

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

In re:)
) Chapter 11
NVN Liquidation, Inc., <i>et al.</i> ,)
f/k/a NOVAN, INC., ¹) Case No. 23-10937 (LSS)
)
Debtors.) Jointly Administered
)

**NOTICE OF AGENDA FOR HEARING
SCHEDULED FOR DECEMBER 15, 2023, AT 10:00 A.M. (ET)**

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 December 15, 2023, at 8:00 a.m.

https://debuscourts.zoomgov.com/meeting/register/vJlSdOqvqzMrH9vASLL5x8_y1_Txu_k6WGkU#/registration

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

Topic: Novan, Inc., et al.
Time: December 15, 2023 at 10:00 a.m. (Eastern Time)

MATTER GOING FORWARD

1. Debtors’ Motion for Entry of an Order (I) Approving the Combined Disclosure Statement and Chapter 11 Plan of Liquidation on an Interim Basis; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Confirmation Hearing and the Deadline for Filing Objections Thereto; and (VI) Granting Related Relief ([D.I. 439](#), filed 11/22/23).

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors’ federal tax identification number (if applicable), are: NVN Liquidation, Inc., (f/k/a Novan, Inc.) (7682) and EPI Health, LLC (9118). The corporate headquarters and the mailing address for the Debtors is P.O. Box 64, Pittsboro, NC 27312.



Response Deadline: December 6, 2023, at 4:00 p.m. (ET); extended to December 11, 2023, at 12:00 p.m. (ET) for the Office of the United States Trustee (the “U.S. Trustee”)

Responses Received:

- a) Informal comments received from the U.S. Trustee

Related Documents:

- a) Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 438](#), filed 11/22/23);
- b) Notice of Filing of Revised Order (I) Approving the Combined Disclosure Statement and Chapter 11 Plan of Liquidation on an Interim Basis; (II) Establishing Solicitation and Tabulation Procedures; (III) Approving the Form of Ballot and Solicitation Materials; (IV) Establishing the Voting Record Date; (V) Fixing the Date, Time, and Place for the Confirmation Hearing and the Deadline for Filing Objections Thereto; and (VI) Granting Related Relief ([D.I. 458](#), filed 12/13/23);
- c) Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 459](#), filed 12/13/23); and
- d) Redline Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 460](#), filed 12/13/23).

Status: This matter is going forward.

FEE APPLICATIONS

- 2. First Interim Fee Application Hearing

Related Documents:

- a) See attached Exhibit A.

Status: This matter is going forward.

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Dated: December 13, 2023
Wilmington, Delaware

Respectfully submitted,

/s/ Scott D. Jones

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

Derek C. Abbott (No. 3376)

Daniel B. Butz (No. 4227)

Tamara K. Mann (No. 5643)

Scott D. Jones (No. 6672)

1201 Market Street, 16th Floor

Wilmington, Delaware 19801

Telephone: (302) 658-9200

Facsimile: (302) 658-3989

Email: dabbott@morrisnichols.com

dbutz@morrisnichols.com

tmann@morrisnichols.com

sjones@morrisnichols.com

Counsel to the Debtors and Debtors in Possession

AMENDED¹ EXHIBIT A

NVN LIQUIDATION, INC., *et al.*- f/k/a NOVAN, INC.
Bankruptcy Case No. 23-10937 (LSS)
Summary of Fees and Expenses for the First Interim Fee Hearing:
December 15, 2023, at 10:00 a.m. (Eastern Time)

Debtors' Professionals

Morris, Nichols, Arsht & Tunnell LLP

- A. First Interim Fee Application of Morris, Nichols, Arsht & Tunnell LLP, as Bankruptcy Counsel for the Debtors and Debtors in Possession, for Allowance of Compensation and Reimbursement of All Actual and Necessary Expenses Incurred for the Period July 17, 2023 Through and Including September 30, 2023 ([D.I. 418](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Fee Application of Morris, Nichols, Arsht & Tunnell LLP, as Bankruptcy Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period July 17, 2023 Through and Including August 31, 2023 ([D.I. 331](#), Filed 10/2/23);
2. Second Monthly Fee Application of Morris, Nichols, Arsht & Tunnell LLP, as Bankruptcy Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period September 1, 2023 Through and Including September 30, 2023 ([D.I. 373](#), Filed 10/20/23);
3. Certificate of No Objection Regarding First Monthly Fee Application of Morris, Nichols, Arsht & Tunnell LLP, as Bankruptcy Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period July 17, 2023 Through and Including August 31, 2023 ([D.I. 388](#), Filed 10/26/23);
4. Certificate of No Objection Regarding Second Monthly Fee Application of Morris, Nichols, Arsht & Tunnell LLP, as Bankruptcy Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period

¹ Amended items included in Bold.

