

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

In re:

APPLE TREE LIFE SCIENCES, INC.,

Debtor.

Chapter 11

Case No. 25-12177 (LSS)

In re:

ATP LIFE SCIENCE VENTURES, L.P.,

Debtor.

Chapter 11

Case No. 25-12178 (LSS)

In re:

ATP III GP, LTD.,

Debtor.

Chapter 11

Case No. 25-12179 (LSS)

**Objection Deadline: TBD
Hearing Date: TBD**

**MOTION OF RIGMORA BIOTECH INVESTOR ONE LP AND RIGMORA BIOTECH
INVESTOR TWO LP TO FILE UNDER SEAL CERTAIN OF THE
EXHIBITS ATTACHED TO THE MOTION TO DISMISS**

Parties in interest Rigmora Biotech Investor One LP by its general partner Unicorn Biotech Ventures One Ltd and Rigmora Biotech Investor Two LP by its general partner Unicorn Biotech Ventures Two Ltd (collectively, the “LPs”), hereby file this motion (the “**Motion**”) for the entry of an order, substantially in the form attached hereto as **Exhibit A** (the “**Proposed Order**”), authorizing the LPs to file under seal certain of the exhibits (the “**Confidential Exhibits**”) attached to the *Motion of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP For an Order (I) Dismissing the Chapter 11 Cases and/or (II) Granting Relief From the Automatic Stay*



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(the “**Motion to Dismiss**”),¹ as well as to redact references to those exhibits in the Motion to Dismiss, to protect from disclosure certain confidential commercial information contained therein.

In support of this Motion, the LPs respectfully represent as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated as of February 29, 2012. This is a core proceeding under 28 U.S.C. § 157(b). The Debtors consent under 9013-1(f) of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”) to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgment in connection herewith consistent with Article III of the United States Constitution. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory and legal predicates for the relief requested herein are sections 105(a) and 107(b) of title 11 of the United States Code (the “**Bankruptcy Code**”), rule 9018 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Local Rule 9018-1.

BACKGROUND

A. General Background

3. On December 9, 2025 (the “**Petition Date**”), the debtors and debtors in possession in the above-captioned chapter 11 proceedings (the “**Debtors**”) filed with this Court voluntary

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion to Dismiss.

petitions for relief under Chapter 11 of the Bankruptcy Code (collectively, the “**Chapter 11 Cases**”).

4. The Debtors have not filed any additional papers in the Chapter 11 Cases.

B. The Non-Bankruptcy Proceedings

5. Prior to the Petition Date during the past six months, Debtor ATP III GP, Ltd. (the “**GP**”) and the LPs have been in active litigation. Litigation initiated by the GP in Delaware Chancery Court (the “**Chancery Proceeding**”) resulted in a judgment of specific performance, entered December 11, 2025, requiring the LPs to invest about \$96 million in additional contributions to the Fund, but otherwise rejecting the GP’s claims. *See ATP III GP, Ltd. v. Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP*, C.A. No. 2025-0607-KSJM (Del. Ch. 2025). Litigation initiated in the Cayman Islands by the LPs, seeking to wind up the Fund primarily on the grounds that they have lost confidence in the GP’s management of the Fund, is set to go to trial on January 12, 2026, with a pretrial conference coming up this Wednesday, December 17, 2025.

6. During the Chancery Proceeding, the Court of Chancery of the State of Delaware approved the *Stipulation and [Proposed] Order for the Production and Exchange of Confidential and Highly Confidential Information* (the “**Confidentiality Order**”). Pursuant to the Confidentiality Order, the Confidential Exhibits were produced confidentially in the Chancery Proceeding and did not otherwise become public.

C. The Motion to Dismiss

7. On December 12, 2025, the LPs filed the Motion to Dismiss seeking the dismissal of the Chapter 11 Cases. The Confidential Exhibits attached thereto contain information that the parties may deem as confidential information (“**Confidential Information**”) belonging to the LPs

and/or the Debtors. Due to the potentially sensitive, commercial nature of the Confidential Information, out of an abundance of caution, the LPs believe that sealing the Confidential Information is appropriate under the circumstances.

