

CLAIMANTS RECEIVING THIS OBJECTION SHOULD REVIEW IT TO SEE IF THEIR NAMES APPEAR ON THE EXHIBIT ATTACHED HERETO TO DETERMINE WHETHER THE OBJECTION AFFECTS THEIR CLAIMS.

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

In re:

INSYS THERAPEUTICS, INC., *et al.*,

Liquidating Debtors.¹

Chapter 11

Case No. 19-11292 (JTD)

(Jointly Administered)

**Hearing Date: December 1, 2020 at 10:00 a.m.
(ET)**

**Objection Deadline: November 23, 2020 at 4:00
p.m. (ET)**

**NINTH OMNIBUS OBJECTION OF THE TRUSTEE OF
THE INSYS LIQUIDATION TRUST TO CLAIMS (NON-SUBSTANTIVE)
(Duplicate Claims)**

William Henrich, in his capacity as liquidating trustee (the “Trustee”) of the Insys Liquidation Trust (the “Liquidation Trust”), as successor in interest to the above-captioned debtors and debtors in possession (collectively, the “Debtors”), hereby files this ninth omnibus objection (the “Objection”), pursuant to §§ 105(a) and 502 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 3007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), seeking to disallow the claims identified on **Exhibit 1** attached to the proposed order (individually, a “Claim”,

¹ The Liquidating Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Insys Therapeutics, Inc. (7886); IC Operations, LLC (9659), Insys Development Company, Inc. (3020); Insys Manufacturing, LLC (0789); Insys Pharma, Inc. (9410); IPSC, LLC (6577); and IPT 355, LLC (0155).

and collectively, the “Claims”) as duplicative. In support of this Objection, the Trustee submits the *Declaration of Edward A. Phillips Pursuant to 28 U.S.C. § 1746 and Local Rule 3007-1 in Support of the Ninth Omnibus Objection of the Liquidating Trustee of the Insys Liquidation Trust to Claims (Non-Substantive)* (the “Declaration”) attached hereto as **Exhibit B**. In further support of this Objection, the Trustee respectfully represents as follows:

BACKGROUND

1. On June 10, 2019 (the “Petition Date”), the Debtors each commenced with this Court a voluntary case under chapter 11 of the Bankruptcy Code (the “Chapter 11 Cases”).
2. On June 11, 2019, this Court entered an order authorizing and approving the retention of Epiq Corporate Restructuring, LLC as claims and noticing agent in these Chapter 11 Cases (the “Agent”) [Docket No. 48].
3. On June 20, 2019, the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”) appointed an official committee of unsecured creditors in these Chapter 11 Cases (the “Committee”). No trustee or examiner has been appointed in these Chapter 11 Cases.
4. On July 30, 2019, each of the Debtors filed with this Court its *Schedule of Assets and Liabilities* [Docket Nos. 363, 365, 367, 369, 371, 373, and 375] (the “Schedules”).
5. On January 16, 2020, this Court entered an order [Docket No. 1115] (the “Confirmation Order”) confirming the *Second Amended Joint Chapter 11 Plan of Liquidation of Insys Therapeutics, Inc. and Its Affiliated Debtors* (the “Plan”) in the Chapter 11 Cases. As provided for in the Confirmation Order, all assets and liabilities of the Debtors were substantively consolidated and substantive consolidation would be implemented for distribution purposes in accordance with the Plan (the “Substantive Consolidation”).

6. On February 18, 2020 (the “Effective Date”), the Plan became effective in accordance with its terms and, in accordance with the Plan, Confirmation Order and that certain *Trust Agreement for Insys Liquidation Trust* (the “Trust Agreement”), certain assets² of the Debtors existing as of such date were transferred to and became vested in the Liquidation Trust, and William Henrich was appointed the Trustee of the Liquidation Trust.

7. In accordance with the Plan and the Trust Agreement, from and after the Effective Date, objections to various claims³ may be prosecuted by the Trustee. *See e.g.*, Section 7.1 of the Plan.

