

**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)
)

) (Jointly Administered)
)

**NOTICE OF AMENDED² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON NOVEMBER 14, 2024, AT 10:00 A.M. (PREVAILING
EASTERN TIME) BEFORE THE HONORABLE BRENDAN L. SHANNON**

This hearing will be conducted **remotely via Zoom**.

Please refer to Judge Shannon's
Chambers Procedures ([available here](#)) and the Court's website
(<https://www.deb.uscourts.gov/ecourt-appearances>) for information
on the method of allowed participation (video or audio), Judge Shannon's
expectations of remote participants, and the advance registration requirements.
Registration is required 4:00 p.m. (prevailing Eastern Time) the business day before the hearing
unless otherwise noticed using the eCourtAppearances tool available on the Court's website.

MATTERS GOING FORWARD

1. Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates
(Filed September 11, 2024) [Docket No. 518]

Related Document(s):

- (a) Disclosure Statement for the Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed September 11, 2024) [Docket No. 519]
- (b) Amended Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed September 30, 2024) [Docket No. 581]

¹ The last four digits of Debtor Vyaire 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' claims and noticing agent at <https://omniagentsolutions.com/Vyaire>. The location of Debtor Vyaire 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.

² **Amendment appears in bold.**

- (c) Amended Disclosure Statement for the Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed September 30, 2024) [Docket No. 582]
- (d) Notice of Filing Redline Version of Amended Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed September 30, 2024) [Docket No. 583]
- (e) Notice of Filing Redline Version of Amended Disclosure Statement for the Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed September 30, 2024) [Docket No. 584]
- (f) Order (I) Approving the Adequacy of the Disclosure Statement on an Interim Basis, (II) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing, (III) Approving the Solicitation and Notice Procedures, (IV) Approving the Combined Hearing Notice, and (V) Granting Related Relief (Entered October 2, 2024) [Docket No. 596]
- (g) Notice of Hearing to Consider (I) the Adequacy of the Disclosure Statement and (II) Confirmation of the Joint Chapter 11 Plan Filed by the Debtors (Filed October 3, 2024) [Docket No. 601]
- (h) Plan Supplement (Filed October 28, 2024) [Docket No. 689]
- (i) Declaration of Paul H. Deutch Regarding the Solicitation and Tabulation of Votes On, and Elections to Opt-In to the Third-Party Release In, the Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed November 7, 2024) [Docket No. 712]
- (j) Second Amended Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed November 11, 2024) [Docket No. 719]
- (k) Notice of Filing of First Amended Plan Supplement (Filed November 11, 2024) [Docket No. 720]
- (l) Declaration of Charles N. Braley in Support of Confirmation of the Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed November 11, 2024) [Docket No. 721]
- (m) Debtors' Memorandum of law in Support of an Order (I) Approving the Debtors' Disclosure Statement on a Final Basis and (II) Confirming the Debtors' Joint Chapter 11 Plan (Filed November 11, 2024) [Docket No. 722]
- (n) Notice of Filing Redline Version of Second Amended Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed November 12, 2024) [Docket No. 723]

- (o) Motion of Debtors for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement with Respect to the Debtors' Confirmation Brief (Filed November 12, 2024) [Docket No. 724]
- (p) Notice of Filing Findings of Fact, Conclusions of Law, and Order Approving the Debtors' Disclosure Statement for, and Confirming the Second Amended Joint Chapter 11 Plan of Vyaire Medical, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Filed November 12, 2024) [Docket No. [●]]

Objection Deadline: November 4, 2024, at 4:00 p.m. (prevailing Eastern Time), extended until November 5, 2024 for Texas Comptroller of Public Accounts ("Texas Comptroller"), extended until November 6, 2024 for Cigna Health and Life Insurance Company ("Cigna"), and extended until November 8, 2024 for the Official Committee of Unsecured Creditors (the "Committee")

Response(s) Received:

- (a) Informal comments from the Office of the United States Trustee for the District of Delaware, the Committee, Bank of America, N.A., as First Lien Agent, 1L Ad Hoc Group, United States Attorney's Office, District of Delaware, Covington & Burling LLP and Reed Smith LLP, Texas Comptroller, Hartford Fire Insurance Company, and Cigna
- (b) Objection of Cigna to Disclosure Statement for the Joint Chapter 11 Plan of Vyaire Medical, Inc. and Its Debtor Affiliates (Filed September 24, 2024) [Docket No. 567]
- (c) Reservation of Rights Regarding the Motion of the Debtors for Entry of an Order (I) Approving the Adequacy of the Disclosure Statement on an Interim Basis, (II) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing, (III) Approving the Solicitation and Notice Procedures, (IV) Approving the Combined Hearing Notice, and (V) Granting Related Relief (Filed September 27, 2024) [Docket No 578]
- (d) Limited Objection of the United States Trustee to Confirmation of Debtors' Chapter 11 Plan (Filed November 4, 2024) [Docket No. 705]

Status: All informal comments and objections have been resolved. This matter is going forward.

2. Motion of Zensar Technologies Inc. for Entry of an Order (I) Compelling Assumption or Rejection of Executory Contracts and (II) Allowing Administrative Expenses and Compelling Payment Thereof (Filed October 31, 2024) [Docket No. 699]

Related Document(s):

- (a) Certification of Counsel Regarding Motion of Zensar Technologies Inc. for Entry of an Order (I) Compelling Assumption or Rejection of Executory Contracts and (II) Allowing Administrative Expenses and Compelling Payment Thereof (Filed November 8, 2024) [Docket No. 716]

Objection Deadline: November 7, 2024, at 4:00 p.m. (prevailing Eastern Time)

Response(s) Received: None

Status: A revised proposed form of order has been filed under certification of counsel. No hearing is required unless the Court has any questions.

[Remainder of Page Intentionally Left Blank]

Dated: November 12, 2024
Wilmington, Delaware

/s/ Patrick J. Reilley

COLE SCHOTZ P.C.

Patrick J. Reilley (No. 4451)
Stacy L. Newman (No. 5044)
500 Delaware Avenue, Suite 1410
Wilmington, Delaware 19801
Telephone: (302) 652-3131
Facsimile: (302) 652-3117
Email: preilley@coleschotz.com
snewman@coleschotz.com

- and -

Michael D. Sirota, Esq. (admitted *pro hac vice*)
Warren A. Usatine, Esq (admitted *pro hac vice*)
Court Plaza North, 25 Main Street
Hackensack, New Jersey 07601
Telephone: (201) 489-3000
Facsimile: (201) 489-1536
Email: msirota@coleschotz.com
wusatine@coleschotz.com

*Co-Counsel to the Debtors
and Debtors in Possession*

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
601 Lexington Ave
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: joshua.sussberg@kirkland.com

- and -

Spencer A. Winters, P.C. (admitted *pro hac vice*)
Yusuf U. Salloum (admitted *pro hac vice*)
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: spencer.winters@kirkland.com
yusuf.salloum@kirkland.com

*Co-Counsel to the Debtors
and Debtors in Possession*