

**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: D.I. 1804

**ORDER GRANTING NINETEENTH OMNIBUS OBJECTION OF THE TRUSTEE OF
THE INSYS LIQUIDATION TRUST TO CLAIMS (NON-SUBSTANTIVE)**
(Amended and Superseded and Insufficient Documentation)

Upon the *Nineteenth Omnibus Objection of the Trustee of the Insys Liquidation Trust to Claims* (the “Objection”) for entry of an order disallowing and expunging the claims set forth on Exhibit 1 (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 Support of the Nineteenth Omnibus Objection of the Trustee of the Insys Liquidation Trust to Claims* 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Court having considered all responses to the Objection, if any, and all such responses having been either overruled or withdrawn; and upon all proceedings had before the Court; and the Court

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).

having 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 Claims listed on **Exhibits 1** and **2** attached hereto were 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 Liquidation 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 under “Amended Claims to be Disallowed” on **Exhibit 1** hereto are hereby disallowed and expunged in their entirety.
3. The Claims listed on **Exhibit 2** hereto are disallowed and expunged in their entirety.
4. Epiq Corporate Restructuring, LLC is authorized and directed to disallow and expunge the Claims listed on **Exhibits 1** and **2** as reflected therein 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.

5. 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.

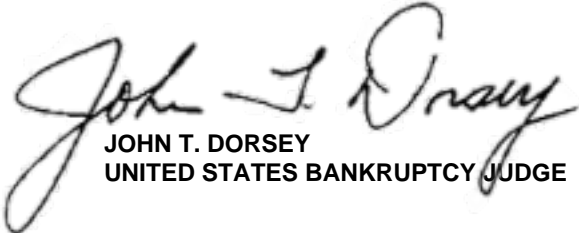
6. Nothing contained in the Objection or this Order is intended to be or shall be deemed as (i) an admission as to the validity of any claim against the Debtors or its estates, (ii) waiver of rights to dispute the amount of, basis for, or validity of any claim, (iii) a waiver of rights under Bankruptcy Code or any applicable non-bankruptcy law, (iv) an agreement or obligation to pay any claims, or (v) a waiver of any claims or causes of action which may exist against any creditor or interest holder.

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

8. The Trustee's rights to amend, modify, or supplement the Objection, to file additional objections to the 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 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.

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

Dated: April 8th, 2022
Wilmington, Delaware


JOHN T. DORSEY
UNITED STATES BANKRUPTCY JUDGE

Nineteenth Omnibus Objection
Exhibit 1- Amended and Superseded Claims

Amended Claims to be Disallowed				Surviving Claims				
Name	CLAIM/ SCHEDULE NO.	Debtor	Disallowed Asserted Amount	Reason for Disallowance	Name	CLAIM #	Debtor	Surviving Asserted Amount
ADMIRAL SECURITY SERVICES	295000020	Insys Manufacturing, LLC	\$8,347.38	Claims have been amended and superseded by the surviving claim	RED COATS INC d/b/a ADMIRAL SECURITY SERVICES	10012	Insys Therapeutics, Inc.	\$12,984
AGENCY FOR HEALTHCARE ADMIN (FL)	293000020	Insys Therapeutics, Inc.	\$163,231.83	Claims have been amended and superseded by the surviving claim	FL AGENCY FOR HEALTH CARE ADMINISTRATION	12098	Insys Therapeutics, Inc.	\$144,702.66
AIRGAS USA, LLC	294000090	Insys Development Company, Inc.	\$733.69	Claims have been amended and superseded by the surviving claim	AIRGAS USA LLC	34	Insys Therapeutics, Inc.	\$4,705.03
BUREAU OF TENNCARE	293000070	IC Operations, LLC	\$84,271.98	Claims have been amended and superseded by the surviving claim	TENNCARE	11683	Insys Therapeutics, Inc.	\$84,275.08
CITY OF CHULA VISTA	10903	Insys Therapeutics, Inc.	Undetermined	Claims have been amended and superseded by the surviving claim	CITY OF CHULA VISTA	11766*	Insys Therapeutics, Inc.	Undetermined
DEPT. OF HEALTH CARE SERVICES (CA)	293000150	IPT 355, LLC	Undetermined	Claims have been amended and superseded by the surviving claim	DEPARTMENT OF HEALTH CARE SERVICES	35	Insys Therapeutics, Inc.	\$601,558.48
KENTUCKY STATE TREASURER	293000290	IC Operations, LLC	\$120,373.32	Claims have been amended and superseded by the surviving claim	KENTUCKY, CHES. DEPT FOR MEDICAID SERV	12088	Insys Therapeutics, Inc.	\$120,781.67
MSP RECOVERY CLAIMS SERIES LLC	10485	Insys Therapeutics, Inc.	Undetermined	Claims have been amended and superseded by the surviving claim	MSP RECOVERY CLAIMS SERIES LLC	10563	Insys Therapeutics, Inc.	Undetermined
NEW YORK STATE DEPARTMENT OF HEALTH	293000320	IC Operations, LLC	\$30,419.63	Claims have been amended and superseded by the surviving claim	NEW YORK STATE DEPARTMENT OF HEALTH	11800	Insys Therapeutics, Inc.	\$130,742.51
PROJECT NEW START	1108	Insys Therapeutics, Inc.	Undetermined	Claims have been amended and superseded by the surviving claim	PROJECT NEW START	2291**	Insys Therapeutics, Inc.	Undetermined
TD INDUSTRIES	295001610	Insys Manufacturing, LLC	\$26,153.00	Claims have been amended and superseded by the surviving claim	TD INDUSTRIES, INC.	10080	Insys Therapeutics, Inc.	\$26,153.00

*- Claim 11766 was incorrectly expunged by the Order entered on the 17th Omnibus Objection (Dkt #1789) as result of a clerical error by counsel. Claim 11766 shall be revived and remain as the surviving claim.

** - Claim 2291 was incorrectly expunged by the Order entered on the 18th Omnibus Objection (Dkt #1788) as result of a clerical error by counsel. Claim 2291 shall be revived and remain as the surviving claim.

Nineteenth Omnibus Claims Objection
 Exhibit 2- Insufficient Documentation

<u>Name</u>	<u>Claim No.</u>	<u>Debtor</u>	<u>Claim Amount</u>	<u>Classification</u>	<u>Reason for Disallowance</u>
LAW OFFICE OF MARK ALLEN KLEIMAN	523	Insys Therapeutics, Inc.	\$713,129.61	General unsecured	Claim does not provide sufficient or any documentation to determine the validity or amount of the claim.
THE WEISER LAW FIRM PC	342	Insys Therapeutics, Inc.	\$300,000.00	General unsecured	Claim does not provide sufficient or any documentation to determine the validity or amount of the claim.