

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

In re: Pack Liquidating, LLC, <i>et al.</i> ¹ Debtors.	Chapter 11 Case No. 22-10797 (CTG) (Jointly Administered)
Official Committee of Unsecured Creditors of Pack Liquidating, LLC, <i>et al.</i> , derivatively, on behalf of the Debtors' estates, Plaintiff, v. Andrew Vagenas, <i>et al.</i> , Defendants.	Adv. Proc. No. 23-50590 (CTG)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
ORAL ARGUMENT ON APRIL 29, 2025 AT 10:00 A.M. (ET)**

**THIS HEARING HAS BEEN ADJOURNED TO MAY 29, 2025
AT 2:30 P.M. (ET) WITH PERMISSION FROM THE COURT.**

ADJOURNED/SETTLED ORAL ARGUMENTS FOR ADV. PROC. NO. 23-50590:

1. QK Defendants' (1) Motion to Strike the Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, (2) Renewed Motion to Dismiss [[Adv. Docket No. 101](#) – filed September 30, 2024]

Response/Objection Deadline: November 6, 2024.

Responses/Objections Received:

- i. [SEALED] Plaintiff's Answering Brief in Opposition to QK Defendants' (1) Motion to Strike the Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, (2) Renewed Motion to Dismiss [Adv. Docket No. 139 – filed November 6, 2024]

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number include: Pack Liquidating, LLC (6932); GV Liquidating LLC (1513); PM Liquidating, LLC (6006); PP Liquidating, LLC (6676); PV Liquidating, LLC (1172); and AB Liquidating, LLC (8582). The location of the Debtors' service address in these chapter 11 cases is c/o Cooley LLP, 55 Hudson Yards, New York, NY 10001.

- ii. [Redacted] Plaintiff's Answering Brief in Opposition to QK Defendants' (1) Motion to Strike the Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, (2) Renewed Motion to Dismiss [[Adv. Docket No. 160](#) – filed December 4, 2024]

Related Documents:

- A. [Redacted] First Amended Complaint [[Adv. Docket No. 7](#) – filed March 22, 2024]
- B. [SEALED] First Amended Complaint [Adv. Docket No. 8 – filed March 22, 2024]
- C. Summons and Notice of Pretrial Conference in an Adversary Proceeding [[Adv. Docket No. 11](#) – filed April 4, 2024]
- D. QK Defendants' Motion to Dismiss First Amended Complaint [[Adv. Docket No. 51](#) – filed June 21, 2024]
- E. [SEALED] Memorandum of Law in Support of QK Defendants' Motion to Dismiss First Amended Complaint [Adv. Docket No. 52 – filed June 21, 2024]
- F. [SEALED] Declaration of Dennis A. Meloro in Support of QK Defendants' Motion to Dismiss First Amended Complaint [Adv. Docket No. 53 – filed June 21, 2024]
- G. Scheduling Order [[Adv. Docket No. 62](#) – entered July 8, 2024]
- H. [Redacted] Notice of Filing of Proposed Redacted Versions of (1) Memorandum of Law in Support of QK Defendants' Motion to Dismiss First Amended Complaint, (2) Declaration of Dennis A. Meloro, and (3) Exhibit 4 to the Meloro Declaration [[Adv. Docket No. 85](#) – filed August 2, 2024]
- I. [SEALED] Second Amended Complaint [Adv. Docket No. 98 – filed September 16, 2024]
- J. [SEALED] Memorandum of Law in Support of QK Defendants' (1) Motion to Strike the Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, (2) Renewed Motion to Dismiss [Adv. Docket No. 102 – filed September 30, 2024]
- K. [Redacted] Notice of Filing of Proposed Redacted Version of Memorandum of Law in Support of QK Defendants' (1) Motion to Strike the Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, (2) Renewed Motion to Dismiss [[Adv. Docket No. 114](#) – filed October 10, 2024]
- L. Order Approving Stipulation Regarding Briefing Schedule [[Adv. Docket No. 126](#) – entered October 21, 2024]

