

**AFFIDAVIT**

STATE OF NEW JERSEY )  
 ) ss:  
CITY OF MONMOUTH JUNCTION, in the COUNTY OF MIDDLESEX )

I, Keith Oechsner, being duly sworn, depose and say that I am the Advertising Clerk of the Publisher of THE WALL STREET JOURNAL, a daily national newspaper of general circulation throughout the United States, and that the notice attached to this Affidavit has been regularly published in THE WALL STREET JOURNAL for National distribution for

1 insertion(s) on the following date(s):

JUL-02-2025;

ADVERTISER: AMPLIFYBIO, LLC;

and that the foregoing statements are true and correct to the best of my knowledge.

*Keith Oechsner*

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Sworn to before me this  
2 day of July 2025

*[Signature]*

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Notary Public



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**NOTICE OF PROPOSED SALE OF ASSETS, STALKING HORSE APA, BIDDING PROCEDURES, AUCTION, AND SALE HEARING**

**PLEASE TAKE NOTICE THAT:**

The above-captioned debtors and debtors in possession (the "Debtors") each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code"), on May 16, 2025, in the United States Bankruptcy Court for the Southern District of Ohio (the "Bankruptcy Court"). The Debtors are seeking to, among other things, assume and assign certain executory contracts and unexpired leases in connection with the sale (the "Sale") of substantially all of their assets (the "Assets"), free and clear of all liens, claims, encumbrances, and interests other than Assumed Liabilities, Permitted Liens, and Permitted Exceptions.<sup>2</sup> In connection with the Sale, the Debtors have entered into an Asset Purchase Agreement dated as of June 12, 2025, (the "Stalking Horse APA") with Battelle Memorial Institute (the "Stalking Horse Bidder"), and, in the event that the Stalking Horse Bidder is not the Successful Bidder following an auction process implemented in accordance with the Bidding Procedures, the Debtors anticipate entering into an Alternative APA with the Successful Bidder.

By order, dated June 27, 2025 [Docket No. 149] (the "Bidding Procedures Order"), the Bankruptcy Court approved certain relief requested in the related motion [Docket No. 89] (the "Bidding Procedures Motion") and certain bidding procedures (the "Bidding Procedures") that govern the Sale process. All interested parties should carefully read the Bidding Procedures Order and the Bidding Procedures. Copies of the Bidding Procedures Motion, the Bidding Procedures Order, the Bidding Procedures, and the Stalking Horse APA and all other documents filed with the Court may be accessed at <https://dm.epiq11.com/case/amplifybio/> or requested by e-mail to Maria Carr, Esq. ([mcarr@mcdonaldhopkins.com](mailto:mcarr@mcdonaldhopkins.com)). A separate notice will be provided to counterparties to executory contracts and unexpired leases with the Debtors that may be assumed and assigned in connection with the Sale. Any interested bidder should contact: (a) the Debtors' sales and marketing agent, Brent Bonham (616-304-2358; [bbonham@hilcoglobal.com](mailto:bbonham@hilcoglobal.com)) of Hilco Commercial Industrial; or (b) the Debtors' counsel, Scott N. Opincar and Maria G. Carr (216-348-5400; [sopincar@mcdonaldhopkins.com](mailto:sopincar@mcdonaldhopkins.com); [mcarr@mcdonaldhopkins.com](mailto:mcarr@mcdonaldhopkins.com)) of McDonald Hopkins LLC.

The deadline to submit a bid for any Assets is **August 15, 2025 at 12:00 p.m. (ET)**.

