

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

Apple Tree Life Sciences, Inc., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 25-12177 (LSS)

(Joint Administration Requested)

DEBTORS' MOTION FOR ENTRY  
OF AN ORDER (I) AUTHORIZING REDACTION OF  
CERTAIN PERSONALLY IDENTIFIABLE INFORMATION  
WITHIN THE CONSOLIDATED LIST OF CREDITORS AND  
OTHER FILINGS AND (II) GRANTING RELATED RELIEF

The above-captioned debtors and debtors in possession (collectively, the "Debtors") respectfully state the following in support of this motion (this "Motion").

**RELIEF REQUESTED**

1. The Debtors seek entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"), pursuant to sections 105(a), 107(c), and 521 of the Bankruptcy Code, Bankruptcy Rules 1007, 9007, and 9018, and Local Rules 1007-1, and 1007-2, (a) authorizing the Debtors to redact certain personally identifiable information within the consolidated list of creditors (the "Consolidated Creditor Matrix"), the Top Creditors Lists (as defined below), the Debtors' schedules of assets and liabilities and statements of financial affairs

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number include: Apple Tree Life Sciences, Inc. (4506); ATP Life Science Ventures, L.P. (8224); ATP III GP, Ltd. (6091); Apertor Pharmaceuticals, Inc. (3161); Initial Therapeutics, Inc. (2453); Marlinspike Therapeutics, Inc. (4757); and Red Queen Therapeutics, Inc. (8563). The location of the Debtors' service address in these chapter 11 cases is 230 Park Avenue, Suite 2800, New York, NY 10169.



(the “Schedules and Statements”), and any other filing within these Chapter 11 Cases that may contain personally identifiable information; and (b) granting such other relief as is just and proper.<sup>2</sup>

### **JURISDICTION AND VENUE**

2. The United States Bankruptcy Court for the District of Delaware (this “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).

3. Pursuant to rule 9013-1(f) of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), the Debtors confirm their consent to the Court entering a final order 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 judgments in connection herewith consistent with Article III of the United States Constitution.

4. Venue is proper under 28 U.S.C. §§ 1408 and 1409.

5. The bases for the relief requested herein are sections 105(a), 107(c), and 521 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), rules 1007, 9007, and 9018 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Local Rules 1007-1, and 1007-2.

### **BACKGROUND**

6. On December 9 and 15, 2025 (the “Petition Dates”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the “Chapter 11 Cases”). A detailed

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<sup>2</sup> Concurrently with this Motion, the Debtors filed an application with the Court seeking to appoint Kurtzman Carson Consultants, LLC dba Verita Global as claims and noticing agent in these cases. As allowed by Local Rule 1007-2, which provides that “[i]n jointly administered cases with a claims and noticing agent, the lists required by Fed. R. Bankr. P. 1007(a)(1) and (d) may be consolidated for the debtors,” the Debtors have filed or will soon file a Consolidated Creditor Matrix and lists of the Debtors’ largest unsecured creditors (the “Top Creditors Lists”). Upon request of a party in interest, the Debtors will provide a non-consolidated list of creditors.

description of the facts and circumstances of these Chapter 11 Cases is set forth in the *Declaration of Dr. Seth L. Harrison in Support of Chapter 11 Petitions and First Day Motions* (the “First Day Declaration”),<sup>3</sup> filed contemporaneously with this Motion and incorporated by reference herein, and the *Declaration of Perry M. Mandarino, Chief Restructuring Officer of the Debtors, in Support of Chapter 11 Petitions and First Day Motions*, filed contemporaneously herewith. As described in more detail in the First Day Declaration, the Debtors commenced these Chapter 11 Cases due to the failure of the Rigmora LPs to fulfill their contractual obligations, and their attempts to wind up the Partnership, which would destroy the Partnership through litigation. Through these Chapter 11 Cases, the Debtors seek to stabilize their business, and, under the Court’s supervision, restructure the Partnership’s capital structure.

7. The Debtors are operating their business and managing their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. Concurrent with the filing of this Motion, the Debtors filed a motion requesting procedural consolidation and joint administration of these Chapter 11 Cases pursuant to Bankruptcy Rule 1015(b). No request for the appointment of a trustee or examiner has been made in these Chapter 11 Cases, and no official committees have been appointed or designated.

