

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

NVN Liquidation, Inc., *et al.*,
f/k/a NOVAN, Inc.,¹
Debtors.

Chapter 11

Case No. 23-10937 (LSS)

(Jointly Administered)

Re: Docket No. 826

**CERTIFICATION OF COUNSEL REGARDING TRUSTEE'S SIXTH OMNIBUS
OBJECTION TO CLAIMS (SUBSTANTIVE) (NO LIABILITY, OVERSTATED,
SATISFIED, MISCLASSIFIED & OVERSTATED CLAIMS)**

The undersigned hereby certifies as follows:

1. On August 29, 2025, Alan D. Halperin, solely in his capacity as liquidating trustee (the "Trustee") of the Liquidating Trust (the "Trust"), by and through the undersigned counsel, filed the *Trustee's Sixth Omnibus Objection to Claims (Substantive) (No Liability, Overstated, Satisfied, Misclassified and Overstated Claims)* [Docket No. 826] (the "Sixth Omnibus Objection") with the United States Bankruptcy Court for the District of Delaware (the "Court"). Attached to the Sixth Omnibus Objection was, among other things, a proposed form of order approving the relief requested in the Sixth Omnibus Objection (the "Proposed Order").

2. Pursuant to the notice appended to the Sixth Omnibus Objection, responses to the Sixth Omnibus Objection were due on or before September 23, 2025 at 4:00 p.m. (Eastern Time) (the "Objection Deadline"). Prior to the Objection Deadline, the Trustee received an informal response (the "Informal Response") from Duke Energy Carolinas. The undersigned certifies that the Court's docket in these cases reflects that other no answer, objection, or other responsive pleading to the Sixth Omnibus Objection has been filed.

3. The Trustee has adjourned the Sixth Omnibus Objection as it relates to Duke Energy

¹ The Debtors in these chapter 11 cases, along with the last four digits of the Debtors' federal tax identification number, are: NVN Liquidation, Inc. (f/k/a Novan, Inc.) (7682) and EPI Health, LL



Carolinas (Proof of Claim No. 162) to a date and time to be determined. This adjournment is reflected in revisions to the Proposed Order (the “Revised Proposed Order”), attached hereto as **Exhibit A**. For the Court’s convenience, a redline of the Revised Proposed Order compared against the Proposed Order is attached hereto as **Exhibit B**.

WHEREFORE, the Trustee respectfully requests that the Revised Proposed Order granting the relief requested in the Sixth Omnibus Objection, attached hereto as **Exhibit A**, be entered at the earliest convenience of the Court.

Dated: September 24, 2025
Wilmington, Delaware

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Counsel to the Trustee

Exhibit A

Proposed Order

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

In re:

NVN Liquidation, Inc. f/k/a NOVAN, Inc., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10937 (LSS)

(Jointly Administered)

Re: Docket No. 826

**ORDER GRANTING TRUSTEE’S SIXTH OMNIBUS OBJECTION TO CLAIMS
(SUBSTANTIVE)
No Liability, Overstated, Satisfied, Misclassified & Overstated Claims**

Upon the *Trustee’s Sixth Omnibus Objection to Claims* (the “Objection”) seeking entry of an order reclassifying, disallowing and/or expunging the claims (collectively, the “Subject Claims”) set forth on **Schedules 1, 2, 3, and 4** attached hereto and made a part hereof (the “Schedules”), all as more fully set forth in the Objection; and upon the *Declaration of Alan D. Halperin Pursuant to 28 U.S.C. § 1746 and Local Rule 3007-1 in Support of Trustee’s Sixth Omnibus Objection to Claims (Substantive)* filed contemporaneously with the Objection and in support thereof; and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided, and no other or further notice being required; and the Court having considered all responses to the Objection, if any, and all such responses having been either overruled or withdrawn; and upon all proceedings had before the Court; and the Court having

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determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and

This Court having **FOUND AND DETERMINED THAT:**

A. The holders of the Subject Claims listed on the Schedules were properly and timely served with a copy of the Objection and all of its accompanying exhibits, schedules and notice of hearing on the Objection and response deadline.

B. Any entity known to have an interest in the Subject Claims has been afforded reasonable opportunity to respond to, or being heard regarding, the relief requested in the Objection, and

C. The relief requested in the Objection is the in the best interests of the Debtors, their estates, the Trust² and its beneficiaries, and other parties in interest;

And after due deliberation and sufficient cause appearing therefor,

IT IS THEREFORE ORDERED THAT:

1. The Objection is GRANTED.
2. The No Liability Claims listed on Schedule 1 is hereby disallowed and expunged in its entirety.
3. The Overstated Claims listed on Schedule 2 are hereby reduced as reflected on Schedule 2.
4. The Satisfied Claims listed on Schedule 3 is hereby disallowed and expunged in their entirety.
5. The Misclassified & Overstated Claim listed on Schedule 4 is hereby reduced and reclassified as a general unsecured claim as reflected on Schedule 4.

