

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

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

**AMENDED² NOTICE OF AGENDA FOR HEARING
SCHEDULED FOR JANUARY 25, 2024, AT 10:00 A.M. (ET)**

This hearing will be conducted in-person, any exceptions must be approved by chambers.

To attend a hearing remotely, please register using the eCourtAppearance tool ([available here](#)) or on the court's website at www.deb.uscourts.gov.

The deadline to register for remote attendance is 4 PM (prevailing Eastern Time) the business day before the hearing unless otherwise noticed.

After the deadline has passed an electronic invitation, with the relevant audio or video link, will be emailed to you prior to the hearing.

Topic: NVN Liquidation, Inc., et al.
Time: January 25, 2024, at 10:00 a.m. (Eastern Time)

MATTERS UNDER CERTIFICATION

1. Debtors' Objection to Proof of Claim Filed by Armistice Capital Master Fund Ltd. ([D.I. 473](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received: None.

¹ The Debtors in these chapter 11 cases, along with the last four digitals 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.

² Amended items appear in bold.



Related Documents:

- a) Certificate of No Objection Regarding Debtors' Objection to Proof of Claim Filed by Armistice Capital Master Fund Ltd. ([D.I. 546](#), filed 1/23/24); **and**
- b) Order Sustaining Debtors' Objection to Proof of Claim Filed by Armistice Capital Master Fund Ltd. ([D.I. 552](#), entered 1/24/24).**

Status: **An order has been entered. A hearing on this matter is not necessary.**

- 2. Motion of Debtors for Entry of an Order Approving the Settlement Agreement with Aclaris Therapeutics, Inc. ([D.I. 507](#), filed 1/4/24).

Response Deadline: January 18, 2024, at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- a) Certificate of No Objection Regarding Motion of Debtors for Entry of an Order Approving the Settlement Agreement with Aclaris Therapeutics, Inc. ([D.I. 547](#), filed 1/23/24); **and**
- b) Order Authorizing and Approving Settlement Agreement Between EPI Health, LLC and Aclaris Therapeutics, Inc. ([D.I. 553](#), entered 1/24/24).**

Status: **An order has been entered. A hearing on this matter is not necessary.**

MATTERS GOING FORWARD

- 3. Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 438](#), filed 11/22/23).

Response Deadline: January 18, 2024, at 4:00 p.m. (ET); extended to January 19, 2024, at 4:00 p.m. for the Office of the United States Trustee (the "U.S. Trustee")

Responses Received:

- a) The United States Trustee's Limited Objection to Confirmation of the Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 534](#), filed 1/19/24).

Related Documents:

- a) 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);
- 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);
 - d) [Redline] Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 460](#), filed 12/13/23);
 - e) Notice of Committee Letter in Support of the Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 464](#), filed 12/14/23);
 - f) Certification of Counsel Regarding 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. 474](#), filed 12/18/23);
 - g) 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. 476](#), entered 12/29/23);
 - h) Notice of (I) Interim Approval of Combined Disclosure Statement and Plan; and (II) the Hearing to Consider (A) Final Approval of the Combined Disclosure Statement and Plan as Containing Adequate Information and (B) Confirmation of the Combined Disclosure Statement and Plan ([D.I. 498](#), filed 12/27/23);
 - i) Notice of Filing Plan Supplement with Respect to Debtors' Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 522](#), filed 1/11/24);
 - j) Notice of Filing of Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 529](#), filed 1/17/24);

- k) Declaration of Darlene S. Calderon with Respect to the Tabulation of Votes on the Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 538](#), filed 1/22/24);
- l) Notice of Filing of Further Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 542](#), filed 1/22/24);
- m) Notice of Filing of Amended Plan Supplement Document with Respect to Debtors' Amended Combined Disclosure Statement and Chapter 11 Plan of Liquidation ([D.I. 543](#), filed 1/22/24);
- n) Notice of Filing of Proposed Order (I) Approving Amended Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors as Containing Adequate Information on a Final Basis and (II) Confirming Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 544](#), filed 1/22/24);
- o) Witness List of the Debtors for January 25, 2024 Hearing ([D.I. 548](#), filed 1/23/24); and
- p) Memorandum of Law in Support of Confirmation of the Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed by the Debtors ([D.I. 550](#), filed 1/23/24).

Status: This matter is going forward.

- 4. Debtors' First Omnibus (Non-Substantive) Objection to Proofs of Claim Based Upon Insufficient Documentation and Equity Interests ([D.I. 470](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received: None.

Related Documents:

- a) Debtors' Omnibus Reply in Further Support of Their First, Second and Third Omnibus (Non-Substantive) Objections to Proofs of Claim Based Upon Equity Interests ([D.I. 520](#), filed 1/10/24); and
- b) Notice of Submission of Proof of Claim ([D.I. 521](#), filed 1/11/24).

Status: This matter is going forward.

- 5. Debtors' Second Omnibus (Non-Substantive) Objection to Proofs of Claim Based Upon Equity Interests ([D.I. 471](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received:

- a) Informal Response Received from Rami Haykal; and
- b) Response to Debtor's Omnibus Objection Claims ([D.I. 500](#), filed 12/28/23).

Related Documents:

- a) Debtors' Omnibus Reply in Further Support of Their First, Second and Third Omnibus (Non-Substantive) Objections to Proofs of Claim Based Upon Equity Interests ([D.I. 520](#), filed 1/10/24); and
- b) Notice of Submission of Proof of Claim ([D.I. 521](#), filed 1/11/24).

Status: This matter is going forward.

- 6. Debtors' Third Omnibus (Non-Substantive) Objection to Proofs of Claim Based Upon Equity Interests ([D.I. 472](#), filed 12/15/23).

Response Deadline: December 29, 2023, at 4:00 p.m. (ET)

Responses Received:

- a) Informal Response Received from Pierre Duwalph; and
- b) Response to Debtor's Omnibus Objection Claims ([D.I. 501](#), filed 1/2/24).

Related Documents:

- a) Debtors' Omnibus Reply in Further Support of Their First, Second and Third Omnibus (Non-Substantive) Objections to Proofs of Claim Based Upon Equity Interests ([D.I. 520](#), filed 1/10/24); and
- b) Notice of Submission of Proof of Claim ([D.I. 521](#), filed 1/11/24).

Status: This matter is going forward.

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Dated: January 24, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ Scott D. Jones

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