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

In re:

Chapter 11, Subchapter V

Vyera Pharmaceuticals, LLC, et al.,<sup>1</sup>

Case No. 23-10605 (JKS)

Debtors.

(Jointly Administration Requested)

Ref. Docket Nos. 31 - 35

#### **CERTIFICATE OF SERVICE**

#### I, ARNOLD NGUYEN, hereby certify that:

1. I am employed as a Case Manager by Epiq Corporate Restructuring, LLC, with their principal office located at 777 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.

#### 2. I caused to be served the:

- a. "Supplemental Declaration of Lawrence R. Perkins in Support of Employee Wage Motion," dated May 17, 2023 [Docket No. 31], (the "Perkins Declaration"),
- b. "Notice of Filing of Revised Proposed Form of Interim Order (I) Authorizing the Debtors to Maintain and Continue Payment of Employee Compensation and Employee Benefit Programs, (II) Authorizing and Directing Banks to Honor and Process Checks and Transfers Related to Such Employee Obligations and (III) Granting Related Relief," dated May 17, 2023 [Docket No. 32], (the "NOF Employee Wages Order"),
- c. Notice of Filing of Revised Proposed Form of Interim Order (I) Authorizing the Debtors to Honor Obligations of Customers and Related Third Parties and to Otherwise Continue Customer Programs; (II) Granting Relief from the Automatic Stay to Permit Setoff in Connection with Customer Programs; (III) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers; and (IV) Granting Related Relief," dated May 17, 2023 [Docket No. 33], (the "NOF Customer Program Order"),

<sup>&</sup>lt;sup>1</sup> The Debtors in these subchapter V cases, along with the last four digits of each Debtor's federal tax identification number, if applicable, are as follows: Vyera Pharmaceuticals, LLC (1758); Oakrum Pharma, LLC (3999); SevenScore Pharmaceuticals, LLC (2598); Phoenixus AG (1091); Dermelix Biotherapeutics, LLC (4711); and Orpha Labs AG. The Debtors' headquarters and the mailing address for the Debtors is 600 3rd Avenue, 19th Floor, New York, NY 10016.

- d. "Notice of Filing of Revised Proposed Form of Interim Order (I) Authorizing the Continued Use of the Debtors' Cash Management System, (II) Authorizing Continued Intercompany Transfers Among Debtors, and (III) Granting Related Relief," dated May 17, 2023 [Docket No. 34], (the "NOF Cash Management Order"), and
- e. "Notice of Filling of Revised Proposed Form of Interim Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of Foreign Vendors, (II) Authorizing Banks to Honor and Process Check and Electronic Transfer Requests Related Thereto, and (III) Granting Related Relief," dated May 17, 2023 [Docket No. 35], (the "NOF Foreign Vendor Order")

by causing true and correct copies of the:

- i. Perkins Declaration to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail on May 17, 2023, to those parties listed on the annexed Exhibit A,
- ii. Perkins Declaration to be delivered via electronic mail on May 17, 2023, to those parties listed on the annexed <u>Exhibit B</u>,
- iii. NOF Employee Wages Order, NOF Customer Program Order, NOF Cash Management Order and NOF Foreign Vendor Order to be enclosed securely in separate postage prepaid envelopes and delivered via first class mail on May 18, 2023, to those parties listed on the annexed Exhibit A,
- iv. NOF Employee Wages Order, NOF Customer Program Order, NOF Cash Management Order and NOF Foreign Vendor Order to be delivered via electronic mail on May 18, 2023, to those parties listed on the annexed <u>Exhibit B</u>,
- 3. All envelopes utilized in the service of the foregoing contained the following legend: "LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO THE ATTENTION OF ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT."

