

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

In re:

SANCILIO PHARMACEUTICALS
COMPANY, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-11333 (CSS)
(Jointly Administered)

Re: Dkt. No. 357

**NOTICE OF (A) CONFIRMATION ORDER AND EFFECTIVE DATE OF COMBINED
DISCLOSURE STATEMENT AND CHAPTER 11 PLAN OF LIQUIDATION
PROPOSED BY THE DEBTORS AND THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS AND (B) BAR DATE FOR ADMINISTRATIVE CLAIMS,
PROFESSIONAL CLAIMS AND REJECTION DAMAGE CLAIMS**

A. Notice of Entry of Confirmation Order and Effective Date

NOTICE IS HEREBY GIVEN that on April 9, 2019, the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) entered an order (the “**Confirmation Order**”) [D.I. 357] confirming the *Combined Disclosure Statement and Chapter 11 Plan of Liquidation Proposed Jointly by the Debtors and the Official Committee of Unsecured Creditors* (as modified by the Confirmation Order, the “**Plan**”) [D.I. 357-1] filed by Sancilio Pharmaceuticals Company, Inc. and its debtor affiliates (collectively, the “**Debtors**”) and the Official Committee of Unsecured Creditors appointed in these chapter 11 cases (the “**Committee**”). Unless otherwise defined herein, capitalized terms have the meaning ascribed to them in the Plan. The terms of the Plan, all Plan-related documents (including, but not limited to, the Plan Documents), and the Confirmation Order are valid, binding upon the Debtors, the holders of all Claims and Interests, all parties in interest, and all persons and entities and their respective successors and assigns, and are enforceable notwithstanding any otherwise applicable non-bankruptcy law.

NOTICE IS FURTHER GIVEN that the Plan became effective at 11:59 p.m. prevailing Eastern Time on May 31, 2019 (the “**Effective Date**”).

B. Notice of Bar Dates for Filing Administrative Claims, Final Professional Fee Claims and Rejection Damage Claims

(1) Bar Date for Filing Administrative Claims

NOTICE IS FURTHER GIVEN that any holder of an Administrative Expense Claim against any Debtor arising on or after February 8, 2019, other than (a) an Accrued Professional Compensation Claim, (b) an Administrative Expense Claim that has been Allowed or paid on or

¹ The Debtors in these Chapter 11 Cases, along with the business addresses and the last four (4) digits of each Debtor’s federal tax identification number, if applicable, are: Sancilio Pharmaceuticals Company, Inc., 2129 N. Congress Avenue, Riviera Beach, FL 33404 (3353); Sancilio & Company, Inc., 2129 N. Congress Avenue, Riviera Beach, FL 33404 (7166); Blue Palm Advertising Agency, LLC, 2129 N. Congress Avenue, Riviera Beach, FL 33404 (n/a).

before the Effective Date, (c) fees of the United States Trustee arising under 28 U.S.C. § 1930 and any applicable interest thereon, must file a request for payment (a “**Request**”) of such Administrative Expense Claim.

Each Request must be filed with the Bankruptcy Court, and served on (1) counsel for the Debtors, (a) Greenberg Traurig, LLP, 1007 North Orange Street, Suite 1200, Wilmington, Delaware 19801 (attn: Dennis A. Meloro, Esq. melorod@gtlaw.com), and (b) Greenberg Traurig, LLP, 333 S.E. 2nd Avenue, Suite 4400, Miami, Florida 33131 (attn.: Paul J. Keenan Jr., keenanp@gtlaw.com, and John R. Dodd, doddj@gtlaw.com); (2) the Liquidating Trustee at CR3 Partners, LLC, 450 Lexington Ave., 4th Floor, New York, NY 10017 (attn.: James Katchadurian, as Liquidating Trustee, James.Katchadurian@cr3partners.com) and his counsel, Drinker Biddle & Reath LLP, 222 Delaware Ave., Suite 1410, Wilmington, DE 19801-1621 (attn.: Steven K. Kortanek, Esq., steven.kortanek@dbr.com, Patrick A. Jackson, Esq., patrick.jackson@dbr.com, and Joseph N. Argentina, Jr., Esq., joseph.argentina@dbr.com), and the Office of the United States Trustee, J. Caleb Boggs Federal Building, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801 (attn.: Linda Richenderfer, Linda.Richenderfer@usdoj.gov), so as to be received on or before **June 30, 2019** (the “**Administrative Expense Claim Bar Date**”). Such Request must include at a minimum (i) the name of the Debtor(s) purported to be liable for the Administrative Claim, (ii) the name of the holder of the Administrative Claim, (iii) the amount of the Administrative Claim, and (iv) the basis of the Administrative Claim. **Failure to timely file with the Bankruptcy Court and serve such a Request for payment shall result in any Administrative Expense Claims being forever barred, absent order of the Bankruptcy Court to the contrary.**

