# Exhibit C – December 3, 2024 Email Chain

# First Stipulation of Facts
# Between
# Plan Administrator and
# Hartford Fire Insurance Company

**Percontino, Matteo**

**From:** Repetto, Matthew <MRepetto@crowell.com>
**Sent:** Friday, December 20, 2024 12:41 PM
**To:** Gary D. Bressler
**Cc:** Michael R. Morano; Percontino, Matteo
**Subject:** RE: Vyaire - Vyaire Medical Sale Order - Trudell - Surety Bonds;for settlement discussions only

External email

Hi Gary,

Following up on the below. Available to discuss if needed.

**Matthew Repetto**
Pronouns: he/him/his
Crowell & Moring LLP
mrepetto@crowell.com
+1.212.895.4209 direct

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**From:** Repetto, Matthew
**Sent:** Monday, December 9, 2024 10:37 AM
**To:** Gary D. Bressler <gbressler@mdmc-law.com>
**Cc:** Michael R. Morano <mmorano@mdmc-law.com>; Percontino, Matteo <MPercontino@coleschotz.com>
**Subject:** RE: Vyaire - Vyaire Medical Sale Order - Trudell - Surety Bonds;for settlement discussions only

Hi Gary,

Thank you for the email below. I am reaching out to confirm that Trudell has agreed in principle with the steps outlined below and has asked that you share the form of indemnity agreement for our review and consideration.

Thank you!

**Matthew Repetto**
Pronouns: he/him/his
Crowell & Moring LLP
mrepetto@crowell.com
+1.212.895.4209 direct

**From:** Gary D. Bressler <gbressler@mdmc-law.com>
**Sent:** Friday, December 6, 2024 4:05 PM
**To:** Repetto, Matthew <MRepetto@crowell.com>
**Cc:** Michael R. Morano <mmorano@mdmc-law.com>; Percontino, Matteo <MPercontino@coleschotz.com>
**Subject:** RE: Vyaire - Vyaire Medical Sale Order - Trudell - Surety Bonds;for settlement discussions only

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Mathew

Thank you for taking the time to speak to me today. As I have explained to Matteo and you, it is Hartford's position that the continued use of its bonds for the benefit of the buyers without Hartford's consent is in violation of the sales orders. . To the extent that Trudell wants the bonds to stay in place for their benefit, your client would have to work out an agreement satisfactory to Hartford.(assuming Hartford is amenable to any agreement) The first step would be for your client to go through underwriting. In order to initiate this process we would ask that your client reach out to the broker. My understanding is that the broker is Mary Y. Volmer at Marsh whose direct number is 865 7697766 and whose mobile number is 8654379639. Mary's email address is mary.y.volmar@marsh.com

Finally, our client is insistent that Trudell sign an indemnity agreement while it is going through the underwriting process and our client's bonds remain exposed . We would appreciate it is you would let us know by the end of Monday if Trudell is ok in principle with this and if so , my law partner Michael Morano will send over a form of agreement.

Matteo

You indicated that Zoll has said it does not think it needs the bonds but it is checking. However, does not Zoll need the Debtors licensed in Maryland, Nevada and/or California to perform under their transition agreement with Zoll. If so, Zoll is benefiting from the bonds continued exposure and our client requires the same things of Zoll as it does of Trudell.

Thanks. As is customary for our client, our client reserves all claims ,rights and defenses.

**Gary D. Bressler**
Partner

300 Delaware Avenue
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Wilmington, Delaware 19801

**gbressler@mdmc-law.com**
**T:** 302-300-4508 **F:** 302-654-4031
**mdmc-law.com**

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**From:** Repetto, Matthew <MRepetto@crowell.com>
**Sent:** Friday, December 6, 2024 3:13 PM
**To:** Gary D. Bressler <gbressler@mdmc-law.com>
**Cc:** Michael R. Morano <mmorano@mdmc-law.com>
**Subject:** RE: Vyaire - Vyaire Medical Sale Order - Trudell - Surety Bonds

**This message originated from outside your organization**

Hi Gary,

My apologies, I was tied up most of the day. I am free at 3:30pm if that time works for you. Let me know!

**Matthew Repetto**
Pronouns: he/him/his
Crowell & Moring LLP
mrepetto@crowell.com
+1.212.895.4209 direct

**From:** Gary D. Bressler <gbressler@mdmc-law.com>
**Sent:** Thursday, December 5, 2024 1:41 PM
**To:** Repetto, Matthew <MRepetto@crowell.com>
**Cc:** Michael R. Morano <mmorano@mdmc-law.com>
**Subject:** Re: Vyaire - Vyaire Medical Sale Order - Trudell - Surety Bonds

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Would 3 pm tomorrow work for a call ?

**Gary D. Bressler**
Partner

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**From:** Repetto, Matthew <MRepetto@crowell.com>
**Date:** Wednesday, December 4, 2024 at 11:11 PM
**To:** Gary D. Bressler <gbressler@mdmc-law.com>
**Subject:** Vyaire - Vyaire Medical Sale Order - Trudell - Surety Bonds

**This message originated from outside your organization**

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Hi Gary,

I am reaching out on behalf of Trudell Medical in connection with the Hartford surety bonds listed below. Hoping to discuss an appropriate and prompt resolution. Please let me know if it is best to discuss via telephone, and if so, please provide your availability this week or early next week. Thank you!

**Exhibit D**

**Surety Bonds[1]**

| Principal | Bond No. | Obligee | Nature of Bond | Expiration Date | Bond Amount |
|---|---|---|---|---|---|
| Vyaire Medical, Inc. and Vyaire Medical 211, Inc. | 20BSBAA2688 | California State Board of Pharmacy | Pharmaceutical Bond | 04/30/2025 | $100,000 |
| Vyaire Medical, Inc. and Vyaire Medical 211, Inc. | 20BSBIL8800 | Nevada State Board of Pharmacy | Pharmaceutical Bond | 10/21/2024 | $100,000 |
| Vyaire Medical, Inc. | 20BSBAA2687 | Maryland Board of Pharmacy | Pharmaceutical Bond | 04/30/2025 | $100,000 |
| Vyaire Medical, Inc. | 22C000T8M | Bureau of Customs and Border Protection | Custom Duty | 06/07/2025 | $400,000 |

**Matthew Repetto**
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LinkedIn

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Two Manhattan West
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