/s/ Arnold Nguyen
Arnold Nguyen

### **EXHIBIT A**

# VYERA PHARMACEUTICALS, LLC Case 23-10605-JKS Doc 57 Filed 05/25/23 Page 4 of 9

| Claim Name                             | Address Information   |
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| AGENCY FOR HEALTH CARE ADMINISTRATION  | ATTN: GENERAL COUNSEL FINANCE AND ACCOUNTING/DRUG REBATE 2727 MAHAN DR. MAIL  |
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| ANI PHARMACEUTICALS INC.               | ATTN: NIKHIL LALWANI, CEO 210 MAIN ST WEST BAUDETTE MN 56623  |
| ASD SPECIALTY HEALTHCARE INC.          | ATTN: GENERAL COUNSEL 5025 PLANO PARKWAY CARROLLTON TX 75010  |
| AUCTA PHARMACEUTICALS, INC.            | ATTN: SHOUFENG LI, CEO 71 SUTTONS LANE PISCATAWAY NJ 08854  |
| BUCHALTER, A PROFESSIONAL CORPORATION  | (COUNSEL FOR MCKESSON CORPORATION) ATTN: JEFFREY K. GARFINKLE, ESQ. 18400 VON   |
|  | KARMAN AVENUE, SUITE 800 IRVINE CA 92612  |
| CARDINAL HEALTH, INC.                  | ATTN: GENERAL COUNSEL 7000 CARDINAL PLACE DUBLIN OH 43017   |
| CBIZ ACCOUNTING, TAX & ADVISORY OF NY  | ATTN: ERIK LINN 1065 AVENUE OF THE AMERICAS 10TH FLOOR NEW YORK NY 10018  |
| COMMONWEALTH OF MASSACHUSETTS          | ATTN: GENERAL COUNSEL MASSHEALTH DRUG REBATE PROG-FFS PROGRAM P.O. BOX 3070 BOSTON MA 02241-3070                            |
| CONNECTICUT DEPT OF PUBLIC HEALTH      | ATTN: GENERAL COUNSEL ATTN CONNECTICUT DRUG ASSISTANCE PROGRAM 410 CAPITOL AVENUE, MS#13ACT HARTFORD CT 06134               |
| DELAWARE SECRETARY OF STATE            | HON. JEFFREY W. BULLOCK TOWNSEND BLDG 401 FEDERAL ST DOVER DE 19901   |
| DELAWARE SECRETARY OF STATE            | DIVISION OF CORPORATIONS FRANCHISE TAX P.O. BOX 898 DOVER DE 19903  |
| DEPT OF HEALTH CARE SERVICES           | ATTN: GENERAL COUNSEL DEPT OF HEALTH CARE SERVICES, MEDICAL DRUG REBATE AR, MS 1101, PO BOX 997415 SACRAMENTO CA 95899-7413 |
| DEPT OF HUMAN SERV/DRUG REBATE PROGRAM | ATTN: GENERAL COUNSEL P.O. BOX 780634 PHILADELPHIA PA 19178-0634  |
| DEPT OF MEDICAL ASSISTANCE, VIRGINIA   | ATTN: GENERAL COUNSEL CMS MEDICAID DRUG REBATE UNIT 600 E. BROAD ST., SUITE 1300 RICHMOND VA 23219-1857                     |
| DEREK C. ABBOTT, RECEIVER              | MORRIS, NICHOLS, ARSHT & TUNNELL LLP 1201 NORTH MARKET STREET, 16TH FLOOR WILMINGTON DE 19801                               |
| DISTRICT OF COLUMBIA ATTORNEY GENERAL  | ATTN: KARL A. RACINE 400 6TH STREET, NW WASHINGTON DC 20001   |
| DUANE MORRIS LLP                       | ATTN: MICHAEL F. BROWN, ESQ 30 S. 17TH STREET PHILADELPHIA PA 19103   |
| DUANE MORRIS LLP                       | ATTN: MICHAEL F BROWN ESQ, LAWRENCE J KOTLER ESQ 30 SOUTH 17TH STREET   |
|  | PHILADELPHIA PA 19103-4196  |
| DUANE MORRIS LLP                       | ATTM: SOMMER L. ROSS, ESQ. 1201 NORTH MARKET STREET, SUITE 501 WILMINGTON DE 19801  |
| EVERSANA LIFE SCIENCE SERVICES, LLC    | ATTN: JIM LANG, CEO 190 N. MILWAUKEE STREET MILWUAKEE WI 53202  |
| FEDERAL TRADE COMMISSION               | 600 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20580   |
| INTEGRICHAIN, INC.                     | ATTN: LEIGH ANNE SIINO 8 PENN CENTER, 3RD FLOOR 1628 JFK BLVD PHILADELPHIA PA<br>19103                                      |
| INTERNAL REVENUE SERVICE               | P.O. BOX 7346 PHILADELPHIA PA 19101-7346  |
| MCKESSON                               | ATTN: BRIAN TYLER, CEO 401 MASON ROAD LAVERGNE TN 37086   |
| OFFICE OF THE UNITED STATES ATTORNEY   | DISTRICT OF DELAWARE HERCULES BUILDING 1313 N MARKET ST, STE 400 WILMINGTON DE 19801  |
| OFFICE OF THE UNITED STATES TRUSTEE    | DISTRICT OF DELAWARE 844 KING STREET, SUITE 2207 LOCKBOX #35 WILMINGTON DE 19801  |
| OHIO TREASURER, MEDICAID DRUG REBATE   | ATTN: GENERAL COUNSEL 30 E. BROAD STREET - 9TH FLOOR COLUMBUS OH 43215  |
| OPTUMRX, INC                           | ATTN: MELANIE FREEMAN 5701 KATELLA AVENUE, CA120-0308 CYPRESS CA 90630  |
| PROPHARMA GROUP                        | ATTN: MICHAEL STOMBERG 2635 UNIVERSITY AVENUE WEST SUITE 195 ST. PAUL MN 55114  |
| SAUL EWING LLP                         | (COUNSEL FOR EVERSANA LIFE SCIENCE SERVICES, LLC) ATTN: LUCIAN B. MURLEY ESQ  |
|  | 1201 N MARKET STREET, SUITE 2300 PO BOX 1266 WILMINGTON DE 19899  |
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| STATE OF ALABAMA ATTORNEY GENERAL      | ATTN: STEVE MARSHALL PO BOX 300152 MONTGOMERY AL 36130-0152   |
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| STATE OF ARIZONA ATTORNEY GENERAL      | ATTN: MARK BRNOVICH 2005 NORTH CENTRAL AVENUE PHOENIX AZ 85004-2926   |
| STATE OF ARKANSAS ATTORNEY GENERAL     | ATTN: LESLIE RUTLEDGE 323 CENTER ST, STE 200 LITTLE ROCK AR 72201-2610  |
| STATE OF CALIFORNIA ATTORNEY GENERAL   | ATTN: ROB BONTA 1300 I ST, STE 1740 SACRAMENTO CA 95814-2919  |
| STATE OF COLORADO ATTORNEY GENERAL     | ATTN: PHIL WEISER RALPH L CARR COLORADO JUDICIAL BLDG 1300 BROADWAY, 10TH FL DENVER CO 80203                                |