8. Pursuant an order dated July 15, 2019 (the “Bar Date Order”), [Docket No. 294], this Court established the following deadlines: (a) September 16, 2019 as the last day for non-governmental entities to file pre-petition claims against the Debtors and their estates (the “General Bar Date”); (b) December 9, 2019 as the last day for governmental entities and Native American tribes to file pre-petition claims against the Debtors and their estates (the “Government Bar Date”)⁴; and (c) October 24, 2019 as the last day to file administrative claims arising between the Petition Date and September 9, 2019, excluding professional claims and claims asserting administrative priority and arising out of the ordinary course of business after the Petition Date (together with the General Bar Date and the Government Bar Date, the “Bar Dates”).

9. In accordance with the Bar Date Order, the Agent served a Notice of Bar Dates and the related documents and forms as evidence by the affidavits of service filed with this Court (the “Bar Date AOS”) [Docket Nos. 315, 406, 504, 587, 713, 821, and 887]. Additionally, in

² These assets include all assets of the Debtors other than (i) the VRT Operating Reserve, (ii) the Products Liability Insurance Rights, and (iii) any Interests held by Liquidating Debtors in other Liquidating Debtors, as defined in the Plan.

³ Other than Personal Injury Claims (as defined in the Plan).

⁴ The Government Bar Date was later extended to January 31, 2019 to any State pursuant to the *Order Approving Stipulation By and Between the Debtors, the Official Committee of Unsecured Creditors, and Certain States Regarding Extending the Bar Date* [Docket No. 948].

accordance with the Bar Date Order, the Debtors published notice of the Bar Dates once in the national editions of the New York Times and USA Today, and once in the following publications: Memphis Commercial Appeal, Indianapolis Star, Florida Times Union (Jacksonville), Las Vegas Review Journal Sun, Saginaw News, Arizona Republic, Dallas Morning News, Miami Herald, Los Angeles Times, and San Antonio Express News (the “Publication Notices”).

10. Pursuant to the Confirmation Order and the Plan, the deadline to object to claims (other than Administrative Claims) is one-hundred eighty (180) days following the later of the (a) Effective Date and (b) the date that a proof of claim is filed or amended or on such later date as fixed by this Court (the “Claims Objection Deadline”). *See* Section 7.1 of the Plan. Upon motion, an order extending the Claims Objection Deadline was extended to February 16, 2021 [Docket No. 1353]. Additionally, under the Plan, objections to Administrative Claims are to be filed no later than one hundred-twenty (120) days after the Effective Date, or such other date may be fixed by the Bankruptcy Court (the “Administrative Claims Objection Deadline”). *See* Section 2.2 of the Plan. Upon motion, an order extending the Administrative Claims Objection Deadline was extended to December 17, 2020 [Docket No. 1337].

JURISDICTION AND VENUE

11. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

CLAIM OBJECTION RELIEF REQUESTED

12. By this Objection, and for the reasons set forth more fully below, the Trustee objects to the Claims pursuant to §§ 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rules 3007 and 9014, and Local Rule 3007-1.

13. The Claims that were filed by or on behalf of the same claimant against one or more of the Debtors with respect to the same obligation (the “Duplicate Claims”). The Claims listed on Exhibit 1 in the column labeled “Duplicate Claims to be Disallowed” are duplicates of the corresponding Claim listed in the column labeled “Surviving Claims”. If the Duplicate Claims are not expunged or disallowed, the Liquidation Trust risks granting multiple recoveries to a claimant on account of a single claim of liability. In order to ensure that the claimants have only a single claim of liability (and in implementing Substantive Consolidation), the Trustee seeks to disallow the Duplicate Claims to clean up the claims register and eliminate the redundant claims. The holders of the Duplicate Claims will retain a surviving claim after the disallowance and expungement of the Duplicate Claims, to the extent the surviving claim is not the subject of a successful objection. Although the Trustee does not object herein to the validity, amount or priority of the surviving claims, the Trustee expressly reserves the right to object to the surviving claims on any grounds whatsoever at a later date.

