

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

In re:

VYAIRE MEDICAL, INC, *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11217 (BLS)

(Joint Administration Requested)

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that Bank of America, N.A. in its capacity as Administrative Agent and Collateral Agent under that certain First Lien Credit Agreement, dated as of April 16, 2018 (as amended by certain amendments thereto) (the “Prepetition First Lien Agent”) hereby appears in the above-captioned cases through its counsel Haynes and Boone, LLP and Ashby & Geddes, P.A. and, pursuant to Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §§ 102(1), 342 and 1109(b), requests that copies of all notices given or required to be given in these cases or any related adversary proceedings and copies of all papers served or required to be served in these cases or related proceedings be given and served upon:

HAYNES AND BOONE, LLP

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¹ The last four digits of Debtor Vyair Medical, Inc.’s federal tax identification number are 6495. A complete list of each of the Debtors in these chapter 11 cases and each such Debtor’s federal tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://omniagentsolutions.com/Vyair>. The location of Debtor Vyair Medical, Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 26125 North Riverwoods Boulevard, Mettawa, Illinois, USA 60045.

PLEASE TAKE FURTHER NOTICE that this request for notice includes copies of all papers, including, but not limited to, filed reports, pleadings, motions, applications, petitions, notices, statements, replies, schedules, proposed plans, disclosure statements, briefs, and any responding papers filed in these cases or any related proceedings and that such notice, unless otherwise directed by the Court or the Prepetition First Lien Agent, be made via email to the persons listed above.

PLEASE TAKE FURTHER NOTICE that the Prepetition First Lien Agent intends that neither this Notice of Appearance nor any other filing or claim shall waive (1) the right to have final orders in non-core matters entered only after *de novo* review by the United States District Court for the District of Delaware (the “District Court”), (2) the right to trial by jury in any proceeding so triable in these cases or any other matter, controversy, or proceeding related to these cases, (3) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (4) any other rights, claims, actions, defenses, remedies, set-offs, or recoupments to which the Prepetition First Lien Agent is or may be entitled to assert under agreements, at law, or in equity, with all of the foregoing being expressly preserved. Additionally, nothing herein shall be deemed or construed as a consent to jurisdiction of matters congressionally delegated to regulatory authorities.

[Signature block on next page]

Dated: June 10, 2024

ASHBY & GEDDES, P.A.

/s/ Michael DeBaecke

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-and-

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*Counsel to Bank of America, N.A. in its capacity as the
Administrative Agent and Collateral Agent under that
certain First Lien Credit Agreement, dated as of April
16, 2018 (as amended by certain amendments thereto)*

CERTIFICATE OF SERVICE

The undersigned certifies that on June 10, 2024, a copy of the attached *Notice of Appearance and Request for Service of Papers* was served upon all parties of record via CM/ECF.

Dated: June 10, 2024

/s/ Michael DeBaecke
Michael DeBaecke, Esq. (Bar No. 3186)