Any objections to the Sale or the relief requested in connection with the Sale (a "Sale Objection"), other than a Contract Objection, which shall be governed by the Assumption and Assignment Procedures, must: (a) be in writing; (b) comply with the Bankruptcy Rules and the Local Rules; (c) set forth the specific basis for the Sale Objection; (d) be filed with the Clerk of the Court, 170 North High Street, Columbus, Ohio 43215 **on or before 5:00 p.m. (ET) on August 22, 2025** (the "Sale Objection Deadline"), with proof of service of such Sale Objection upon be filed with the Court as and when required by the Local Rules; and (e) be served upon the Objection Notice Parties (defined below). If a Sale Objection is not filed and served on or before the Sale Objection Deadline in accordance with the foregoing requirements, the objecting party may be barred from objecting to the Sale and being heard at the Sale Hearing, and the Bankruptcy Court may enter the Sale Order without further notice to such party. The "Objection Notice Parties" are as follows: (i) counsel to the Debtors, McDonald Hopkins LLC, 600 Superior Ave, East, Suite 2100, Cleveland, Ohio 44114 (Attn: Scott N. Opincar, Esq. ([sopincar@mcdonaldhopkins.com](mailto:sopincar@mcdonaldhopkins.com)), Maria G. Carr, Esq. ([mcarr@mcdonaldhopkins.com](mailto:mcarr@mcdonaldhopkins.com))); (ii) counsel to the official committee of unsecured creditors, White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020 (Attn: Philip Abelson ([philip.abelson@whitecase.com](mailto:philip.abelson@whitecase.com)), Dominic Litz ([dominic.litz@whitecase.com](mailto:dominic.litz@whitecase.com))); Tucker Ellis LLP, 950 Main Avenue, Suite 1100, Cleveland, Ohio 44113 (Attn: Thomas Fawkes ([thomas.fawkes@tuckerellis.com](mailto:thomas.fawkes@tuckerellis.com)), Jason Torf ([jason.torf@tuckerellis.com](mailto:jason.torf@tuckerellis.com)), Manju Gupta ([manju.gupta@tuckerellis.com](mailto:manju.gupta@tuckerellis.com))); (iii) counsel to the Stalking Horse Bidder, Ice Miller LLP, Ice Miller LLP, 250 West Street, Suite 700 Columbus, OH 43215 (Attn: Daniel R. Swetnam, Esq. ([Daniel.Swetnam@icemiller.com](mailto:Daniel.Swetnam@icemiller.com)) and John C. Cannizzaro, Esq. ([John.Cannizzaro@icemiller.com](mailto:John.Cannizzaro@icemiller.com))); and (iv) Office of the U.S. Trustee, 170 North High Street, Suite 200, Columbus, OH 43215 (Attn: Laura Atack ([Laura.Ataack@usdoj.gov](mailto:Laura.Ataack@usdoj.gov))).

Subject to the terms of the Bidding Procedures Order, to the extent that the Debtors receive a competing qualified bid for the Assets, an auction (the "Auction") will be conducted on **August 19, 2025 at 10:00 a.m. (ET)**, virtually via telephone and/or video conference pursuant to information to be timely provided by the Debtors to the Auction Participants (as defined below). Only (i) the Debtors and (ii) the Auction Bidders (including, without limitation, the Stalking Horse Bidder), (iii) a representative of the official committee of unsecured creditors (if appointed), and (iv) any other parties affected, or potentially affected, by the proposed Sale transaction (who have previously provided the Debtors with notice of their intent to attend the Auction), together with the professional advisors to each of the foregoing parties, may attend the Auction (collectively, the "Auction Participants").

Unless adjourned in accordance with the Bidding Procedures Order, the Bankruptcy Court will conduct a hearing to consider the Sale (a "Sale Hearing") on **August 28, 2025 at 10:00 a.m. (ET)**.

**PLEASE TAKE FURTHER NOTICE THAT IF A SALE OBJECTION IS NOT FILED AND SERVED ON OR BEFORE THE SALE OBJECTION DEADLINE IN ACCORDANCE WITH THE BIDDING PROCEDURES ORDER, THE OBJECTING PARTY MAY BE BARRED FROM OBJECTING TO THE SALE AND BEING HEARD AT THE SALE HEARING, AND THE BANKRUPTCY COURT MAY ENTER THE SALE ORDER WITHOUT FURTHER NOTICE TO SUCH PARTY.**

Dated: June 29, 2025, Respectfully submitted, /s/ Scott N. Opincar, **MCDONALD HOPKINS LLC**, Scott N. Opincar (0064027), Maria G. Carr (0092412), 600 Superior Avenue East, Suite 2100, Cleveland, Ohio 44114, Telephone: (216) 348-5400, Facsimile: (216) 348-5474, Email: [sopincar@mcdonaldhopkins.com](mailto:sopincar@mcdonaldhopkins.com), [mcarr@mcdonaldhopkins.com](mailto:mcarr@mcdonaldhopkins.com), Counsel to the Debtors and Debtors in Possession

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: AmplifyBio, LLC (1671); and ADOC SSF, LLC (3792). The corporate headquarters and the mailing address for the Debtors is 1425 NE Plain City-Georgesville Road, West Jefferson, Ohio 43162.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Bidding Procedures Order, or to the extent not defined therein, the Bidding Procedures Motion or the Stalking Horse APA (each as defined herein), as applicable.

