

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

In re:	Chapter 11
Apple Tree Life Sciences, Inc., <i>et al.</i> , ¹	Case No. 25-12177 (LSS)
Debtors.	(Jointly Administered)
	Re: Docket Nos. 228 & 340

**MOTION OF THE DEBTORS FOR LEAVE TO FILE AND SERVE A LATE
REPLY IN SUPPORT OF THE DEBTORS' SECOND FUNDING MOTION**

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”) authorizing the Debtors to file and serve a reply (the “Reply”) beyond the deadline set forth in Rule 9006-1(d) of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”) in support of the *Debtors’ Motion for Entry of Order (I) Authorizing Use of Funds to (A) Fund Portfolio Companies, (B) Pay Management Company Expenses and (C) Pay Chapter 11 Expenses, and (II) Granting Related Relief* [Docket Nos. 228 (sealed), 261 (redacted), 293 (unsealed)] (the “Second Funding Motion”).²

¹ 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); Red Queen Therapeutics, Inc. (8563); Evercrisp Biosciences, Inc. (4437); Nine Square Therapeutics, Inc. (4503); and Nereid Therapeutics Incorporated (8493). The location of the Debtors’ service address in these chapter 11 cases is 230 Park Avenue, Suite 2800, New York, NY 10169.

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



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 entered February 29, 2012.

3. Pursuant to Local Rule 9013-1(f), 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 pursuant to 28 U.S.C. §§ 1408 and 1409.

5. The bases for the relief requested herein are section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”) and Local Rule 9006- 1(d).

BACKGROUND

6. On December 9 and 15, 2025 and January 1 and 15, 2026 (the “Petition Dates”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the “Chapter 11 Cases”). These Chapter 11 Cases are being jointly administered for procedural purposes only pursuant to Bankruptcy Rule 1015(b). *See* Docket Nos. 69, 178 & 200.

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. No request for the appointment of a trustee or examiner has been made in these Chapter 11 Cases.

8. On January 20, 2026, the Office of the United States Trustee for the District of Delaware appointed an Official Committee of Unsecured Creditors (the “Committee”) for these Chapter 11 Cases. *See* Docket No. 194.

9. A detailed 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* [Docket No. 18] (the “Harrison Declaration”) and the *Declaration of Perry M. Mandarino, Chief Restructuring Officer of the Debtors, in Support of Chapter 11 Petitions and First Day Motions* [Docket No. 25] (the “Mandarino Declaration,” and with the Harrison Declaration, the “First Day Declarations”). As is described in more detail in the First Day Declarations, the Debtors commenced these Chapter 11 Cases due to the failure of Rigmora Biotech Investor One LP, and Rigmora Biotech Investor Two LP (collectively, “Rigmora”) to fulfill their contractual obligations, and their attempts to wind up Debtor ATP Life Science Ventures, L.P. (the “Partnership Debtor”) and liquidate the portfolio companies. Through these Chapter 11 Cases, the Debtors seek to stabilize their business, and, under the Court’s supervision, restructure the Partnership Debtor’s capital structure.

10. On January 29, 2026, the Debtors filed the Second Funding Motion and noticed it to be heard at the hearing scheduled for February 19, 2026, at 10:00 a.m. (ET) (the “Hearing”). On February 12, 2026, Rigmora objected to the Second Funding Motion (the “Objection”). *See* Docket Nos. 305 (sealed), 310 (redacted).

BASIS FOR RELIEF

11. Pursuant to Local Rule 9006-1(d), “[r]epley papers . . . may be filed by 4:00 p.m. prevailing Eastern Time the day prior to the deadline for filing the agenda.” *See* Del. Bankr. L.R. 9006-1(d). Because the Second Funding Motion was noticed for the Hearing on February 19, 2026, with objections due to be filed on February 12, 2026, at 4:00 p.m. (ET), and because Monday, February 16, 2026, was a federal holiday (Presidents Day), the deadline to reply to the Objection was Friday, February 13, 2026, at 4:00 p.m. (ET).

12. Here, sufficient cause exists to allow the Debtors to file the late Reply. Under normal circumstances, the Debtors would have had at least forty-eight (48) hours to file their Reply, but with the federal holiday, the Debtors had only twenty-four (24) hours to consider Rigmora's fifty-page Objection. In such cases, the Court routinely allows replies to be filed over the holiday. Further, given the complexity and number of issues involved and the length of the Objection, the Debtors and the Court would be prejudiced by the Debtors' inability to file a fulsome reply.

13. Though the information set forth in the Reply will be presented at the Hearing, the Debtors believe that review of the substantive information in the Reply prior to the Hearing will aid the Court in its review and consideration of the relief requested in the Second Funding Motion and will focus the parties on outstanding issues.

14. For the foregoing reasons, the Debtors submit there is sufficient cause to grant leave to file the late Reply.

NOTICE

15. 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 Committee; (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; (f) the Cash Management Banks; (g) Rigmora; and (h) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, considering the nature of the relief requested, no other or further notice need be given.

NO PRIOR REQUEST

16. No previous request for the relief requested herein has been made to this or any other court.

WHEREFORE, for the reasons set forth above, the Debtors respectfully requests that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as the Court deems just and proper.

[Signature Page Follows]

Dated: February 17, 2026
Wilmington, Delaware

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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., <i>et al.</i> , ¹ Debtors.	Chapter 11 Case No. 25-12177 (LSS) (Jointly Administered) Re: Docket Nos. 340 & ____
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**ORDER GRANTING MOTION OF THE DEBTORS FOR LEAVE TO FILE AND SERVE
A LATE REPLY IN SUPPORT OF THE DEBTORS' SECOND FUNDING MOTION**

Upon consideration of the *Motion of the Debtors for Leave to File and Serve a Late Reply in Support of the Debtors' Second Funding Motion* (the "Motion")² of the above-captioned debtors and debtors in possession (the "Debtors") for entry of an order (this "Order"), pursuant to Local Rule 9006-1(d), authorizing the Debtors to file and serve the Reply beyond the deadline set forth in Local Rule 9006-1(d); and the Court having found that this is a core proceeding under 28 U.S.C. § 157(b)(2), and that the Debtors consent to entry of a final order; and the Court having found that venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interest of Debtors, their creditors, and all parties in interest; and the Court having found that notice of the Motion was appropriate under the circumstances, and no other or further notice need be provided; and the Court having reviewed and considered the Motion; and the Court having determined that the legal and factual bases set forth in the Motion

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² Capitalized terms used but not defined herein shall have the meanings ascribed 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 for Leave is **GRANTED**.
2. The Debtors are granted leave to file and serve, and the Court will consider, the late Reply.
3. The Debtors are authorized to take all actions necessary or appropriate to effectuate the relief granted in this Order.
4. The Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.