# VYERA PHARMACEUTICALS, LLC Case 23-10605-JKS Doc 57 Filed 05/25/23 Page 5 of 9

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| ATTN: KATHY JENNINGS CARVEL STATE BUILDING 820 N FRENCH ST WILMINGTON DE 19801                      |
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| ATTN: HOLLY T. SHIKADA 425 QUEEN ST HONOLULU HI 96813   |
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| ATTN: KWAME RAOUL 100 W RANDOLPH ST CHICAGO IL 60601  |
| ATTN: TODD ROKITA INDIANA GOVERNMENT CENTER SOUTH 302 W WASHINGTON ST, 5TH FL INDIANAPOLIS IN 46204 |
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| ATTN: JEFF LANDRY 1885 N THIRD ST BATON ROUGE LA 70802  |
| ATTN: JEFF LANDRY PO BOX 94005 BATON ROUGE LA 70804   |
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| ATTN: DANA NESSEL G. MENNEN WILLIAMS BLDG, 7TH FL 525 W OTTAWA ST - PO BOX                          |
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| ATTN: KEITH ELLISON 445 MINNESOTA ST STE 1400 ST. PAUL MN 55101-2131                                |
| ATTN: LYNN FITCH PO BOX 220 JACKSON MS 39205  |
| ATTN: ERIC SCHMITT SUPREME CT BLDG, 207 W HIGH ST PO BOX 899 JEFFERSON CITY MO 65102                |
| ATTN: AUSTIN KNUDSEN JUSTICE BLDG 215 N SANDERS ST HELENA MT 59620-1401                             |
| ATTN: DOUG PETERSON 2115 STATE CAPITOL PO BOX 98920 LINCOLN NE 68509                                |
| ATTN: AARON D. FORD 100 N CARSON ST CARSON CITY NV 89701  |
| ATTN: JOHN M. FORMELLA NH DEPT OF JUSTICE 33 CAPITOL ST CONCORD NH 03301                            |
| ATTN: MATTHEW J. PLATKIN RJ HUGHES JUSTICE COMPLEX 25 MARKET ST - PO BOX 080 TRENTON NJ 08625-0080  |
| ATTN: HECTOR BALDERAS 408 GALISTEO ST VILLAGRA BLDG SANTA FE NM 87501                               |
| ATTN: LETITIA A. JAMES DEPT. OF LAW THE CAPITOL, 2ND FL ALBANY NY 12224-0341                        |
| ATTN: JOSH STEIN PO BOX 629 RALEIGH NC 27602-0629   |
| ATTN: JOSH STEIN 9001 MAIL SERVICE CTR RALEIGH NC 27699-9001  |
| ATTN. 505H STEIN 9001 MATE SERVICE CIR RALEIGH NC 2/099-9001  |
| ATTN: DREW WRIGLEY 600 E BOULEVARD AVE DEPT 125 BISMARCK ND 58505                                   |
| ATTN: DAVE YOST 30 E BROAD ST, 14TH FL COLUMBUS OH 43215  |
| ATTN: JOHN O'CONNOR 313 NE 21ST ST OKLAHOMA CITY OK 73105   |
| ATTN: ELLEN F. ROSENBLUM 1162 COURT ST, NE SALEM OR 97301-4096                                      |
| ATTN: JOSH SHAPIRO 16TH FL, STRAWBERRY SQ HARRISBURG PA 17120                                       |
| ATTN: PETER F. NERONHA 150 S MAIN ST PROVIDENCE RI 02903  |
| ATTN: ALAN WILSON REMBERT C. DENNIS OFFICE BLDG 1000 ASSEMBLY ST, ROOM 519                          |
| COLUMBIA SC 29201   |
| ATTN: ALAN WILSON PO BOX 11549 COLUMBIA SC 29211-1549   |
| ATTN: MARK VARGO 1302 EAST HIGHWAY 14, STE 1 PIERRE SD 57501-8501                                   |
| , ,   |
| ATTN: JONATHAN SKRMETTI PO BOX 20207 NASHVILLE TN 37202-0207  |
| ·   |
|   |