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

6. The Claims Agent is hereby authorized and directed to reclassify, disallow and/or expunge the Subject Claims on the Claims Register as reflected in and consistent with this Order and to make other changes to the Claims Register as necessary to effectuate the terms of this Order.

7. The Objection to each of the Subject Claims constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate Order with respect to each of the Subject Claims. Any stay of this Order pending appeal by any holder of any of the Subject Claims shall apply only to the contested matter which involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to other contested matters covered hereby.

8. Nothing in the Objection or this Order shall be construed as an allowance of any of the Subject Claims or any other claims.

9. The Trustee's right to amend, modify, or supplement the Objection, to file additional objections to the Subject Claims or any other claims (filed or not) which have or may be asserted against the Debtors, and to seek further reduction of any of the Subject Claims, are fully preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Trustee's right to object on other stated grounds or any other grounds that the Trustee discovers during the pendency of these Cases are further preserved.

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

SCHEDULE 1

Schedule 1 - No Liability Claims

Claimant	Claim No.	Debtor	Asserted Claim Amount(s) & Classification(s)	Reason for Disallowance
Aon Consulting, Inc.	58	Novan, Inc.	\$8,800.00 General Unsecured	Claimant's claim includes an invoice for consulting services to be provided for the period July 2023 - June 2024. According to the Books and Records, the Debtor terminated the claimant's contract timely and disputed such invoice. Based upon the foregoing, there is no liability.
Franchise Tax Board	320	Novan, Inc.	(1) \$2,570.36 Priority (2) \$2,824.83 General Unsecured	Claim asserts claim for failure to file tax returns for years 2017-2023. According to the Books and Records, all tax returns were filed and there was no remaining liability.
New York State Department of Taxation and Finance	349	Novan, Inc.	\$1,000.00 General Unsecured	Claim asserts a claim for estimated withholdings. According to the Books and Records, all withholdings were paid and there is no remaining liability.

SCHEDULE 2

Schedule 2 - Overstated Claims

Claimant	Claim No.	Debtor	Current General Unsecured Claim Amount	Modified General Unsecured Claim Amount	Reason for Modification
Easysnap Technology US Corp.	57	Novan, Inc.	\$10,448.50	\$798.75	According to the Books and Records, the Debtor disputed two out of the three invoices (Invoices #3 and 4) attached to claim due to initial issues at the claimant's Miami warehouse. As such, the claim should be reduced to the modified amount.
Intuitive Graphite, Inc.	47	EPI Health, LLC	\$3,900.00	\$3,200.00	Claimant attaches one invoice detailing 20 hours of services provided for at \$160 per hour, which totals \$3,200.00. Claimant incorrectly stated \$3,900.00. As such, claim should be reduced to modified amount.
Myers Bigel Sibley & Sajovec, PA	197	Novan, Inc.	\$59,114.50	\$12,672.02	Claimant confirmed it received \$46,442.48 in payments. As such, claim should be reduced to the modified amount.

SCHEDULE 3

Schedule 3 - Satisfied Claims

<u>Claimant</u>	<u>Scheduled Amount & Classification</u>	<u>Claim No.</u>	<u>Debtor</u>	<u>Asserted Claim Amount & Classification</u>	<u>Reason</u>
CDW	\$5,167.80 General Unsecured	43	Novan, Inc.	\$5,167.80 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain <i>Final Order (1) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief</i> [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.
Diteba Laboratories, Inc.	\$64,680.00 General Unsecured	32	EPI Health, LLC	\$64,680.00 General Unsecured	Pursuant to Order (I) Approving Asset Purchase Agreement, (II) Authorizing the Sale of the Debtors' Assets Free and Clear of all Encumbrances to Mayne Pharma, LLC (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) <i>Granted Related Relief</i> [Docket No. 292], the claimant's contract was assumed and assigned and upon information and belief, the claim was cured. Therefore, this claim is satisfied and should be expunged.
Gelest, Inc.	\$17,550.18 General Unsecured	12	Novan, Inc.	\$17,550.18 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain <i>Final Order (1) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief</i> [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.
McMaster-Carr Supply Company	\$2,880.69 General Unsecured	22	Novan, Inc.	\$2,880.69 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain <i>Final Order (1) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief</i> [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.
MultiCore Program Management Services LLC	N/A	5	Novan, Inc.	\$8,949.91 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain <i>Final Order (1) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief</i> [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.
MultiCore Program Management Services LLC	N/A	15	Novan, Inc.	\$5,685.40 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain <i>Final Order (1) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief</i> [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.
Quality Chemical Laboratories	\$26,952.13 General Unsecured	16	Novan, Inc.	\$26,952.13 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain <i>Final Order (1) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief</i> [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.