Notwithstanding any provision in the Plan regarding payment of Administrative Expense Claims to the contrary, and without waiver of any argument available that such Claim is already time-barred by prior orders of the Bankruptcy Court, absent order of the Bankruptcy Court to the contrary, all Administrative Expense Claims required to be filed and not filed by the Administrative Expense Claim Bar Date shall be deemed disallowed, shall be unenforceable against the Debtors and the Liquidating Trust, and shall not be entitled to any Distribution under the Plan.

(2) Bar Date for Filing Final Fee Applications for Professionals

NOTICE IS FURTHER GIVEN that all requests for payment of Accrued Professional Compensation Claims must be made by application filed with the Bankruptcy Court and served on the Debtors, the Liquidation Trustee, and their respective counsel, and other necessary parties in interest in accordance with the procedures established by the Bankruptcy Code and prior Bankruptcy Court orders no later than **July 15, 2019**, unless otherwise ordered by the Bankruptcy Court. Objections to such applications must be filed and served on the Debtors, the Liquidating Trustee, and their respective counsel, and the requesting Professional or other entity on or before the date that is thirty (30) days (or such longer period as may be provided in the notice of the applicable fee application or on consent of the requesting Professional or other entity) after the date on which the applicable application was served. **The failure to file timely and serve such final fee application shall result in the Claim of such Professional being forever barred, absent order of the Bankruptcy Court to the contrary.**

(3) Bar Date for Filing Rejection Damage Claims

NOTICE IS FURTHER GIVEN that all executory contracts and unexpired leases are rejected as of the Effective Date, except for those that (i) previously have been assumed pursuant to a Final Order of the Bankruptcy Court (including the Micelle Sale Order or the KD Sale Order), (ii) are specifically designated to be assumed in the Plan, or (iii) are the subject of a separate assumption motion filed by the Debtors prior to the Effective Date.

In the event that the rejection of an executory contract or unexpired lease by any of the Debtors results in a Rejection Damages Claim in favor of a counterparty to such executory contract or unexpired lease, absent an order of the Bankruptcy Court to the contrary, such Rejection Damages Claim, if not heretofore evidenced by a timely and properly filed Proof of Claim, shall be forever barred and shall not be enforceable against the Debtors or their respective properties or interests in property as agents, successors, or assigns, unless a Proof of Claim is filed with the Bankruptcy Court and served upon counsel for the Debtors and the Liquidating Trustee on or before **June 30, 2019**. (the “**Rejection Damages Claim Bar Date**”). **Any such Rejection Damages Claim for which a proof of claim is not filed by the Rejection Bar Date shall be forever barred, absent order of the Bankruptcy Court to the contrary.** All Allowed Rejection Damages Claims shall be treated as General Unsecured Claims pursuant to the terms of the Plan.

NOTICE IS FURTHER GIVEN that the Confirmation Order and the Plan contain other provisions that may affect your rights. You may obtain a copy of the Plan and Confirmation Order at <http://www.deb.uscourts.gov>, or from the undersigned counsel to the Liquidating Trustee. You are encouraged to review the Confirmation Order and the Plan in their entirety and to consult with your own legal advisors.

Dated: June 3, 2019
Wilmington, Delaware

DRINKER BIDDLE & REATH LLP

/s/ Patrick A. Jackson
Steven K. Kortanek (Del. Bar No. 3106)
Patrick A. Jackson (Del. Bar No. 4976)
Joseph N. Argentina, Jr. (Del. Bar No. 5453)
222 Delaware Avenue, Suite 1410
Wilmington, DE 19801
Tel: (302) 467-4200
Fax: (302) 467-4201
Steven.Kortanek@dbr.com
Patrick.Jackson@dbr.com
Joseph.Argentina@dbr.com

Counsel for the Liquidating Trustee