### **BASIS FOR RELIEF**

#### **I. Certain Personally Identifiable Information Contained Should be Redacted.**

8. Although the public has a common law “right of access to judicial proceedings and records,” *Goldstein v. Forbes (In re Cendant Corp.)*, 260 F.3d 183, 192 (3d Cir. 2001), the Bankruptcy Code permits courts, in appropriate circumstances, to protect individuals from an undue risk of identity theft or other unlawful injury by limiting the public’s access, placing papers

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<sup>3</sup> Capitalized terms not defined herein shall have the meanings ascribed to such terms in the First Day Declaration.

under seal, or otherwise entering orders to prohibit the dissemination of sensitive information. 11 U.S.C. § 107(c). *See also Cendant*, 260 F.3d at 194 (noting the public’s right of access “is not absolute”) (citation and internal quotation marks omitted); *Leucadia, Inc. v. Applied Extrusion Techs., Inc.*, 998 F.2d 157, 165 (3d Cir. 1993) (“Although the right of access is firmly entrenched, so also is the correlative principle that the right . . . is not absolute.”) (citation and internal quotation marks omitted).

9. Specifically, section 107 of the Bankruptcy Code enables a court to issue orders that protect parties from the potential harm that could result from disclosing confidential information. Section 107(b) of the Bankruptcy Code provides, in pertinent part, as follows:

On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court’s own motion, the bankruptcy court may . . . protect an entity with respect to a trade secret or confidential research, development, or commercial information[.]

11 U.S.C. § 107(b)(1); *see also* Fed. R. Bankr. P. 9018 (same).

10. Additionally, section 107(c) of the Bankruptcy Code provides:

The bankruptcy court, for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual’s property:

(A) Any means of identification (as defined in section 1028(d) of title 18 [of the United States Code]) contained in a paper filed, or to be filed, in a case under [the Bankruptcy Code].

(B) Other information contained in a paper described in subparagraph (A).

11 U.S.C. § 107(c)(1).

11. The Debtors respectfully submit that it is appropriate to authorize the Debtors to redact from any paper filed or to be filed with the Court in these Chapter 11 Cases the personally identifiable information—including email addresses and home addresses—of any of the Debtors’

individual equity security holders and creditors—including the Debtors’ board members and current and former employees—to the extent applicable—because such information could be used by third parties, among other things, to perpetrate identity theft or locate survivors of domestic violence, harassment, or stalking who have otherwise taken steps to conceal their whereabouts. This risk is not merely speculative. In at least one recent chapter 11 case, the abusive former partner of a debtor’s employee exploited the publicly accessible creditor and employee information filed in the chapter 11 case to track the employee to her new address, which had not been publicly available until then, forcing the employee to change addresses again for her safety.<sup>4</sup>

12. The disclosure of the unredacted home addresses of individuals is not necessary for the purpose of the relevant parties reviewing the amounts owed to those individuals as part of the chapter 11 process, and redaction would be a less intrusive way of achieving this purpose. The rights of individuals to not have their unredacted home addresses disclosed would also override the legitimate interest of disclosing them to assist with these Chapter 11 Cases.

13. The Debtors propose to provide an unredacted version of the Consolidated Creditor Matrix and any other redacted, applicable filings to this Court, the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”), counsel to any statutory committee appointed in these Chapter 11 Cases, and other parties in interest upon reasonable request (email being sufficient) to the Debtors or this Court that is reasonably related to these Chapter 11 Cases, or as otherwise ordered by the Court.

14. Courts in this district have stressed the importance of authorizing debtors to redact individual creditors’ personally identifiable information, including home addresses in particular.

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<sup>4</sup> The incident, which took place during the first Charming Charlie chapter 11 proceedings in 2017, is described in the “creditor matrix motion” filed in *In re Charming Charlie Holdings, Inc.*, Case No. 19-11534 (CSS) (Bankr. D. Del. Jul. 11, 2019) [Docket No. 4].

In overruling an objection by the U.S. Trustee in *Art Van Furniture* to relief similar to that which is being requested herein, the Court noted that the proposed redaction is not a “burden of proof” issue so “much as a common sense issue.” Hr’g Tr. at 25:6–7, *In re Art Van Furniture, LLC*, No. 20-10553 (CSS) (Bankr. D. Del. Mar. 10, 2020) [Docket No. 82].<sup>5</sup> The Court found that “at this point and given the risks associated with having any kind of private information out on the internet, [redaction] has really become routine [and] I think obvious relief.” *Id.* at 25:13-16. Similarly, in *Clover Technologies*, the Court overruled the U.S. Trustee’s objection, noting that:

[t]o me it is common sense. I don’t need evidence that there is, at best, a risk of identity theft and worse a risk of personal injury from listing someone’s name and address on the internet by way of the court’s electronic case filing system and, of course, the claims agent’s website. . . . The court can completely avoid contributing to the risk by redacting the addresses. And while there is, of course, an important right of access we routinely redact sensitive and confidential information for corporate entities and redact individual’s home addresses.