September 1, 2023 Through and Including September 30, 2023 ([D.I. 414](#), Filed 11/13/23); **and**

5. **Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).**

SierraConstellation Partners, LLC

- B. First Interim Fee Application of SierraConstellation Partners, LLC, as Financial Advisors to the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of all Actual and Necessary Expenses Incurred for the Period from July 17, 2023 Through and Including September 30, 2023 ([D.I. 419](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Fee Application of SierraConstellation Partners, LLC, as Financial Advisors to the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of all Actual and Necessary expenses Incurred for the Period from July 17, 2023 Through and Including August 31, 2023 ([D.I. 332](#), Filed 10/2/23);
2. Certificate of No Objection Regarding First Monthly Fee Application of SierraConstellation Partners, LLC, as Financial Advisors to the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of all Actual and Necessary Expenses Incurred for the Period from July 17, 2023 Through and Including August 31, 2023 ([D.I. 386](#), Filed 10/24/23);
3. Second Monthly Fee Application of SierraConstellation Partners, LLC, as Financial Advisors to the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of all Actual and Necessary Expenses Incurred for the Period from September 1, 2023 Through and Including September 30, 2023 ([D.I. 391](#), Filed 10/27/23);
4. Certificate of No Objection Regarding Second Monthly Fee Application of SierraConstellation Partners, LLC, as Financial Advisors to the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of all Actual and Necessary Expenses Incurred for the Period from September 1, 2023 Through and Including September 30, 2023 ([D.I. 430](#), Filed 11/17/23); **and**

5. Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).

Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP

- C. First Interim Fee Application of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP, as Corporate Counsel for the Debtors and Debtors in Possession, for Allowance of Compensation and Reimbursement of All Actual and Necessary Expenses Incurred for the Period July 17, 2023 Through and Including September 30, 2023 ([D.I. 420](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Fee Application of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP, as Corporate Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period July 17, 2023 Through and Including August 31, 2023 ([D.I. 340](#), Filed 10/6/23);
2. Second Monthly Fee Application of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP, as Corporate Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period September 1, 2023 Through and Including September 30, 2023 ([D.I. 369](#), Filed 10/19/23);
3. Certificate of No Objection Regarding First Monthly Fee Application of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP, as Corporate Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period July 17, 2023 Through and Including August 31, 2023 ([D.I. 392](#), Filed 10/27/23);
4. Certificate of No Objection Regarding Second Monthly Fee Application of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP, as Corporate Counsel for the Debtors and Debtors in Possession, for Allowance of Monthly Compensation and for Monthly Reimbursement of All Actual and Necessary Expenses Incurred for the Period September 1, 2023 Through and Including September 30, 2023 ([D.I. 409](#), Filed 11/9/23); **and**
5. **Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).**

Kurtzman Carson Consultants LLC

- D. First Interim Fee Application of Kurtzman Carson Consultants LLC, as Administrative Advisor to the Debtors, for the Period from July 17, 2023 Through and Including September 30, 2023 ([D.I. 421](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Fee Application of Kurtzman Carson Consultants LLC, as Administrative Advisor to the Debtors, for the Period from July 17, 2023 Through and Including August 31, 2023 ([D.I. 329](#), Filed 9/28/23);
2. Certificate of No Objection Regarding First Monthly Fee Application of Kurtzman Carson Consultants LLC, as Administrative Advisor to the Debtors, for the Period from July 17, 2023 Through and Including August 31, 2023 ([D.I. 371](#), Filed 10/19/23);
3. Second Monthly Fee Application of Kurtzman Carson Consultants LLC, as Administrative Advisor to the Debtors, for the Period from September 1, 2023 Through and Including September 30, 2023 ([D.I. 396](#), Filed 10/30/23);
4. Certificate of No Objection Regarding Second Monthly Fee Application of Kurtzman Carson Consultants LLC, as Administrative Advisor to the Debtors, for the Period from September 1, 2023 Through and Including September 30, 2023 ([D.I.437](#), Filed 11/21/23); **and**
5. **Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).**