Schedule 3 - Satisfied Claims

<u>Claimant</u>	<u>Scheduled Amount & Classification</u>	<u>Claim No.</u>	<u>Debtor</u>	<u>Asserted Claim Amount & Classification</u>	<u>Reason</u>
PPD Development, L.P.	140,613.02 General Unsecured	49	EPI Health, LLC	\$144,810.52 General Unsecured	Pursuant to Order (I) Approving Asset Purchase Agreement, (II) Authorizing the Sale of the Debtors' Assets Free and Clear of all Encumbrances to Mayne Pharma, LLC (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granted Related Relief [Docket No. 292], the claimant's contract was assumed and assigned and upon information and belief, the claim was cured. Therefore, this claim is satisfied and should be expunged.
Tech Electric Corporation	\$1,915.00 General Unsecured	35	Novan, Inc.	\$1,915.00 General Unsecured	Claimant entered into a critical vendor agreement with the Debtor pursuant to a certain Final Order (I) Authorizing Payment of Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief [Docket No. 216]. Therefore, this claim was fully satisfied by payments made in connection therewith.
University of Akron Research Foundation	N/A	55	Novan, Inc.	\$20,000.00 General Unsecured	Pursuant to Notice of Revised Assumed Contracts List [D.N. 321], the claimant's contract was assumed and assigned and upon information and belief, the claim was cured. Therefore, this claim is satisfied and should be expunged.

SCHEDULE 4

Schedule 4 - Misclassified & Overstated Claim

Claimant	Claim Number	Debtor	Asserted Claim		Modified Claim		Reason for Modification
			Claim Amount(s)	Claim Classification(s)	Claim Amount (s)	Claim Classification (s)	
Iron Mountain Information Management, LLC	235	Novan, Inc.	(1) \$597.00 (2) \$7,170.07	(1) Secured (2) General Unsecured	\$3,340.93	General Unsecured	Claim asserts a warehouse lien for personal property stored that gives rise to a secured claim. Based on the Books & Records, there are no records stored at the claimant's facilities and therefore claimant does not have a lien. Additionally, claimant attaches a majority of invoices issued to a non-Debtor and amounts asserted are inconsistent with the Books and Records.

Exhibit B

Redline

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

In re:

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Debtors.

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determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and

This Court having **FOUND AND DETERMINED THAT:**

A. The holders of the Subject Claims listed on the Schedules were properly and timely served with a copy of the Objection and all of its accompanying exhibits, schedules and notice of hearing on the Objection and response deadline.

B. Any entity known to have an interest in the Subject Claims has been afforded reasonable opportunity to respond to, or being heard regarding, the relief requested in the Objection, and

C. The relief requested in the Objection is the in the best interests of the Debtors, their estates, the Trust² and its beneficiaries, and other parties in interest;

And after due deliberation and sufficient cause appearing therefor,

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1. The Objection is GRANTED.
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6. The Claims Agent is hereby authorized and directed to reclassify, disallow and/or expunge the Subject Claims on the Claims Register as reflected in and consistent with this Order and to make other changes to the Claims Register as necessary to effectuate the terms of this Order.

7. The Objection to each of the Subject Claims constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate Order with respect to each of the Subject Claims. Any stay of this Order pending appeal by any holder of any of the Subject Claims shall apply only to the contested matter which involves such claimant and shall not act to stay the applicability and/or finality of this Order with respect to other contested matters covered hereby.

8. Nothing in the Objection or this Order shall be construed as an allowance of any of the Subject Claims or any other claims.

9. The Trustee's right to amend, modify, or supplement the Objection, to file additional objections to the Subject Claims or any other claims (filed or not) which have or may be asserted against the Debtors, and to seek further reduction of any of the Subject Claims, are fully preserved. Additionally, should one or more of the grounds of objection stated in the Objection be dismissed, the Trustee's right to object on other stated grounds or any other grounds that the Trustee discovers during the pendency of these Cases are further preserved.

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SCHEDULE 2

Schedule 2 - Overstated Claims

Claimant	Claim No.	Debtor	Current General Unsecured Claim Amount	Modified General Unsecured Claim Amount	Reason for Modification
Duke Energy Carolinas	162	Novan, Inc.	\$26,483.52	\$15,054.31	Claimant received \$11,429.21 in payments under the Debtor's critical vendor agreement. As such, claim should be reduced to the modified amount.
Easysnap Technology US Corp.	57	Novan, Inc.	\$10,448.50	\$798.75	According to the Books and Records, the Debtor disputed two out of the three invoices (Invoices #3 and 4) attached to claim due to initial issues at the claimant's Miami warehouse. As such, the claim should be reduced to the modified amount.
Intuitive Graphite, Inc.	47	EPI Health, LLC	\$3,900.00	\$3,200.00	Claimant attaches one invoice detailing 20 hours of services provided for at \$160 per hour, which totals \$3,200.00. Claimant incorrectly stated \$3,900.00. As such, claim should be reduced to modified amount.
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SCHEDULE 3

Schedule 3 - Satisfied Claims

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Schedule 3 - Satisfied Claims

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SCHEDULE 4

Schedule 4 - Misclassified & Overstated Claim

Claimant	Claim Number	Debtor	Asserted Claim		Modified Claim		Reason for Modification
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