

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

| | | |
|------------------|---|-------------------------|
| In re: |) | Chapter 11 |
| |) | |
| NOVAN, INC., |) | Case No. 23-10937 (LSS) |
| |) | |
| Debtor. |) | |
| |) | |
| <hr/> | | |
| In re: |) | Chapter 11 |
| |) | |
| EPI HEALTH, LLC, |) | Case No. 23-10938 (LSS) |
| |) | |
| Debtor. |) | Re: D.I. 3 |
| |) | |
| |) | |

**ORDER DIRECTING THE JOINT
ADMINISTRATION OF THE DEBTORS’ CHAPTER 11 CASES**

Upon the *Motion of the Debtors for Entry of an Order Directing the Joint Administration of the Debtors’ Chapter 11 Cases* (the “Motion”),¹ filed by the above-captioned debtors (collectively, the “Debtors”) for entry of an order (this “Order”) authorizing and directing the joint administration of the Debtors’ Chapter 11 Cases for procedural purposes only, all as further described in the Motion; and upon consideration of the First Day Declaration and the record of these Chapter 11 Cases; and this Court having found that (i) this Court has jurisdiction over the Debtors, their estates, property of their estates, and to consider the Motion and the relief requested therein under 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, (ii) this Court may enter a final order consistent with Article III of the United States Constitution, (iii) this is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (iv) venue of this Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409, and (v) due and proper notice of the Motion and the hearing

¹ Capitalized terms used but not otherwise defined in this Order shall have the meaning ascribed to them in the Motion.



thereon has been given as set forth in the Motion and no further or other notice of the Motion is required under the circumstances; and this Court having reviewed the Motion and having heard the statements in support of the relief requested in the Motion at a hearing before this Court; and having determined that the legal and factual bases set forth in the Motion and the First Day Declaration establish just cause for the relief granted in this Order; and this Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; 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 above-captioned cases are consolidated for procedural purposes only and shall be administered jointly under Case No. 23-10937 (LSS) in accordance with the provisions of Bankruptcy Rule 1015 and Local Rule 1015-1.
3. The consolidated caption of the jointly administered Chapter 11 Cases shall read as follows:

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

| | |
|---|---------------------------|
| In re: |) |
| |) Chapter 11 |
| NOVAN, INC., <i>et al.</i> , ¹ |) |
| |) Case No. 23-10937 (LSS) |
| Debtors. |) |
| |) (Jointly Administered) |
| _____ |) |

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors' federal tax identification number (if applicable), are: Novan, Inc. (7682) and EPI Health, LLC (9118). The corporate headquarters and the mailing address for the Debtors is 4020 Stirrup Creek Drive, Suite 110, Durham, NC 27703.

4. The foregoing consolidated caption shall be deemed to satisfy any applicable requirements of section 341(c)(1) of the Bankruptcy Code and Bankruptcy Rule 1005.

5. A docket entry shall be made on the docket in the Chapter 11 Case of each of the Debtors, except Novan, Inc., substantially stating as follows:

An order has been entered in this case directing the consolidation and joint administration for procedural purposes only of the chapter 11 cases of Novan, Inc., Case No. 23-10937 and EPI Health, LLC, Case No. 23-10938 (LSS). **The docket in the chapter 11 cases of Novan, Inc., Case No. 23-10937 (LSS), should be consulted for all matters affecting these cases.**

6. The Clerk of the Court shall maintain one file and one docket for the Debtors' Chapter 11 Cases, which file and docket shall be the file and docket for the chapter 11 case of Novan, Inc., Case No. 23-10937 (LSS).

7. Nothing contained in this Order shall be deemed or construed as directing or otherwise effecting the substantive consolidation of any of the above-captioned cases.

8. Notwithstanding the possible applicability of Bankruptcy Rule 6004(h), the terms and provisions of this Order shall be immediately effective and enforceable upon its entry.

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

Dated: July 19th, 2023
Wilmington, Delaware


LAURIE SELBER SILVERSTEIN
UNITED STATES BANKRUPTCY JUDGE