

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

In re:

Avadel Specialty Pharmaceuticals, LLC,¹

Debtor.

Chapter 11

Case No. 19-10248 (CSS)

Ref. Docket No. 472

ORDER GRANTING THE PLAN ADMINISTRATOR'S SECOND OMNIBUS (NON-SUBSTANTIVE) OBJECTION TO CERTAIN CLAIMS PURSUANT TO BANKRUPTCY CODE SECTIONS 502(B) AND 503(B), BANKRUPTCY RULES 3003 AND 3007, AND LOCAL RULE 3007-1

Upon the objection (the “**Objection**”)² of the Plan Administrator, seeking entry of an order disallowing certain Disputed Claims; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. §157; and it appearing that venue of this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and adequate notice of the Objection and opportunity for response having been given; and it appearing that no other notice need be given under the circumstances; and the Court having considered the Objection, the Disputed Claims listed on **Exhibits A** and **B** annexed hereto, and any responses thereto; and upon the record herein and after due deliberation and sufficient cause appearing therefore,

IT IS HEREBY ORDERED THAT:

1. The Objection is **GRANTED** to the extent set forth herein.
2. Any response to the Objection not otherwise withdrawn, resolved or adjourned is hereby overruled on its merits.

¹ The business address and the last four (4) digits of the Debtor’s federal tax identification number is Avadel Specialty Pharmaceuticals, LLC, 16640 Chesterfield Grove Road, Suite 200, Chesterfield, MO 63005 (8959).

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

3. The Duplicate Claim set forth on **Exhibit A** attached hereto is hereby disallowed in its entirety; provided, however, that this Order will not affect the Surviving Claim identified on **Exhibit A**.

4. The Amended and Superseded Claim set forth on **Exhibit B** attached hereto is hereby disallowed in its entirety; provided, however, that this Order will not affect the Surviving Claim identified on **Exhibit B**.

5. The noticing and claims agent approved by the Court for this Chapter 11 Case is authorized to modify the Claims Register for this Chapter 11 Case in accordance with the terms of this Order.

6. The Plan Administrator's right to amend, modify, or supplement the Objection, to file additional objections to the Disputed Claims or any other Claims (filed or not) which may be asserted, and to seek further reduction of any Claim to the extent such Claim has been paid, are fully preserved.

7. Each Disputed Claim and the objections by the Plan Administrator to such Disputed Claim, as addressed in the Objection and set forth on **Exhibits A** and **B** hereto, constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014 and Local Rule 3007-1. This Order shall be deemed a separate Order with respect to each Disputed Claim. Any stay of this Order pending appeal by any Claimants whose Claims are subject to this Order shall only apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters listed in the Objection or this Order.

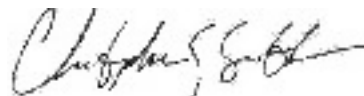
8. To the extent that the Objection does not comply in all respects with the requirements of Local Rule 3007-1, the requirements of Local Rule 3007-1 are hereby waived.

9. Notwithstanding the possible applicability of Bankruptcy Rules 6004, 7062, 9014, or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry. All time periods set forth in the Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

10. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition claim against the Debtor; (b) a waiver of any party's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in the Objection or any order granting the relief requested by the Objection; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the Plan Administrator's rights under the Bankruptcy Code or any other applicable law.

11. This Court shall retain jurisdiction over the Plan Administrator and the Claimants whose Claims are subject to the Objection with respect to any matters related to or arising from the Objection and the implementation of this Order.

Dated: August 11th, 2021
Wilmington, Delaware



CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE