

**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)
	Hearing Date: To Be Determined
	Obj. Deadline: March 24, 2026 at 4:00 p.m. (ET)

**DEBTORS' MOTION TO MAINTAIN UNDER SEAL AN EXHIBIT
FROM THE HEARING ON RIGMORA BIOTECH INVESTOR ONE LP
AND RIGMORA BIOTECH INVESTOR TWO LP'S MOTION TO
DISMISS AND MOTION FOR RELIEF FROM STAY**

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

RELIEF REQUESTED

1. The Debtors seek entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"), pursuant to rule 9018 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and rule 9018-1 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), authorizing the Debtors and to maintain under seal the Confidential Exhibit (as defined below) admitted into evidence at the hearing on March 5, 2026, and only provide a redacted version of the Confidential Exhibit to parties other than the Debtors, the United States Trustee, the Committee, Rigmora (as defined

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.



below), and such other parties as the Debtors may agree pursuant to Local Rule 9018-1(f) or a confidentiality agreement or as may otherwise be ordered by the Court (as defined below).

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 Seal 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 statutory bases for the relief requested herein are section 107(a) of title 11 of the United States Code (the “Bankruptcy Code”). Bankruptcy Rule 9018, and Local Rule 9018-1.

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”).² 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 6, 2026, Rigmora filed the *Motion of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP for Relief from the Automatic Stay* [Docket No. 125] (“Motion for Relief from Stay”). On January 23, 2026, Rigmora filed the *Amended Motion of Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP for an Order Dismissing the Bankruptcy Cases of ATP Life Science Ventures L.P. and ATP GP III, Ltd.* [Docket No. 204]

² Capitalized terms not defined herein shall have the meanings ascribed to such terms in the First Day Declarations, as applicable.

(the “Motion to Dismiss,” and with the Motion for Relief from Stay, the “Contested Motions”). The Debtors objected to the Contested Motions on January 30, 2026. *See* Docket Nos. 244 & 245.

11. On February 25 and 26 and March 5, 2026, the Court held hearings on the Contested Motions (the “Hearings”), at which time the Debtors and Rigmora submitted certain joint exhibits into evidence in support of their positions. *See* Docket Nos. 408 & 427. JX-116 (the “Confidential Exhibit”) was admitted into evidence at the Hearings. At that time, the Debtors indicated that the Confidential Exhibit contains the Debtors’ confidential commercial information, the disclosure of which could cause competitive harm to the Debtors.

12. The Debtors respectfully submit that the Confidential Exhibit need not be provided to parties absent consent by the Debtors or further order of the Court.

BASIS FOR RELIEF

13. Local Rule 9018-1(b) provides that “[p]arties must make exhibits admitted into evidence (or copies thereof) available to any other party upon request to copy at such party’s expense, subject to any confidentiality, seal, or other order or directive of the Court.” Del. Bankr. L.R. 9018-1(b).

14. Section 107(b) of the Bankruptcy Code provides this Court with the authority to issue orders that will protect entities from potential harm that may result from the disclosure of certain information. The section provides, in relevant part: “[o]n request of a party in interest, the bankruptcy court shall . . . protect an entity with respect to a trade secret or confidential research, development, or commercial information” 11 U.S.C. § 107(b)(1). Such information provides a broader exception than is available under common law. *In re ESML Holdings Inc.*, 135 F.4th 80 (3d Cir. 2025).

15. Unlike its counterpart in rule 26(c) of the Federal Rules of Civil Procedure, section 107(b) of the Bankruptcy Code does not require an entity seeking protection thereunder to

demonstrate “good cause.” See, e.g., *Video Software Dealers Ass’n v. Orion Pictures Corp. (In re Orion Pictures Corp.)*, 21 F.3d 24, 28 (2d Cir. 1994); *Phar-Mor, Inc. v. Defendants Named Under Seal (In re Phar-Mor, Inc.)*, 191 B.R. 675, 679 (Bankr. N.D. Ohio 1995). Instead, the moving party simply must demonstrate that the material sought to be protected satisfies one of the categories identified in section 107(b) of the Bankruptcy Code.

16. Bankruptcy Rule 9018 sets forth the procedures by which a party may move for relief under section 107(b), and provides, in relevant part, that “the court may make any order which justice requires . . . 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.

17. As set forth above, the Confidential Exhibit contains sensitive information including development timelines, clinical data, and strategic partnership prospects that could cause harm to the Debtors and the value of their estates if revealed to competitors. Accordingly, the Debtors submit that cause exists to grant this Motion to Seal and respectfully request entry of the Proposed Order permitting them to maintain the Confidential Exhibit under seal.

