Inc. (4503); and Nereid Therapeutics Incorporated (8493). The location of the Debtors' service address in these chapter 11 cases is 230 Park Avenue, Suite 2800, New York, NY 10169.

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Case") in the United States Bankruptcy Court for the District of Delaware (the "**Bankruptcy Court**"). Those documents are included in *Appellants' Designation of Items to be Included in the Record on Appeal and Statement of Issues Pursuant to Fed. R. Bankr. P. 8009(a)* (the "**Designation**"), filed in the Bankruptcy Case and in the above-captioned civil action before this Court. Docket Nos. 654, 655, 656 & 657 & D. Ct. Docket Nos. 6, 7, 8 & 9.[2] In support of this Motion, Appellants state as follows:

1. Appellants have filed the Designation with the Bankruptcy Court and this Court identifying those items that they seek to include in the appellate record in this case. The Designation includes certain documents that were filed with the Bankruptcy Court under seal (collectively, the "**Sealed Documents**").[3]

2. Bankruptcy Rule 8009(f) provides that the Sealed Documents may be transmitted to this Court only upon this Court's order. Fed. R. Bankr. P. 8009(f). Consistent with that rule, Appellants file this Motion "to accept the [Sealed] [D]ocument[s] under seal" in the "court where the appeal is pending." *Id.* "If the motion is granted," Appellants will "notify the bankruptcy court," so that the bankruptcy clerk may "promptly send the [S]ealed [D]ocument[s] to the clerk of the court where the appeal is pending." *Id.*

3. The Sealed Documents are:

   a. Amended Motion of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP for an Order Dismissing the Bankruptcy Cases of ATP Life Science Ventures, L.P. and ATP III GP, Ltd. [Docket No. 204];

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[2] "Docket No." references are to the docket in Case No. 25-12177. "D. Ct. Docket No." references are to the docket in C.A. No. 26-cv-495 (JLH).

[3] The Sealed Documents included in the Designation were initially filed with the Bankruptcy Court under seal, and most of the Sealed Documents were subsequently filed with the Bankruptcy Court in unsealed, redacted, and/or revised redacted forms in connection with applicable orders from the Bankruptcy Court. For the avoidance of doubt, and to ensure the transmission of a complete record on appeal, Appellants have included both the Sealed Documents and the corresponding unsealed and/or redacted documents in the Designation.

b. Debtors' Motion for Entry of Order (I) Authorizing Use of Funds to (A) Fund Portfolio Companies, (B) Pay Management Company Expenses and (C) Pay Chapter 11 Expenses, and (II) Granting Related Relief [Docket No. 228];

c. Debtors' Objection / Opposition to Rigmora's Motion to Dismiss [Docket No. 245];

d. Objection of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP to Debtors' Motion for Entry of an Order (I) Authorizing Use of Funds to (A) Fund Portfolio Companies, (B) Pay Management Company Expenses and (C) Pay Chapter 11 Expenses, and (II) Granting Related Relief [Docket No. 305];

e. Reply in Support of Amended Motion of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP for an Order Dismissing the Bankruptcy Cases of ATP Life Science Ventures, L.P. and ATP III GP, Ltd. (Docket No. 204) [Docket No. 371];

f. Exhibit(s) / Notice of Filing of Corrected Amended Reply in Support of the Amended Motion to Dismiss [Docket No. 391];

g. Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP's Motion in *Limine* to Bar Debtors' Witnesses from Offering Evidence in Support of Their Business Decision to File the Fund-Level Debtors for Bankruptcy on Which They Have Refused to Testify in Depositions [Docket No. 406];

h. Declaration of Michael J. Merchant in Support of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP's Motion in *Limine* to Bar Debtor Witnesses from Offering Evidence in Support of Their Good Faith Decision to File the Fund-Level Debtor for Bankruptcy on Which They Have Refused to Testify in Depositions [Docket No. 407]; and

i. December 2025 Portfolio Lift Out Deck [JX-116].

4. Because the relief that Appellants seek is procedural, this Court may rule on the Motion at any time without awaiting a response. *See* Fed. R. Bankr. P. 8013(b).

CERTIFICATE OF CONFERENCE

5. Pursuant to D. Del. L.R. 7.1.1., the undersigned certifies that Delaware counsel to Appellants has made a reasonable effort to reach agreement with the above-captioned appellees (the "**Appellees**") on the matters set forth in this Motion by conferring with Delaware counsel to

Appellees. Counsel for Appellants understands that Appellees are reserving their rights subject to review of the Motion.

WHEREFORE, Appellants respectfully request that this Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, accepting the Sealed Documents into the appellate record and granting any other relief that the Court deems just and proper under the circumstances.

Dated: May 13, 2026
Wilmington, Delaware

Respectfully Submitted,

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EXHIBIT A

Proposed Order

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re: Apple Tree Life Sciences, Inc., *et al*.,[1] Debtors.	Chapter 11 Case No. 25-12177 (LSS) (Jointly Administered)
Rigmora Biotech Investor One LP, *et al*., Appellants, v. Apple Tree Life Sciences, Inc., *et al*., Appellees.	C.A. No. 26-cv-495 (JLH) BAP No. 26-23

ORDER GRANTING APPELLANTS' MOTION TO ACCEPT DOCUMENTS UNDER SEAL INTO THE APPELLATE RECORD

Upon consideration of the Motion[2] of the Appellants for entry of an order (this "**Order**") accepting the Sealed Documents into the appellate record and granting any other relief that the Court deems just and proper under the circumstances, and this Court having reviewed the Motion and determined that the Motion establishes good cause for the relief granted herein,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number include: Apple Tree Life Sciences, Inc. (4506); ATP Life Science Ventures, L.P. (8224); ATP III GP, Ltd. (6091); Apertor Pharmaceuticals, Inc. (3161); Initial Therapeutics, Inc. (2453); Marlinspike Therapeutics, Inc. (4757); Red Queen Therapeutics, Inc. (8563); Evercrisp Biosciences, Inc. (4437); Nine Square Therapeutics, Inc. (4503); and Nereid Therapeutics Incorporated (8493). The location of the Debtors' service address in these chapter 11 cases is 230 Park Avenue, Suite 2800, New York, NY 10169.

[2] Capitalized terms not otherwise defined herein are defined in the Motion.

2. The Clerk for the Bankruptcy Court is permitted and authorized to transmit to this Court those portions of the appellate record, as designated by Appellants, which were received by the Bankruptcy Court under seal (the "**Sealed Documents**").

3. This Court will accept, under seal, the Sealed Documents, and the Sealed Documents shall be dealt with by the parties in accordance with this Court's usual practices and procedures concerning sealed materials.

4. Upon entry of this Order, Appellants shall give notice of this Order to the Clerk for the Bankruptcy Court and counsel for the Appellees.

Dated: _____, 2026
Wilmington, Delaware

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HONORABLE JENNIFER L. HALL
UNITED STATES DISTRICT JUDGE