Hr’g Tr. at 24:21–25, 25:9–13, *In re Clover Techs. Grp., LLC*, No. 19-12680 (KBO) (Bankr. D. Del. Jan. 22, 2020) [Docket No. 146]. And, in *Forever 21*, in overruling the U.S. Trustee’s objection, the Court found that “[w]e live in a new age in which the theft of personal identification is a real risk, as is injury to persons who, for personal reasons, seek to have their addresses withheld.” Hr’g Tr. at 60:22–25, *In re Forever 21, Inc.*, No. 19-12122 (KG) (Bankr. D. Del. Dec. 19, 2019) [Docket No. 605]; *see also* Hr’g Tr. at 28:1-29:20, *In re 2U, Inc.*, No. 24-11279 (MEW)

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<sup>5</sup> Similarly, the Court previously overruled the U.S. Trustee’s objection to the redaction of individuals’ information and found that “it’s just plain common sense in 2019—soon to be 2020—to put as little information out as possible about people’s personal lives to present [sic] scams . . . [Identity theft is] a real-life issue, and, of course, the issue of domestic violence is extremely important.” Hr’g Tr. at 48:20–22, 49:3–5, *In re Anna Holdings*, No. 19-12551 (CSS) (Bankr. D. Del. Dec. 3, 2019) [Docket No. 112]. Because of the voluminous nature of the transcripts cited herein, copies of transcripts have not been attached to this Motion but are available upon request to the Debtors’ proposed counsel. Notably, the Court acknowledged that “the world is very different from [the 1980s] when you and I started practice with the problems of identity theft” and that his perspective had evolved in that he was not previously aware of “the dangers with this kind of information becoming public.” *See* Hr’g Tr. at 45:25–46:2, 47:22–24. The Debtors reserve the right to supplement the record with respect to such risks insofar as they are not self-evident in this instance.

(Bankr. S.D.N.Y. July 26, 2024) [Docket No. 58] (stating that “the United States, in particular some of these provisions of the Bankruptcy Code, is woefully behind the rest of the universe in terms of the protection of personally identifiable information,” and noting that the Court has inherent authority under Bankruptcy Rule 9037(a) and the E-Government Act of 2002 to order the redaction of personally identifiable information to protect individuals); *Bloomberg L.P. v. FTX Trading Ltd. (In re FTX Trading Ltd.)*, Civ. No. 23-682-CFC, 2024 WL 4948827 (D. Del. Dec. 3, 2024) (affirming the bankruptcy court’s order allowing the debtors to redact individuals’ names to protect against the threat of being victimized).

15. Courts in this jurisdiction have granted the relief requested herein in comparable chapter 11 cases. *See, e.g., In re Brightmark Plastics Renewal LLC*, No. 25-10472 (LSS) (Bankr. D. Del. Mar. 19, 2025) [Docket No. 38] (authorizing the debtor to redact the email and home addresses of individual creditors and interest holders on its creditor matrix and any other papers filed with the court); *In re Nikola Corp.*, No. 25-10258 (TMH) (Bankr. D. Del. Feb. 20, 2025) [Docket No. 54] (same); *In re Zurvita Holdings, Inc.*, No. 24-12823 (MFW) (Bankr. D. Del. Dec. 23, 2024) [Docket No. 36] (same); *In re Biolase, Inc.*, No. 24-12245 (KBO) (Bankr. D. Del. Oct. 3, 2024) [Docket No. 55] (same); *In re CalAmp Corp.*, No. 24-11136 (LSS) (Bankr. D. Del. June 26, 2024) [Docket No. 93] (same); *In re Supply Source Enters., Inc.*, No. 24-11054 (BLS) (Bankr. D. Del. May 23, 2024) [Docket No. 50] (same); *In re Ambri Inc.*, No. 24-10952 (LSS) (Bankr. D. Del. May 28, 2024) [Docket No. 107] (same); *In re Restoration Forest Prods. Group, LLC*, No. 24-10120 (KBO) (Bankr. D. Del. Feb. 22, 2024) [Docket No. 121] (same).

16. For these reasons, the Debtors respectfully submit that cause exists to authorize the Debtors to seal, pursuant to 11 U.S.C. § 107(c)(1), personally identifiable information—including email addresses and home addresses—in respect of individuals who are listed on the Consolidated

Creditor Matrix or any other document filed with this Court. Absent such relief, the Debtors would unnecessarily render individuals more susceptible to identity theft and could jeopardize the safety of individuals by publishing their home addresses.

### **NOTICE**

17. The Debtors will provide notice of this Motion to the following parties and/or their respective counsel, as applicable: (a) the United States Trustee for the District of Delaware; (b) the holders of the 20 largest unsecured claims against the Debtors (on a consolidated basis); (c) the United States Attorney's Office for the District of Delaware; (d) the Internal Revenue Service; (e) the attorneys general in the states where the Debtors conduct their business operations; and (f) any party that has requested notice pursuant to Bankruptcy Rule 2002. Given that this Motion seeks “first day” relief, within forty-eight (48) hours of the entry of an order granting this Motion, the Debtors will serve copies of this Motion and any order entered with respect to this Motion as required by Local Rule 9013-1(m). The Debtors respectfully submit that, in light of the relief requested, no further notice is necessary.

