

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

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In re: : **Chapter 11**
:
INSYS THERAPEUTICS, INC., et al., : **Case No. 19-11292 (KG)**
:
Debtors.¹ : **(Jointly Administered)**
:
: **Re: D.I. 1115**
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NOTICE OF (I) ENTRY OF ORDER CONFIRMING SECOND AMENDED JOINT CHAPTER 11 PLAN OF LIQUIDATION OF INSYS THERAPEUTICS, INC. AND ITS AFFILIATED DEBTORS AND (II) OCCURRENCE OF EFFECTIVE DATE

PLEASE TAKE NOTICE that, on January 14, 2020, Insys Therapeutics, Inc. and its affiliated debtors in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), filed the *Second Amended Joint Chapter 11 Plan of Liquidation of Insys Therapeutics, Inc. and Its Affiliated Debtors* [D.I. 1095] (together with all schedules and exhibits thereto, and as may be modified, amended or supplemented from time to time, the “**Plan**”)² with the United States Bankruptcy Court for the District of Delaware (the “**Court**”).

PLEASE TAKE FURTHER NOTICE that on January 16, 2020, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Second Amended Joint Chapter 11 Plan of Liquidation of Insys Therapeutics, Inc. and Its Affiliated Debtors* [D.I. 1115] (the “**Confirmation Order**”).

PLEASE TAKE FURTHER NOTICE that, pursuant to the terms of the Confirmation Order, the Debtors hereby provide notice of the entry of the Confirmation Order.

PLEASE TAKE FURTHER NOTICE that all conditions precedent to the Effective Date set forth in Section 9.2 of the Plan have been satisfied or waived as provided in Section 9.3 of the Plan, such that the Plan was substantially consummated, and the Effective Date occurred, on February 18, 2020.

PLEASE TAKE FURTHER NOTICE that, on December 30, 2019, the Debtors filed the Plan Supplement [D.I. 1049], which included as Exhibit C thereto the Schedule of Assumed and Assigned Contracts.³ Pursuant to Section 8.1(a) of the Plan, each executory contract and

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Insys Therapeutics, Inc. (7886); IC Operations, LLC (9659); Insys Development Company, Inc. (3020); Insys Manufacturing, LLC (0789); Insys Pharma, Inc. (9410); IPSC, LLC (6577); and IPT 355, LLC (0155). The Debtors’ mailing address is 3100 West Ray Road, Suite 201, Chandler, Arizona 85226.

² Capitalized terms used herein but otherwise not defined shall have the meanings ascribed to them in the Plan.

³ On February 14, 2020, the Debtors removed one contract from the Schedule of Assumed and Assigned Contracts. See D.I. 1195.

unexpired lease of the Debtors not previously assumed, rejected, or assumed and assigned by the Debtors during the chapter 11 cases shall be deemed automatically rejected pursuant to sections 365 and 1123 of the Bankruptcy Code, unless such executory contract or unexpired lease (i) is listed on the Schedule of Assumed and Assigned Contracts or (ii) as of the Effective Date is subject to a pending motion to assume, reject, or assume and assign such executory contract or unexpired lease.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 8.4 of the Plan and paragraph 28 of the Confirmation Order, the deadline for filing Claims arising from the rejection of an executory contract or unexpired lease is **March 19, 2020**, and ANY CLAIM ARISING FROM THE REJECTION OF AN EXECUTORY CONTRACT OR UNEXPIRED LEASE NOT FILED BY THAT DATE WILL BE DISALLOWED PURSUANT TO THE CONFIRMATION ORDER, FOREVER BARRED FROM ASSERTION, AND SHALL NOT BE ENFORCEABLE AGAINST, AS APPLICABLE, THE DEBTORS, THE TRUSTS, THE ESTATES, OR PROPERTY OF THE FOREGOING PARTIES, WITHOUT THE NEED FOR ANY OBJECTION BY THE DEBTORS OR THE TRUSTS, AS APPLICABLE, OR FURTHER NOTICE TO, OR ACTION, ORDER, OR APPROVAL OF THE COURT OR ANY OTHER ENTITY, AND ANY CLAIM ARISING OUT OF THE REJECTION OF THE EXECUTORY CONTRACT OR UNEXPIRED LEASE SHALL BE DEEMED FULLY SATISFIED, RELEASED, AND DISCHARGED, NOTWITHSTANDING ANYTHING IN THE SCHEDULES, IF ANY, OR A PROOF OF CLAIM TO THE CONTRARY.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 2.1 of the Plan and paragraph 44 of the Confirmation Order, the Administrative Expense Claims Bar Date with respect to (x) unpaid Claims arising in the ordinary course of business between the Petition Date and September 9, 2019, and (y) all unpaid Claims arising after September 9, 2019 through and including the Effective Date is **April 20, 2020** and HOLDERS OF ADMINISTRATIVE EXPENSE CLAIMS THAT ARE REQUIRED TO, BUT DO NOT, FILE AND SERVE REQUESTS FOR THE PAYMENT OF SUCH ADMINISTRATIVE EXPENSE CLAIMS BY THAT DATE SHALL BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIMS AGAINST THE DEBTORS, THE TRUSTS, OR THEIR ASSETS OR PROPERTIES, AND SUCH CLAIMS SHALL BE DEEMED DISCHARGED AS OF THE EFFECTIVE DATE.

PLEASE TAKE FURTHER NOTICE that, pursuant to Section 2.4 of the Plan and paragraph 45 of the Confirmation Order, the deadline for estate retained professionals to file applications for Professional Fee Claims is **April 3, 2020**.

PLEASE TAKE FURTHER NOTICE that the Plan, Confirmation Order, and other documents filed in the Chapter 11 Cases are available free of charge by (a) calling the Debtors' restructuring hotline at (855) 424-7683 within the United States or Canada or, outside of the United States or Canada, by calling 1 (503) 520-4461 (b) visiting <https://dm.epiq11.com/insys> and/or writing to Insys Therapeutics, Inc., c/o Epiq Corporate Restructuring, LLC, 10300 SW Allen Blvd., Beaverton, OR 97005. You may also obtain copies of any pleadings filed in these Chapter 11 Cases for a fee on the Court's website at <http://www.deb.uscourts.gov>.

Dated: February 18, 2020
Wilmington, Delaware

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