- M. [SEALED] Reply in Support of QK Defendants' (1) Motion to Dismiss First Amended Complaint, and (2) Motion to Strike Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, Renewed Motion to Dismiss [Adv. Docket No. 149 – filed November 22, 2024]
- N. Request for Oral Argument [[Adv. Docket No. 154](#) – filed December 2, 2024]
- O. Notice of Completion of Briefing [[Adv. Docket No. 155](#) – filed December 2, 2024]
- P. [Redacted] Second Amended Complaint [[Adv. Docket No. 157](#) – filed December 4, 2024]
- Q. [Redacted] Notice of Filing of Proposed Redacted Version of Reply in Support of QK Defendants' (1) Motion to Dismiss First Amended Complaint, and (2) Motion to Strike Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, Renewed Motion to Dismiss [[Adv. Docket No. 166](#) – filed December 9, 2024]
- R. Re-Notice of Hearing on (I) QK Defendants' Motion to Dismiss First Amended Complaint, (II) QK Defendants' Motion to Strike Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, Renewed Motion to Dismiss; and (III) McKesson Defendants' Motion to Dismiss Second Amended Complaint [[Adv. Docket No. 210](#) – filed March 19, 2025]

Status: Oral argument regarding this matter has been adjourned to May 29, 2025 at 2:30 p.m.

- 2. McKesson Defendants' Motion to Dismiss Second Amended Complaint [[Adv. Docket No. 133](#) – filed October 31, 2024]

Response/Objection Deadline: December 13, 2024.

Responses/Objections Received:

- i. [SEALED] Plaintiff's Answering Brief in Opposition to McKesson Defendants' Motion to Dismiss Second Amended Complaint [Adv. Docket No. 174 – filed December 13, 2024]

Related Documents:

- A. [SEALED] Second Amended Complaint [Adv. Docket No. 98 – filed September 16, 2024]
- B. [SEALED] Opening Brief in Support of McKesson Defendants' Motion to Dismiss Second Amended Complaint [Adv. Docket No. 134 – filed October 31, 2024]

- C. [Redacted] Second Amended Complaint [[Adv. Docket No. 157](#) – filed December 4, 2024]
- D. Reply Brief in Support of McKesson Defendants’ Motion to Dismiss Second Amended Complaint [[Adv. Docket No. 196](#) – filed January 10, 2025]
- E. McKesson Defendants’ Request for Oral Argument [[Adv. Docket No. 204](#) – filed January 29, 2025]
- F. Re-Notice of Hearing on (I) QK Defendants’ Motion to Dismiss First Amended Complaint, (II) QK Defendants’ Motion to Strike Second Amended Complaint or Deny Leave to Amend, or, in the Alternative, Renewed Motion to Dismiss; and (III) McKesson Defendants’ Motion to Dismiss Second Amended Complaint [[Adv. Docket No. 210](#) – filed March 19, 2025]

Status: The parties have settled this matter and intend to submit such settlement to the Court in the form of a motion. Accordingly, no hearing on this matter is necessary.

[Remainder of Page Intentionally Left Blank]

Dated: April 24, 2025
Wilmington, Delaware

Respectfully submitted,

/s/ Katelin A. Morales

Christopher M. Samis (No. 4909)
L. Katherine Good (No. 5101)
Aaron H. Stulman (No. 5807)
Katelin A. Morales (No. 6683)
James R. Risener III (No. 7334)
POTTER ANDERSON & CORROON LLP
1313 N. Market Street, 6th Floor
Wilmington, Delaware 19801
Telephone: (302) 984-6000
Facsimile: (302) 658-1192
Email: csamis@potteranderson.com
kgood@potteranderson.com
astulman@potteranderson.com
kmorales@potteranderson.com
jrisener@potteranderson.com

- and -

Michael Klein, Esq.
Paul Springer, Esq.
COOLEY LLP
55 Hudson Yards
New York, NY 10001
Telephone: (212) 479-6000
Facsimile: (212) 479-6275
Email: mklein@cooley.com
pspringer@cooley.com

- and -

Cullen Drescher Speckhart, Esq.
COOLEY LLP
1299 Pennsylvania Avenue, NW Suite 700
Washington, DC 20004
Telephone: (202) 842-7800
Facsimile: (202) 842-7899
Email: cspeckhart@cooley.com
Counsel for Debtors and Debtors in Possession