RELIEF REQUESTED

8. By this Motion, the LPs seek entry of the Proposed Order authorizing the LPs to (i) file under seal the Confidential Exhibits and redacting references to confidential information in the Motion to Dismiss, (ii) file versions of the Confidential Exhibits redacting the Confidential Information, if any, and (iii) granting further relief as may be just and proper.

BASIS FOR RELIEF REQUESTED

9. Sections 105(a) and 107(b) of the Bankruptcy Code allow the Court to authorize the parties to file the Confidential Information under seal. Pursuant to section 105(a) of the Bankruptcy Code, bankruptcy courts have the inherent equitable power to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a). In addition, section 107(b) provides bankruptcy courts with the power to protect parties in interest from potentially harmful disclosures:

On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court’s own motion, the bankruptcy court may—

(1) protect an entity with respect to a trade secret or confidential research, development, or commercial information

11 U.S.C. § 107(b).

10. Bankruptcy Rule 9018 sets forth the procedure by which a party in interest may obtain a protective order authorizing the filing of a document under seal. Bankruptcy Rule 9018 provides, in relevant part:

On motion or on its own initiative, with or without notice, the court may make any order which justice requires (1) to protect the estate

or any entity in respect of a trade secret or other confidential research, development, or commercial information

Fed. R. Bankr. P. 9018.

11. Further, Local Rule 9018-1(d) provides, in relevant part, that “[a]ny filer seeking to file a document (a “**Proposed Sealed Document**”) under seal must file a motion requesting such relief . . . no later than 3 business days after the filing of the Proposed Sealed Document.” Del. Bankr. L.R. 9018-1(d)(i). Once the court determines that a party in interest is seeking protection of information that falls within one of the categories enumerated in section 107(b) of the Bankruptcy Code, “the court is required to protect a requesting interested party and has no discretion to deny the application.” *Video Software Dealers Ass’n v. Orion Pictures Corp. (In re Orion Pictures Corp.)*, 21 F.3d 24, 27 (2d Cir. 1994). Courts have held that protection under section 107(b) must be granted if the information sought to be protected is commercial information, and that commercial information need not rise to the level of a trade secret to be entitled to protection. *Id.* at 28 (finding that the use of the disjunctive in section 107(b)(1) “neither equates ‘trade secret’ with ‘commercial information’ nor requires the latter to reflect the same level of confidentiality as the former”). Furthermore, in contrast with Rule 26(c) of the Federal Rules of Civil Procedure, section 107(b) of the Bankruptcy Code does not require an entity seeking such protection to demonstrate “good cause.” *Orion Pictures Corp.*, 21 F.3d at 28. Nor does section 107(b) require a finding of “extraordinary circumstances or compelling need.” *Id.* at 27.

12. Rather, a party seeking the protection of section 107(b) need only demonstrate that the information is “confidential” and “commercial” in nature. *Id.* at 27; *see also In re Global Crossing Ltd.*, 295 B.R. 720, 725 (Bankr. S.D.N.Y. 2003) (recognizing that the purpose of Bankruptcy Rule 9018 is to “protect business entities from disclosure of information that could reasonably be expected to cause the entity commercial injury”). Once it is established that the

subject information qualifies as “commercial information” under section 107(b)(1), the Bankruptcy Code mandates that this information be protected from disclosure. *See Global Crossing Ltd.*, 295 B.R. at 725.

13. Cause exists to seal and redact the Confidential Information contained in the Confidential Exhibits, as well as references to that information in the Motion to Dismiss, because the Confidential Information is potentially sensitive and not otherwise public. Accordingly, the LPs respectfully request that the Court authorize the LPs to file under seal and to redact those portions of the Confidential Exhibits containing the Confidential Information.