### **NO PRIOR REQUEST**

18. No prior request for the relief sought in this Motion has been made to this or any other court.

### **CONCLUSION**

WHEREFORE, the Debtors respectfully request that the Court grant enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other relief as the Court deems appropriate under the circumstances.

*[Signature Page Follows]*



Dated: December 15, 2025  
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*Proposed Counsel to the Debtors and Debtors in Possession*

**EXHIBIT A**

**Proposed Order**

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

In re:

Apple Tree Life Sciences, Inc., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 25-12177 (LSS)

(Joint Administration Requested)

Re: Docket No. \_\_

**ORDER (I) AUTHORIZING REDACTION OF CERTAIN  
PERSONALLY IDENTIFIABLE INFORMATION IN THE CONSOLIDATED LIST  
OF CREDITORS AND OTHER FILINGS AND (II) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”) for (a) authority to redact certain personally identifiable information within the Consolidated Creditor Matrix and other filings of the Debtors within these Chapter 11 Cases, and (b) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over 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 February 29, 2012, and that this Court having the power to enter a final order consistent with Article III of the United States Constitution; and this 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 this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that proper and adequate notice of the Motion and the relief requested therein has been provided in accordance with the

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number include: Apple Tree Life Sciences, Inc. (4506); ATP Life Science Ventures, L.P. (8224); ATP III GP, Ltd. (6091); Apertor Pharmaceuticals, Inc. (3161); Initial Therapeutics, Inc. (2453); Marlinspike Therapeutics, Inc. (4757); and Red Queen Therapeutics, Inc. (8563). The location of the Debtors’ service address in these chapter 11 cases is 230 Park Avenue, Suite 2800, New York, NY 10169.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Bankruptcy Rules and the Local Rules, and that, except as otherwise ordered herein, no other or further notice is necessary; and objections (if any) to the Motion having been withdrawn, resolved or overruled on the merits; and a hearing having been held to consider the relief requested in the Motion and upon the record of the hearing and all of the proceedings had before this Court; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT**

1. The Motion is GRANTED as set forth herein.
2. The Debtors are authorized to redact the email addresses and home addresses, but not the names, of the Debtors' employees, equity holders, customers, board members, and creditors who are natural persons from the Consolidated Creditor Matrix, Top Creditors Lists, Schedules and Statements, affidavits of service, or any other document filed by the Debtors with this Court in these Chapter 11 Cases; *provided, that* the Debtors shall file unredacted versions of the Consolidated Creditor Matrix, Schedules and Statements, and other documents filed by the Debtors under seal with the Court, within three (3) business days of the date of such filing and shall provide unredacted versions of such documents to the U.S. Trustee, any official committee of unsecured creditors appointed in these Chapter 11 Cases, any claims and noticing agent that may be retained by the Debtors in these Chapter 11 Cases, any subsequently appointed trustee, and any party in interest upon the execution of an appropriate confidentiality agreement reasonably acceptable to the Debtors (the "Permitted Parties"), or alternatively upon entry of an order granting a written motion to the Court for cause shown; *provided further, that* the Debtors shall only provide unredacted versions of affidavits of service upon reasonable written request (email being sufficient) by the Permitted Parties.

3. When serving any notice in these Chapter 11 Cases on the Debtors' employees, equity holders, customers, board members, and creditors who are natural persons, the Debtors' claims and noticing agent, if any, and the Clerk of the Court, where applicable, shall use the home address or such address that the Debtors have on file for such natural person, which address shall not be the Debtors' general mailing addresses.

4. Nothing in this Order shall waive or otherwise limit the service of any document upon or the provision of any notice to any natural person solely because such natural person's personally identifiable information is sealed or redacted pursuant to this Order. Service of all documents and notices upon natural persons whose personally identifiable information is sealed or redacted pursuant to this Order shall be confirmed in the corresponding certificate of service. The Debtors shall provide the personally identifiable information to any party in interest upon the execution of an appropriate confidentiality agreement reasonably acceptable to the Debtors or alternatively upon entry of an order granting a written motion to the Court that indicates the reason such information is needed (*e.g.*, to serve the employees with notice). Alternatively, the Debtors are authorized to facilitate service of process through any claims and noticing agent which may be retained by the Debtors in these Chapter 11 Cases for any party in interest required to serve a creditor whose information has been redacted pursuant to this Order, *provided that* such party in interest (excluding, to the extent provided by applicable law and rules, the U.S. Trustee) must reimburse the Debtors' expenses on account of such service.

5. Nothing in this Order shall abrogate the rights, duties, and obligations found under or pursuant to 11 U.S.C. § 107(c)(3).

6. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.