

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

In re:

PROSOMNUS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-10972 (JTD)

(Jointly Administered)

Re: Docket Nos. 225 and 239

**NOTICE OF (I) ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
ORDER CONFIRMING SECOND AMENDED JOINT CHAPTER 11 PLAN OF
REORGANIZATION OF PROSOMNUS, INC. AND ITS DEBTOR AFFILIATES AND
(II) OCCURRENCE OF EFFECTIVE DATE ON AUGUST 5, 2024**

PLEASE TAKE NOTICE that an order (the “**Confirmation Order**”) of the Honorable John T. Dorsey, United States Bankruptcy Judge for the District of Delaware, confirming and approving the *Second Amended Joint Chapter 11 Plan of Reorganization of ProSomnus, Inc. and Its Debtor Affiliates*, dated as of July 26, 2024 [Docket No. 225] (as may be amended, supplemented, or modified from time to time, the “**Plan**”) was entered on July 30, 2024 [Docket No. 239].²

PLEASE TAKE FURTHER NOTICE that, pursuant to Article IX of the Plan, all conditions precedent to the effectiveness of the Plan have been satisfied or waived and, on August 5, 2024, the transactions contemplated by the Plan have closed. Therefore, August 5, 2024, is the Effective Date of the Plan.

PLEASE TAKE FURTHER NOTICE that the Plan and its provisions, including the releases, exculpation, and injunction provisions, are binding on, among others, the Debtors, all Holders of Claims and Interests (irrespective of whether such Claims or Interests are impaired under the Plan or whether the Holders of such Claims have voted to accept or reject the Plan), each person or entity acquiring property under the Plan, and any and all non-Debtor parties to executory contracts and unexpired leases with the Debtors, as provided in the Plan.

PLEASE TAKE FURTHER NOTICE all Professional final fee applications (the “**Final Fee Applications**”) must be filed no later than **September 19, 2024** (*i.e.*, forty-five (45) days after service of notice of the occurrence of the Effective Date). The procedures for processing Final Fee Applications are set forth in the Plan. If a Professional does not timely submit a Final Fee

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: ProSomnus, Inc. (8216), ProSomnus Holdings, Inc. (3855), and ProSomnus Sleep Technologies, Inc. (0766). The location of the Debtors’ principal place of business and the Debtors’ mailing address is 5675 Gibraltar Dr., Pleasanton, California 94588.

² All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Plan and Confirmation Order.



Application, such Professional shall be forever barred from seeking payment of such Professional Claim from the Debtor or its Estate.

PLEASE TAKE FURTHER NOTICE that after the Effective Date, to continue to receive notice pursuant to Bankruptcy Rule 2002, all creditors and other parties in interest must file a renewed notice of appearance with the Bankruptcy Court requesting receipt of documents pursuant to Bankruptcy Rule 2002.

PLEASE TAKE FURTHER NOTICE that copies of the Confirmation Order and Plan and can be obtained by: (a) visiting, free of charge, <https://www.veritaglobal.net/prosomnus>, (b) calling the Debtors' restructuring hotline at (888) 647-1744 (U.S./Canada) or (310) 751-2628 (International), or (c) email at ProSomnusInfo@kccllc.com. You may also obtain copies of any pleadings filed in these Chapter 11 Cases for a fee via PACER at: <https://www.deb.uscourts.gov>.

Dated: August 5, 2024
Wilmington, Delaware

Respectfully submitted,

POLSINELLI PC

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