COMPLIANCE WITH LOCAL RULE 9018-1(d)

14. To the best of the knowledge, information, and belief of the undersigned counsel to the LPs, the Motion to Dismiss contains information that may be confidential, as contemplated by Local Rule 9018-1(d)(iii) and the Confidentiality Order entered in the Delaware Court of Chancery. Counsel for the LPs has publicly filed the portions of the Motion to Dismiss and exhibits that are not confidential pursuant to the Confidentiality Order, and will meet and confer with counsel for the Debtors within three business days of this motion to determine whether any further unsealing is necessary or required.

NOTICE

15. The LPs will provide notice of this Motion to: ((i) counsel for the Debtors; (ii) counsel for the U.S. Trustee; and (iii) any other party entitled to notice pursuant to Bankruptcy Rule 2002. The LPs believe that no further notice is required. The LPs respectfully submit that no further notice is required.

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WHEREFORE, the LPs respectfully request that the Court enter the Proposed Order substantially in the form attached hereto as **Exhibit A**, granting: (i) the relief requested herein; and (ii) such other and further relief to the LPs as the Court may deem proper.

Dated: December 12, 2025
Wilmington, Delaware

Respectfully Submitted,

**RICHARDS, LAYTON &
FINGER, P.A.**

DEBEVOISE & PLIMPTON LLP

/s/ Clint M. Carlisle

John H. Knight (No. 3848)
Michael J. Merchant (No. 3854)
Blake Rohrbacher (No. 4750)
Daniel E. Kaprow (No. 6295)
Clint M. Carlisle (No. 7313)
Nicholas A. Franchi (No. 7401)
One Rodney Square
920 North King Street
Wilmington, DE 19801
Telephone: (302) 651-7700
Facsimile: (302) 651-7701
Email: knight@rlf.com
merchant@rlf.com
rohrbacher@rlf.com
kaprow@rlf.com
carlisle@rlf.com
franchi@rlf.com

Shannon Rose Selden (*pro hac vice* pending)
William H. Taft V (*pro hac vice* pending)
Zachary H. Saltzman (*pro hac vice* pending)
Natascha Born (*pro hac vice* pending)
Carl Micarelli (*pro hac vice* pending)
Sebastian Dutz (*pro hac vice* pending)
66 Hudson Boulevard
New York, New York 10001
Telephone: (212) 909-6000
Email: srselden@debevoise.com
whaft@debevoise.com
zsaltzman@debevoise.com
nborn@debevoise.com
cmicarelli@debevoise.com
spdutz@debevoise.com

Co-Counsel for Rigmora Biotech Investor One LP (by and through its general partner Unicorn Biotech Ventures One Ltd) and Rigmora Biotech Investor Two LP (by and through its general partner Unicorn Biotech Ventures Two Ltd)

Exhibit A

Proposed Order

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

In re: APPLE TREE LIFE SCIENCES, INC., Debtor.	Chapter 11 Case No. 25-12177 (LSS) Re: Docket No. ____
In re: ATP LIFE SCIENCE VENTURES, L.P., Debtor.	Chapter 11 Case No. 25-12178 (LSS) Re: Docket No. ____
In re: ATP III GP, LTD., Debtor.	Chapter 11 Case No. 25-12179 (LSS) Re: Docket No. ____

**ORDER AUTHORIZING THE LPs TO FILE UNDER SEAL
CERTAIN EXHIBITS ATTACHED TO THE MOTION TO DISMISS**

Upon the motion (the “**Motion**”)¹ of the LPs for an order under sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Local Rule 9018-1, authorizing the LPs to file under seal the Confidential Information contained in the Confidential Exhibits; and the Court having reviewed the Motion; and the Court having jurisdiction to consider the Motion and the

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relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter an order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and the Court having determined that there is good and sufficient cause for the relief granted in this order,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The LPs are authorized to file under seal those certain exhibits to the Motion to Dismiss containing the Confidential Information and to redact such Confidential Information therein, as well as references to that information in the Motion to Dismiss.
3. The Confidential Information shall remain under seal, and shall not be made available to anyone, except the LPs shall provide unredacted copies of the Confidential Exhibits to the Debtors, the Court, the U.S. Trustee, and any other parties in interest as may be ordered by the Court.
4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
5. The LPs are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.