

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

In re:

VYAIRE MEDICAL, INC.,¹

Liquidating Debtor.

Chapter 11

Case No. 24-11217 (BLS)

Re: Docket No. 1082

**CERTIFICATION OF COUNSEL REGARDING PLAN ADMINISTRATOR'S FOURTH
OMNIBUS OBJECTION (SUBSTANTIVE) TO CERTAIN CLAIMS**

(No Liability Claims, Reclassified Claims, and Overstated Claims)

The undersigned counsel to David M. Barse, solely in his capacity as the Plan Administrator of Vyair Medical, Inc., *et al.* (the “Plan Administrator”), hereby certifies as follows:

1. On May 8, 2025, the Plan Administrator filed the *Plan Administrator’s Fourth Omnibus Objection (Substantive) to Certain Claims (No Liability Claims, Reclassified Claims, and Overstated Claims)* [Docket No. 1082] (the “Objection”) with the United States Bankruptcy Court for the District of Delaware (the “Court”). Attached thereto as Exhibit A was a proposed form of order granting the relief requested in the Objection (the “Proposed Order”).

2. Pursuant to the *Notice of the Plan Administrator’s Fourth Omnibus Objection (Substantive) to Certain Claims (No Liability Claims, Reclassified Claims, and Overstated Claims)* [Docket No. 1082-1] (the “Notice of Objection”), responses to the Objection were required to have been filed with the Court and served on undersigned counsel no later than 4:00 p.m. (ET) on June

¹ This chapter 11 case is now being administered by the Plan Administrator pursuant to the terms of the *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* [Docket No. 745]. The Plan Administrator's mailing address is Vyaire Medical, Inc., Attn: David M. Barse, Plan Administrator, c/o Cole Schotz P.C., 500 Delaware Avenue, Suite 600, Wilmington, DE 19801.

4, 2025 (the “Response Deadline”). The Notice of Objection also provided notice that a hearing on the Objection is scheduled for June 11, 2025 at 10:30 a.m. (ET) (the “Hearing”).

3. Prior to the Response Deadline, the Plan Administrator received correspondence from counsel to Owens & Minor Distributions, Inc. (“Owens & Minor”) requesting an extension of time to respond to the Objection as to Owens & Minor’s Claim No. 223 set forth in Schedules 1 and 2 of the Proposed Order. Upon review of the correspondence, the Plan Administrator has revised the Proposed Order to (i) remove the claim from Schedules 1 and 2 to the Proposed Order granting the Objection, and (ii) adjourn the hearing on that claim to a date to be determined, on agreement of the parties.

4. Other than the Owens & Minor response, the Plan Administrator has not received any other responses to the Objection, and none have been filed on the docket.

5. Accordingly, the Plan Administrator respectfully requests that the Court enter the revised proposed form of order (the “Revised Proposed Order”) sustaining the Objection as to all claims other than the Owens & Minor Claim, which has been removed from the Revised Proposed Order.

6. The Revised Proposed Order is attached hereto as **Exhibit A**.

7. A redline comparing the Revised Proposed Order against the Proposed Order filed with the Objection is attached hereto as **Exhibit B**.

8. The Plan Administrator respectfully requests that the Court enter the Revised Proposed Order at its earliest convenience.

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Dated: June 6, 2025
Wilmington, Delaware

/s/ Patrick J. Reilley

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