14. As set forth in the Declaration, each of the Duplicate Claims asserts a basis for liability that is identical to that asserted in the proposed surviving claim filed by the claimant. As such, the disallowance of the Duplicate Claims will not prejudice the claimants or their substantive rights or claims against the Debtors.

RESPONSES TO OBJECTION

15. Filing and Service of Responses. To contest this Objection, a holder of a Claim must file and serve a written response to this Objection (a “Response”) so that it is received no later than 4:00 p.m. (Eastern Time) on November 23, 2020 (the “Response Deadline”). Claimants should read the Proposed Order and Exhibits attached carefully.

16. Every Response should be filed with the Office of the Clerk, United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington,

Delaware 19801; and served upon the following, so that the Response is received no later than the Response Deadline at the following addresses:

HALPERIN BATTAGLIA BENZIJA, LLP
Ligee Gu
40 Wall Street, 37th Floor
New York, NY 10005
lgu@halperinlaw.net

-and-

MORRIS, NICOLS, ARSHT & TUNNELL LLP
Matt Talmo
1201 North Market Street
PO Box 1347
Wilmington, DE 19899
mtalmo@mnat.com

17. Content of Responses. Every Response to this Objection must contain, at a minimum, the following:

- (a) a caption setting forth the name of the Court, the name of the Debtor, the case number and the title of this Objection to which the Response is directed;
- (b) the name of the claimant and description of the basis for the amount of the disputed claim;
- (c) a concise statement setting forth the reasons why the relief in this Objection should not be granted, including, but not limited to, the specific factual and legal bases upon which the claimant relies in opposing this Objection;
- (d) all documentation or other evidence supporting the disputed Claim not previously filed with the Bankruptcy Court or the Agent, upon which the claimant relies in opposing this Objection; and
- (e) the name, address, telephone number, email and fax number of the person(s) (which may be the claimant or a legal representative thereof) to whom counsel for the Trustee should serve a reply, if any, to the Response and who possesses authority to reconcile, settle or otherwise resolve the objection to the Claim on behalf of the claimant.

18. Timely Response Required. If a claimant fails to file and serve a timely Response, then without further notice to the claimant or a hearing, the Trustee will present to the Court an order, substantially in the form of the order attached hereto.

NOTICE

19. A copy of this Objection and all related exhibits will be served on (i) the Office of the United States Trustee for the District of Delaware; (ii) each holder of a Claim; and (iii) other parties entitled to notice under the Plan and Bankruptcy Rule 2002. The Trustee respectfully submits that no further notice of this Objection is required.

20. Pursuant to Bankruptcy Rule 3007, the Trustee has provided all claimants affected by this Objection with at least thirty (30) days' notice of the hearing to consider this Objection.

NO PRIOR REQUEST

21. No previous request for the relief sought herein has been made to this or any other Court.

STATEMENT OF COMPLIANCE WITH LOCAL RULE 3007-1

22. To the extent that a response is filed regarding any Claim listed in this Objection and the Trustee is unable to resolve the response, each such Claim, and the objection by the Liquidation Trust to each such Claim asserted herein, shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Any order entered by the Court regarding an objection asserted in the Objection shall be deemed a separate order with respect to each Claim.

RESERVATION OF RIGHTS

23. The Trustee hereby reserves the right to object in the future to any of the Claims listed in this Objection or any of the surviving claims included on the Exhibits attached hereto on any ground, and to amend, modify, and/or supplement this Objection, including, without

limitation, to object to amended or newly filed Proofs of Claim. Separate notice and hearing may be scheduled for any such objection.

WHEREFORE the Trustee respectfully requests entry of an order substantially in the form of the Proposed Order attached hereto as **Exhibit A** granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

Dated: October 29, 2020

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Matthew O. Talmo

Derek C. Abbott (No. 3376)
Matthew O. Talmo (No. 6333)
1201 N. Market Street, 16th Floor
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Wilmington, DE 19899-1347
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-and-

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*Counsel to the Trustee of the Insys
Liquidation Trust*

CLAIMANTS RECEIVING THIS OBJECTION SHOULD REVIEW IT TO SEE IF THEIR NAMES APPEAR ON THE EXHIBIT ATTACHED HERETO TO DETERMINE WHETHER THE OBJECTION AFFECTS THEIR CLAIMS.

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

In re:

INSYS THERAPEUTICS, INC., *et al.*,

Liquidating Debtors.¹

Chapter 11

Case No. 19-11292 (JTD)

(Jointly Administered)

**Hearing Date: December 1, 2020 at 10:00 a.m.
(ET)**

**Objection Deadline: November 23, 2020 at 4:00
p.m. (ET)**

**NOTICE NINTH OMNIBUS OBJECTION OF THE TRUSTEE OF
THE INSYS LIQUIDATION TRUST TO CLAIMS (NON-SUBSTANTIVE)**

PLEASE TAKE NOTICE that today, the above-captioned debtors and debtors in possession (the “Debtors”) filed the *Ninth Omnibus Objection of the Trustee of the Insys Liquidation Trust to Claims (Non-Substantive)* (the “Objection”).

PLEASE TAKE FURTHER NOTICE that to contest this Objection, a holder of a Claim must file and serve a written response to this Objection (a “Response”) so that it is received no later than 4:00 p.m. (Eastern Time) on November 23, 2020 (the “Response Deadline”). Claimants should read the Proposed Order and Exhibits attached carefully.

PLEASE TAKE FURTHER NOTICE THAT only responses made in writing and timely filed and received, in accordance with the procedures above, will be considered by the Bankruptcy Court at such hearing.

PLEASE TAKE FURTHER NOTICE THAT every Response should be filed with the Office of the Clerk, United States Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, Delaware 19801; and served upon the following, so that the Response is received no later than the Response Deadline at the following addresses:

¹ The Liquidating Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Insys Therapeutics, Inc. (7886); IC Operations, LLC (9659), Insys Development Company, Inc. (3020); Insys Manufacturing, LLC (0789); Insys Pharma, Inc. (9410); IPSC, LLC (6577); and IPT 355, LLC (0155).

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Content of Responses. Every Response to this Objection must contain, at a minimum, the following:

- (a) a caption setting forth the name of the Court, the name of the Debtor, the case number and the title of this Objection to which the Response is directed;
- (b) the name of the claimant and description of the basis for the amount of the disputed claim;
- (c) a concise statement setting forth the reasons why the relief in this Objection should not be granted, including, but not limited to, the specific factual and legal bases upon which the claimant relies in opposing this Objection;
- (d) all documentation or other evidence supporting the disputed Claim not previously filed with the Bankruptcy Court or the Agent, upon which the claimant relies in opposing this Objection; and
- (e) the name, address, telephone number, email and fax number of the person(s) (which may be the claimant or a legal representative thereof) to whom counsel for the Trustee should serve a reply, if any, to the Response and who possesses authority to reconcile, settle or otherwise resolve the objection to the Claim on behalf of the claimant.

Timely Response Required. If a claimant fails to file and serve a timely Response, then without further notice to the claimant or a hearing, the Trustee will present to the Court an order, substantially in the form of the order attached hereto. IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE OBJECTION WILL BE HELD ON **DECEMBER 1, 2020 at 10:00 a.m. (ET)** BEFORE THE HONORABLE JOHN T. DORSEY OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, AT 824 N. MARKET STREET, WILMINGTON, DELAWARE 19801.

Dated: October 29, 2020

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Matthew O. Talmo

Derek C. Abbott (No. 3376)
Matthew O. Talmo (No. 6333)
1201 N. Market Street, 16th Floor
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lgu@halperinlaw.com

*Counsel to the Trustee of the Insys
Liquidation Trust*

Exhibit A

Proposed Order

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

In re:

INSYS THERAPEUTICS, INC., *et al.*,

Liquidating Debtors.¹

Chapter 11

Case No. 19-11292 (JTD)

(Jointly Administered)

Re: _____

**ORDER GRANTING NINTH OMNIBUS OBJECTION OF THE TRUSTEE
OF THE INSYS LIQUIDATION TRUST TO CLAIMS (NON-SUBSTANTIVE)**
(Duplicate Claims)