Unsecured Creditors Committee

Goodwin Procter LLP

- E. First Interim Application of Goodwin Procter LLP for Compensation for Services Rendered and Reimbursement of Expenses as Counsel for the Official Committee of Unsecured Creditors for the Period from July 31, 2023 Through September 30, 2023 ([D.I. 425](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Application of Goodwin Procter LLP for Compensation for Services Rendered and for Reimbursement of Expenses as Counsel for the Official Committee of Unsecured Creditors for the Period from July 31, 2023 Through August 31, 2023 ([D.I. 322](#), Filed 9/26/23);
2. Certificate of No Objection Regarding First Monthly Application of Goodwin Procter LLP for Compensation for Services Rendered and for Reimbursement of Expenses as Counsel for the Official Committee of Unsecured Creditors for the Period from July 31, 2023 Through August 31, 2023 ([D.I. 363](#), Filed 10/17/23);
3. Second Monthly Application of Goodwin Procter LLP for Compensation for Services Rendered and for Reimbursement of Expenses as Counsel for the Official Committee of Unsecured Creditors for the Period from September 1, 2023 Through September 30, 2023 ([D.I. 383](#), Filed 10/24/23);
4. Certificate of No Objection Regarding Second Monthly Application of Goodwin Procter LLP for Compensation for Services Rendered and for Reimbursement of Expenses as Counsel for the Official Committee of Unsecured Creditors for the Period from September 1, 2023 Through September 30, 2023 ([D.I.422](#), Filed 11/14/23); **and**
5. **Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).**

Womble Bond Dickinson (US) LLP

- F. First Interim Application of Womble Bond Dickinson (US) LLP for Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel for the Official Committee of Unsecured Creditors for the Period from August 1, 2023 Through September 30, 2023 ([D.I. 426](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Application of Womble Bond Dickinson (US) LLP for Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel for the Official Committee of Unsecured Creditors for the Period from August 1, 2023 Through August 31, 2023 ([D.I. 323](#), Filed 9/26/23);
2. Certificate of No Objection Regarding First Monthly Application of Womble Bond Dickinson (US) LLP for Compensation for Services Rendered and Reimbursement

of Expenses as Co-Counsel for the Official Committee of Unsecured Creditors for the Period from August 1, 2023 Through August 31, 2023 ([D.I. 364](#), Filed 10/17/23);

3. Second Monthly Application of Womble Bond Dickinson (US) LLP for Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel for the Official Committee of Unsecured Creditors for the Period from September 1, 2023 Through September 30, 2023 ([D.I. 384](#), Filed 10/24/23);
4. Certificate of No Objection Regarding Second Monthly Application of Womble Bond Dickinson (US) LLP for Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel for the Official Committee of Unsecured Creditors for the Period from September 1, 2023 Through September 30, 2023 ([D.I. 423](#), Filed 11/14/23); **and**
5. **Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).**

Dundon Advisers LLC

- G. First Interim Application of Dundon Advisers LLC, Financial Advisor for the Official Committee of Unsecured Creditors, for Compensation for Services Rendered and Reimbursement of Expenses for the Period from August 2, 2023 to September 30, 2023 ([D.I. 427](#), Filed 11/14/23).

Objection Deadline: December 5, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

1. First Monthly Application of Dundon Advisers LLC, Financial Advisor for the Official Committee of Unsecured Creditors, for Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period from August 2, 2023 Through August 31, 2023 ([D.I. 324](#), Filed 9/26/23);
2. Certificate of No Objection Regarding First Monthly Application of Dundon Advisers LLC, Financial Advisor for the Official Committee of Unsecured Creditors, for Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period from August 2, 2023 Through August 31, 2023 ([D.I. 365](#), Filed 10/17/23);
3. Second Monthly Application of Dundon Advisers LLC, Financial Advisor for the Official Committee of Unsecured Creditors, for Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period from September 1, 2023 Through September 30, 2023 ([D.I. 385](#), Filed 10/24/23);

4. Certificate of No Objection Regarding Second Monthly Application of Dundon Advisers LLC, Financial Advisor for the Official Committee of Unsecured Creditors, for Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period from September 1, 2023 Through September 30, 2023 ([D.I. 424](#), Filed 11/14/23); **and**
5. **Certification of Counsel Regarding First Omnibus Order Granting Interim Allowance of Fees and Expenses for Certain Professionals ([D.I. 457](#), Filed 12/12/23).**