

**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**
)

**ORDER GRANTING AND SUSTAINING PLAN ADMINISTRATOR’S FOURTH
OMNIBUS OBJECTION (SUBSTANTIVE) TO CERTAIN CLAIMS**

Upon consideration of the *Plan Administrator’s Fourth Omnibus Objection (Substantive) to Certain Claims* (the “Objection”);² and the Court having jurisdiction over this core proceeding under 28 U.S.C. §§ 157 and 1334; and venue of this matter in the District of Delaware being proper under 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed the Objection, the Disputed Claims listed on Schedule 1, Schedule 2, and Schedule 3 hereto, the Amico Declaration, any responses to the Objection, and any replies to those responses; and due notice of the Objection having been provided; and the relief sought by the Objection being in the best interests of the Debtors, the Debtors’ creditors and all other parties in interest; and after due deliberation thereon and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The Objection is GRANTED to the extent set forth herein.
2. Each No Liability Claim listed on Schedule 1 hereto is hereby disallowed and expunged in its entirety.

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 Vyair Medical, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 745] (the “Confirmation Order”). The Plan Administrator’s mailing address is Vyair Medical, Inc., Attn: David M. Barse, Plan Administrator, c/o Cole Schotz P.C., 500 Delaware Avenue, Suite 600, Wilmington, DE 19801.

3. Each Reclassified Claim listed on **Schedule 2** hereto is hereby reclassified as set forth in the “*Modified Classification Status & Amount*” and “*Reason for Reclassification*” columns therein.

4. Each Overstated Claim listed on **Schedule 3** hereto is hereby modified as set forth in the “*Modified Claim Amount*” and “*Reason for Modification*” columns therein.

5. The Plan Administrator is authorized to take any action necessary or appropriate to give effect to this Order and the relief granted therein.

6. Omni Agent Solutions, Inc., the Court-appointed claims and noticing agent in the chapter 11 cases, is hereby authorized and directed to make such revisions to the official claims register as are necessary to reflect the relief granted in this Order.

7. The Plan Administrator, the Debtors and their estates, any successors thereto and any other party in interest shall retain and shall have the right to object in the future to any of the claims listed on **Schedules 1, 2, and 3** on any additional grounds, and the Plan Administrator shall retain and shall have the right to amend, modify and/or supplement the Objection as may be necessary.

8. The Plan Administrator’s objection to each Disputed Claim addressed in the Objection constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each Disputed Claim. Any stay of this Order pending appeal by any of the claimants subject to this Order shall only apply to the contested matter which involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters covered hereby.

² Capitalized terms not defined herein shall have the meanings ascribed to the terms in the Objection.

9. This Order is without prejudice to the rights of the Plan Administrator, the Debtors' estates, any successors thereto and any other party in interest to object to any other proof of claim filed in the chapter 11 cases.

10. The Court shall retain jurisdiction over the claimants whose claims are subject to the Objection with respect to any matter arising from or related to the Objection or this Order, including the interpretation, enforcement and implementation of this Order.

Dated: June 6th, 2025
Wilmington, Delaware



BRENDAN L. SHANNON
UNITED STATES BANKRUPTCY JUDGE