18. If the Court grants the relief requested herein, the Confidential Exhibit will be provided only to the Court, the U.S. Trustee, the Committee, Rigmora, and to others upon agreement of the Debtors or further order of the Court. The Debtors have prepared a redacted version of the Confidential Exhibit (the “Redacted Exhibit”), which was provided to the Court at the March 5, 2026 hearing, that the Debtors would propose to provide to other parties pursuant to Local Rule 9018-1(b).

CERTIFICATION PURSUANT TO BANK. R. 9018-1(d)(ii)

19. To the best of the Debtors’ knowledge, the Confidential Exhibit does not contain another entity’s confidential information.

NOTICE

20. The Debtors will provide notice of this Motion to Seal to the following parties or their respective counsel: (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 offices of the attorneys general in the states in which the Debtors operate; (f) Rigmora, and (g) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

NO PRIOR REQUEST

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

CONCLUSION

WHEREFORE, the Debtors request entry of the Proposed Order, substantially in the form attached hereto as **Exhibit A**, (a) granting the relief requested herein and (b) granting such other relief as the Court deems appropriate under the circumstances.

[Signature Page Follows]

Dated: March 10, 2026
Wilmington, Delaware

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Proposed Counsel to the Debtors and Debtors in Possession

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

In re:

Apple Tree Life Sciences, Inc., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-12177 (LSS)

(Jointly Administered)

Hearing Date: To Be Determined

Objection Deadline: March 24, 2026 at 4:00 p.m. (ET)

**NOTICE OF DEBTORS' MOTION TO MAINTAIN UNDER
SEAL AN EXHIBIT FROM THE HEARING ON RIGMORA
BIOTECH INVESTOR ONE LP AND RIGMORA BIOTECH INVESTOR
TWO LP'S MOTION TO DISMISS AND MOTION FOR RELIEF FROM STAY**

PLEASE TAKE NOTICE that the above-captioned debtors and debtors in possession (the "Debtors"), filed the *Debtors' Motion to Maintain Under Seal an Exhibit from the Hearing on Rigmora Biotech Investor One LP and Rigmora Biotech Investor Two LP's Motion to Dismiss and Motion for Relief from Stay* (the "Motion") with the United States Bankruptcy Court for the District of Delaware (the "Court").

PLEASE TAKE FURTHER NOTICE that objections to the Motion, if any, must be in writing, filed with the Clerk of the United States Bankruptcy Court for the District of Delaware, 3rd Floor, 824 N. Market Street, Wilmington, Delaware 19801, on or before **March 24, 2026 at 4:00 p.m. (ET)** (the "Objection Deadline"), and served upon and received by the undersigned proposed counsel for the Debtors.

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.

PLEASE TAKE FURTHER NOTICE that, if any objections to the Motion are received, the Motion and such objections shall be considered at a hearing before the Honorable Laurie Selber Silverstein at the Bankruptcy Court, 824 N. Market Street, 6th Floor, Courtroom No. 2, Wilmington, Delaware 19801 on a date to be determined.

IF NO OBJECTIONS TO THE MOTION ARE TIMELY FILED, SERVED AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

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Dated: March 10, 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:	Chapter 11
Apple Tree Life Sciences, Inc., <i>et al.</i> , ¹	Case No. 25-12177 (LSS)
Debtors.	(Jointly Administered)
	Re: Docket No. ____

**ORDER GRANTING DEBTORS' MOTION
TO MAINTAIN UNDER SEAL AN EXHIBIT FROM THE HEARING ON
RIGMORA BIOTECH INVESTOR ONE LP AND RIGMORA BIOTECH INVESTOR
TWO LP'S MOTION TO DISMISS AND MOTION FOR RELIEF FROM STAY**

Upon the motion (the "Motion to Seal")² of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for the entry of an order (this "Order"), (a) authorizing the Debtors to maintain the Confidential Exhibit under seal; and (b) granting related relief, all as more fully set forth in the Motion to Seal; and upon the First Day Declarations; 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 this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Debtors having consented to entry of a final order; and this Court having found that venue of this proceeding and the Motion to Seal in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion to Seal is in the best interests of the Debtors' estates, their creditors, and other parties in interest;

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

and this Court having found that the Debtors' notice of the Motion to Seal and opportunity for a hearing on the Motion to Seal were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion to Seal and having heard the statements in support of the relief requested therein at a hearing, if any, before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion to Seal and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT

1. The Motion to Seal is **GRANTED** as set forth herein.
2. Pursuant to section 107(b) of the Bankruptcy Code and Local rule 9018-1, the Debtors are authorized to maintain under seal the Confidential Exhibit.
3. The Confidential Exhibit will be provided only to the Court, the U.S. Trustee, the Committee, Rigmora, and to others upon the agreement of the Debtors or further order of the Court.
4. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.