# VYERA PHARMACEUTICALS, LLC Case 23-10605-JKS Doc 57 Filed 05/25/23 Page 6 of 9

| Claim Name                                    | Address Information   |
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| STATE OF UTAH ATTORNEY GENERAL                | ATTN: SEAN D. REYES PO BOX 142320 SALT LAKE CITY UT 84114-2320  |
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| STATE OF WASHINGTON ATTORNEY GENERAL          | ATTN: BOB FERGUSON PO BOX 40100 OLYMPIA WA 98504-0100   |
| STATE OF WASHINGTON ATTORNEY GENERAL          | ATTN: BOB FERGUSON 1125 WASHINGTON ST SE OLYMPIA WA 98504-0100  |
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| STATE OF WISCONSIN ATTORNEY GENERAL           | ATTN: JOSH KAUL WISCONSIN DEPARTMENT OF JUSTICE 17 W MAIN ST - PO BOX 7857<br>MADISON WI 53703-7857             |
| STATE OF WYOMING ATTORNEY GENERAL             | ATTN: BRIDGET HILL KENDRICK BUILDING 2320 CAPITOL AVE CHEYENNE WY 82002   |
| SUBCHAPTER V TRUSTEE                          | BIELLI & KLAUDER, LLC ATTN: DAVID M. KLAUDER, ESQ. 1204 N. KING STREET WILMINGTON DE 19801                      |
| TREASURER STATE OF FL                         | ATTN: GENERAL COUNSEL AGENCY FOR HEALTHCARE ADMINISTRATION 2727 MAHAN DRIVE, MAIL STOP #14 TALLAHASSEE FL 32308 |
| UNITED STATES FOOD AND DRUG<br>ADMINISTRATION | 10903 NEW HAMPSHIRE AVE SILVER SPRING MD 20993-0002   |
| WALGREENS SPECIALTY                           | ATTN: GENERAL COUNSEL 500 NOBLESTOWN ROAD ATTN: KRISTEN BERGER CARNEGIE PA<br>15106                             |

**Total Creditor count 91** 

### **EXHIBIT B**

## Case 23-10605-JKS Doc 57 Filed 05/25/23 Page 8 of 9 Vyera Pharmaceuticals, LLC, et al. - Case No. 23-10605 (JKS)

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| STATE OF NEW HAMPSHIRE ATTORNEY GENERAL                                      |   |
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| STATE OF ORLGON ATTORNEY GENERAL   | questions@oag.ok.gov                                  |
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| STATE OF SOUTH CAROLINA ATTORNEY   | ag@riag.ri.gov  |
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| STATE OF WEST VIRGINIA ATTORNET GENERAL STATE OF WISCONSIN ATTORNEY GENERAL  | opengov@widoj.gov                                     |
| FEDERAL TRADE COMMISSION   | electronicfilings@ftc.gov; opa@ftc.gov                |
| UNITED STATES FOOD AND DRUG  | erectionieriningswite.gov, upawite.gov                |
| ADMINISTRATION   | syedashoa.abbas@fda.hhs.ov; laura.akowuah@fda.hhs.gov |
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## Case 23-10605-JKS Doc 57 Filed 05/25/23 Page 9 of 9 Vyera Pharmaceuticals, LLC, et al. - Case No. 23-10605 (JKS)

Core Email Service List

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| PROPHARMA GROUP   | INFO@PROPHARMAGROUP.COM                                |
| TREASURER STATE OF FL   | WEBMASTER@AHCA.MYFLORIDA.COM                           |
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