Upon the *Ninth Omnibus Objection of the Trustee of the Insys Liquidation Trust to Claims* (the “Objection”) for entry of an order disallowing and expunging in their entirety the claims set forth on Exhibit 1 hereto (each a “Claim” and collectively, the “Claims”), all as more fully set forth in the Objection; and upon the *Declaration of Edward A. Phillips Pursuant to 28 U.S.C. § 1746 and Local Rule 3007-1 in Ninth Omnibus Objection of the Trustee of the Insys Liquidation Trust to Claims (Non-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

¹ The Liquidating Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Insys Therapeutics, Inc. (7886); IC Operations, LLC (9659), Insys Development Company, Inc. (3020); Insys Manufacturing, LLC (0789); Insys Pharma, Inc. (9410); IPSC, LLC (6577); and IPT 355, LLC (0155).

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. Each holder of a Claim listed on **Exhibit 1** attached hereto was properly and timely served with a copy of the Objection and all of its accompanying exhibits and notice of a hearing on the Objection and response deadline,

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

C. The relief requested in the Objection is in the best interests of the Trust, its beneficiaries, the Debtors, their estates, their creditors, 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 Claims listed in the column entitled “Duplicate Claims to be Disallowed” on **Exhibit 1** attached hereto are hereby disallowed and expunged in their entirety.
3. Epiq Corporate Restructuring, LLC is authorized and directed to expunge the Claims on the official claims registry pursuant to this Order and to make other changes to the official claims registry as necessary to reflect the terms of this Order.
4. Each Claim addressed in the Objection constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate Order with respect to each Claim. Any stay of this Order pending appeal by any of the claimants whose Claims are subject to this Order 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.

5. Nothing in the Objection or this Order shall be construed as an allowance of any Claim.

6. The Trustee's rights to amend, modify, or supplement the Objection, to file additional objections to the Claims or Surviving Claims, any other claims (filed or not) which have or may be asserted against the Debtors or their estates, and to seek further reduction of any Claim, are 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.

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

Dated: December _____, 2020
Wilmington, Delaware

The Honorable John T. Dorsey
United States Bankruptcy Judge

Exhibit 1

(S) - Secured
 (A) - Administrative
 (B) - 503(b)(9)
 (P) - Priority
 (U) - Unsecured
 (T) - Total Claimed

**NINTH OMNIBUS CLAIMS OBJECTION
 OBJECTION EXHIBIT 1 – DUPLICATE CLAIMS**

Duplicate Claims to be Disallowed					Surviving Claims				
Name/Address	Claim #	Date Filed	Debtor/Case #	Claim Amount	Name/Address	Surviving Claim #	Date Filed	Debtor/Case #	Claim Amount
1 WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1407	10/15/2019	INSYS PHARMA, INC. 19-11296	Undetermined*	WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1409	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
2 WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1408	10/15/2019	INSYS MANUFACTURING, LLC 19-11295	Undetermined*	WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1409	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
3 WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1410	10/15/2019	INSYS DEVELOPMENT COMPANY, INC. 19-11294	Undetermined*	WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1409	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
4 WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1411	10/15/2019	IPSC, LLC 19-11297	Undetermined*	WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1409	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*

* - Indicates claim contains unliquidated and/or undetermined amounts.

**NINTH OMNIBUS CLAIMS OBJECTION
OBJECTION EXHIBIT 1 – DUPLICATE CLAIMS**

- (S) - Secured
- (A) - Administrative
- (B) - 503(b)(9)
- (P) - Priority
- (U) - Unsecured
- (T) - Total Claimed

