

**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 DEMAND FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that Wilmington Savings Fund Society, FSB as DIP Agent (“WSFS”), hereby appears, by and through its undersigned counsel, pursuant to Section 1109(b) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 - 1532 (the “Bankruptcy Code”), and Rule 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”). WSFS, by and through counsel, hereby requests, pursuant to Bankruptcy Rules 2002, 3017 and 9007, and the applicable Local Rules, that all notices given or required to be given in these cases and all papers served or required to be served in these cases, be given to and served upon the following:

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¹ 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.

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PLEASE TAKE FURTHER NOTICE that pursuant to Section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules and sections of the Bankruptcy Code specified above, but also includes, without limitation, any order, notice, application, complaint, demand, motion, petition, pleading or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, delivery, telephone, facsimile, or otherwise filed or made in these cases and proceedings.

PLEASE TAKE FURTHER NOTICE that neither this notice nor any later appearance, pleading, claim or suit shall waive any rights to: (1) challenge the jurisdiction of the Court to adjudicate any matter, including, without limitation, any non-core matter; (2) have final orders in non-core matters entered only after de novo review by the District Court; (3) trial by jury in any proceeding so triable in these cases or any case, controversy or proceeding related to these cases; (4) have the District Court withdraw that reference in any matter subject to mandatory or discretionary withdrawal; or (5) any other rights, claims, actions, setoffs, or recoupments to which WSFS is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

[Signature to Follow]

Dated: June 10, 2024

MORRIS JAMES LLP

/s/ Brya M. Keilson

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