

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re: )  
 ) Chapter 11  
NOVAN, INC., *et al.*,<sup>1</sup> )  
 ) Case No. 23-10397 (LSS)  
 Debtors. )  
 ) (Joint Administration Requested)  
 )  
\_\_\_\_\_ )

**NOTICE OF HEARING TO CONSIDER FIRST DAY PLEADINGS**

**This hearing will be conducted in-person. Any exceptions must be approved by chambers.**

**Parties may observe the hearing remotely by registering with the Zoom link below no later than July 19, 2023 at 11:00 a.m.**

**Please use the following link to register for this hearing:**

<https://debuscourts.zoomgov.com/meeting/register/vJIsdO6urTwrGrLzOWEuSMt31PODh8xMJCI>

**After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.**

Topic: Novan, Inc., et al.  
Time: July 19, 2023 at 2:00 p.m. (Eastern Time)

**PLEASE TAKE NOTICE** that, on July 17, 2023, the debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), and related pleadings with the United States Bankruptcy Court for the District of Delaware.

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digitals of the Debtors’ federal tax identification number (if applicable), are: Novan, Inc. (7682) and EPI Health, LLC (9118). The corporate headquarters and the mailing address for the Debtors is 4020 Stirrup Creek Drive, Suite 110, Durham, NC 27703.



**PLEASE TAKE FURTHER NOTICE** that the Debtors are authorized to operate their business as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

**PLEASE TAKE FURTHER NOTICE** that a hearing (the “First Day Hearing”) will be held in person before The Honorable Laurie Selver Silverstain, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of Delaware, located at 824 North Market Street, 6th Floor, Courtroom #2, Wilmington, Delaware 19801 on **July 19, 2023 at 2:00 p.m. (ET)** on the following motions requesting certain “first day” relief (the “First Day Pleadings”), which have been filed by the Debtors in connection with their chapter 11 cases (the “Chapter 11 Cases”).

<b>D.I. No.</b>	<b>First Day Pleadings</b>
3	Motion of Debtors for Entry of an Order Authorizing the Joint Administration of Debtors’ Chapter 11 Cases
5	Application of Debtors for an Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent Effective as of the Petition Date
6	Motion of the Debtors for Entry of an Order Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors’ Thirty Largest Unsecured Creditors and (C) File Under Seal Portions of the Creditor Matrix and Other Filings Containing Certain Personal Identification Information
7	Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Their Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Their Bank Accounts and Existing Business Forms, (D) Implement Changes to the Existing Cash Management System as Necessary, and (E) Continue Ordinary Course Intercompany Transactions, (II) Waiving the Requirements of 11 U.S.C. § 345(b) and the U.S. Trustee’s Operating Guidelines, and (III) Granting Related Relief
8	Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Certain Prepetition Employment Obligations and (B) Maintain Employee Benefits Programs and (II) Granting Related Relief
9	Motion of Debtors for Entry of Interim and Final Orders, Pursuant to Sections 105(a) and 366 of the Bankruptcy Code, (I) Approving Debtors’ Proposed Form of Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Objections and Requests for Additional Assurance from Utility Companies, (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service, and (IV) Granting Related Relief

10	Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Related Obligations and (II) Authorizing Banks to Honor and Process Checks and Transfers Related to Such Prepetition Taxes and Related Obligations
11	Motion of Debtors for Entry of Interim and Final Orders Authorizing Debtors to (I) Continue Their Insurance Program, (II) Pay All Prepetition and Postpetition Obligations with Respect Thereto, and (III) Authorizing Banks to Honor and Process Checks and Transfers Related to Such Insurance Obligations
12	Debtors' Motion for Interim and Final Orders (I) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief
15	Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Lender, (III) Scheduling Final Hearing, and (IV) Granting Related Relief

Copies of the First Day Pleadings are available free of charge at <https://www.kccllc.net/Novan>. Copies of the First Day Pleadings may also be inspected in the offices of the Clerk of the Bankruptcy Court during normal business hours or downloaded from the Bankruptcy Court's website at [www.deb.uscourts.gov](http://www.deb.uscourts.gov). Please note that prior registration with the PACER Service Center and payment of a fee may be required to access such documents. Parties in interest may sign up for a PACER account by visiting the PACER website at <http://pacer.psc.uscourts.gov> or by calling (800) 676-6856.

Dated: July 17, 2023  
Wilmington, Delaware

Respectfully submitted,

*/s/ Scott D. Jones*

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*Proposed Counsel to the Debtors and Debtors in Possession*