Duplicate Claims to be Disallowed

Surviving Claims

Duplicate Claims to be Disallowed					Surviving Claims				
Name/Address	Claim #	Date Filed	Debtor/Case #	Claim Amount	Name/Address	Surviving Claim #	Date Filed	Debtor/Case #	Claim Amount
5 WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1412	10/15/2019	IC OPERATIONS, LLC 19-11293	Undetermined*	WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1409	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
6 WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1413	10/15/2019	IPT 355, LLC 19-11298	Undetermined*	WHATCOM COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1409	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
7 WHITE & CASE LLP ATTN HARRISON DENMAN 1221 AVENUE OF THE AMERICAS NEW YORK, NY 10020	10253	9/12/2019	INSYS PHARMA, INC. 19-11296	- (S) - (A) - (B) - (P) \$596,052.43 (U) \$596,052.43 (T)*	WHITE & CASE LLP ATTN HARRISON DENMAN 1221 AVENUE OF THE AMERICAS NEW YORK, NY 10020	10247	9/12/2019	INSYS THERAPEUTICS, INC. 19-11292	- (S) - (A) - (B) - (P) \$596,052.43 (U) \$596,052.43 (T)*
8 WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1118	10/11/2019	IC OPERATIONS, LLC 19-11293	Undetermined*	WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1123	10/11/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*

* - Indicates claim contains unliquidated and/or undetermined amounts.

(S) - Secured
 (A) - Administrative
 (B) - 503(b)(9)
 (P) - Priority
 (U) - Unsecured
 (T) - Total Claimed

**NINTH OMNIBUS CLAIMS OBJECTION
 OBJECTION EXHIBIT 1 – DUPLICATE CLAIMS**

Duplicate Claims to be Disallowed					Surviving Claims				
Name/Address	Claim #	Date Filed	Debtor/Case #	Claim Amount	Name/Address	Surviving Claim #	Date Filed	Debtor/Case #	Claim Amount
9 WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1119	10/11/2019	IPSC, LLC 19-11297	Undetermined*	WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1123	10/11/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
10 WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1120	10/11/2019	INSYS MANUFACTURING, LLC 19-11295	Undetermined*	WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1123	10/11/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
11 WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1121	10/11/2019	INSYS PHARMA, INC. 19-11296	Undetermined*	WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1123	10/11/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
12 WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1122	10/11/2019	INSYS DEVELOPMENT COMPANY, INC. 19-11294	Undetermined*	WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1123	10/11/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*

* - Indicates claim contains unliquidated and/or undetermined amounts.

- (S) - Secured
- (A) - Administrative
- (B) - 503(b)(9)
- (P) - Priority
- (U) - Unsecured
- (T) - Total Claimed

**NINTH OMNIBUS CLAIMS OBJECTION
OBJECTION EXHIBIT 1 – DUPLICATE CLAIMS**

Duplicate Claims to be Disallowed					Surviving Claims				
Name/Address	Claim #	Date Filed	Debtor/Case #	Claim Amount	Name/Address	Surviving Claim #	Date Filed	Debtor/Case #	Claim Amount
13 WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1124	10/11/2019	IPT 355, LLC 19-11298	Undetermined*	WHITMAN COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1123	10/11/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
14 WILLIAMS, ROBERT W OBO ROBERT BRIAN WILLIAMS (DECEASED) C/O EAVES LAW FIRM LLC 101 N STATE ST JACKSON, MS 39201	2583	7/2/2020	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*	WILLIAMS, ROBERT W OBO JANIE CARLENE WILLIAMS (DECEASED) C/O EAVES LAW FIRM LLC 101 N STATE ST JACKSON, MS 39201	2579	7/2/2020	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
15 YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1520	10/15/2019	IPT 355, LLC 19-11298	Undetermined*	YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1519	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
16 YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1521	10/15/2019	IPSC, LLC 19-11297	Undetermined*	YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1519	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*

* - Indicates claim contains unliquidated and/or undetermined amounts.

- (S) - Secured
- (A) - Administrative
- (B) - 503(b)(9)
- (P) - Priority
- (U) - Unsecured
- (T) - Total Claimed

**NINTH OMNIBUS CLAIMS OBJECTION
OBJECTION EXHIBIT 1 – DUPLICATE CLAIMS**

Duplicate Claims to be Disallowed					Surviving Claims				
Name/Address	Claim #	Date Filed	Debtor/Case #	Claim Amount	Name/Address	Surviving Claim #	Date Filed	Debtor/Case #	Claim Amount
17 YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1522	10/15/2019	INSYS PHARMA, INC. 19-11296	Undetermined*	YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1519	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
18 YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1523	10/15/2019	INSYS MANUFACTURING, LLC 19-11295	Undetermined*	YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1519	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
19 YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1524	10/15/2019	INSYS DEVELOPMENT COMPANY, INC. 19-11294	Undetermined*	YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1519	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*
20 YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1525	10/15/2019	IC OPERATIONS, LLC 19-11293	Undetermined*	YUMA COUNTY C/O KELLER ROHRBACK LLP ATTN CHRISTOPHER GRAVER 3101 N CENTRAL AVE, STE 1400 PHOENIX, AZ 85012	1519	10/15/2019	INSYS THERAPEUTICS, INC. 19-11292	Undetermined*

* - Indicates claim contains unliquidated and/or undetermined amounts.

Exhibit B

Declaration

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

In re:

INSYS THERAPEUTICS, INC., *et al.*,

Liquidating Debtors.¹

Chapter 11

Case No. 19-11292 (JTD)

(Jointly Administered)

**Hearing Date: December 1, 2020 at 10:00 a.m.
(ET)**

**Objection Deadline: November 23, 2020 at 4:00
p.m. (ET)**

**DECLARATION OF EDWARD A. PHILLIPS PURSUANT TO 28 U.S.C. § 1746 AND
LOCAL RULE 3007-1 IN SUPPORT OF NINTH OMNIBUS OBJECTION OF THE
TRUSTEE OF THE INSYS LIQUIDATION TRUST TO CLAIMS (NONSUBSTANTIVE)
(Duplicate Claims)**

Edward A. Phillips, under penalty of perjury hereby declares as follows:

1. I am Managing Director of Getzler Henrich & Associates LLC (“Getzler Henrich”). My professional credentials include: Certified Turnaround Professional; Certified Insolvency & Restructuring Advisor; Certified Fraud Examiner; Certified in Financial Forensics; and Certified Public Account. I have more than 25 years of experience in finding solutions to problems in restructuring, insolvency, liquidation, and forensic accounting matters. I have advised a variety of parties and functioned in numerous roles in bankruptcy proceedings, out-of-court restructurings, forensic accounting engagements and post-confirmation engagements.

2. I submit this declaration in support of the *Ninth Omnibus Objection of the Trustee of the Insys Liquidation Trust to Claims (Non-Substantive)* (the “Objection”).

3. Getzler Henrich serves as the financial advisor to the Insys Liquidation Trust (the “Trust”) and Mr. William Henrich, the Trustee of the Trust and has been working in these cases

¹ The Liquidating Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Insys Therapeutics, Inc. (7886); IC Operations, LLC (9659), Insys Development Company, Inc. (3020); Insys Manufacturing, LLC (0789); Insys Pharma, Inc. (9410); IPSC, LLC (6577); and IPT 355, LLC (0155).

since the Effective Date². I am the primary Getzler Henrich professional responsible for overseeing the claims analysis process. Additionally, I also consult with the Debtors' former Chief Financial Officer and Director of Accounting who currently act as consultants to the Trust and have firsthand knowledge of the Debtors' books and records (the "Books and Records"). As such, I have gained significant familiarity of the Books and Records and their Schedules.

4. Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge, my review (or the review of Trust's counsel, Epiq, and/or Trust's consultants under my supervision) of business records kept by the Debtors in the ordinary course of business, the relevant proofs of claim, and/or the claims register maintained by Epiq, the claims and noticing agent in these cases. The objections set forth in the Objection are based on the review conducted. I have personally reviewed the Objection and to the best of my knowledge and belief, the information contained on Exhibit 1 to the Objection is true and correct.

5. To the best of my knowledge, information and belief, the Claims identified in Exhibit 1 to the Objection include those claims that are duplicative of other claims filed by or on behalf of the same claimant.

6. Based on the foregoing, and to the best of my knowledge, information and belief, the information contained in the Objection and exhibits thereto is true and correct.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: October 29, 2020

/s/ Edward A. Phillips
Edward A. Phillips

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