

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

In re:

OREXIGEN THERAPEUTICS, INC.,

Debtor.¹

Chapter 11

Case No. 18-10518 (KG)

**NOTICE OF AGENDA OF MATTER SCHEDULED FOR
HEARING ON JUNE 28, 2018 AT 10:00 A.M. (ET)**

MATTER GOING FORWARD:

1. Debtor's Motion For An Order Pursuant To Sections 105, 363, 364, 365 And 541 Of The Bankruptcy Code, Bankruptcy Rules 2002, 6004, 6006 And 9007 And Del. Bankr. L.R. 2002-1 And 6004-1 (A) Approving Bidding Procedures And Bid Protections For The Sale Of Substantially All Assets Of Debtor; (B) Approving Procedures For The Assumption And Assignment Rejection Of Designated Executory Contracts And Unexpired Leases; (C) Scheduling The Auction And Sale Hearing; (D) Approving Forms And Manner Of Notice Of Respective Dates, Times, And Places In Connection Therewith; And (E) Granting Related Relief; (II) An Order (A) Approving The Sale Of The Debtor's Assets Free And Clear Of Claims, Liens, And Encumbrances; And (B) Approving The Assumption And Assignment And Assignment Of Executory Contracts And Unexpired Leases; And (III) Certain Related Relief (D.I. 70, Filed 3/16/18).

Objection Deadline: June 11, 2018 at 4:00 p.m. (ET). Extended to June 22, 2018 for Caremark; Actavis Laboratories FL; Biologix; AmerisourceBergen Drug Corporation; the U.S. Trustee; the United States Department of Justice; and the Official Committee of Unsecured Creditors. The response deadline was extended for Cardinal Health to June 26, 2018 at 4:00 p.m. (ET), with Debtor's reply deadline extended to June 27, 2018 at 4:00 p.m. (ET). The response deadline was extended for Oregon Health & Science University to June 27, 2018 at 5:00 p.m. (ET).

Responses Received:

- (a) Objection Of Oregon Health & Science University To Motion For An Order Pursuant To Sections 105, 363, 364, 365 And 541 Of The Bankruptcy Code, Bankruptcy Rules 2002, 6004, 6006 And 9007 And Del. Bankr. L.R. 2002-1 And 6004-1 (A) Approving Bidding Procedures And Bid Protections For The Sale Of Substantially All Assets Of Debtor; (B) Approving Procedures For The

¹ The last four digits of the Debtor's federal tax identification number are 8822. The Debtor's mailing address for purposes of this Chapter 11 Case is 3344 North Torrey Pines Court, Suite 200, La Jolla, CA, 92037.



Assumption And Assignment Rejection Of Designated Executory Contracts And Unexpired Leases; (C) Scheduling The Auction And Sale Hearing; (D) Approving Forms And Manner Of Notice Of Respective Dates, Times, And Places In Connection Therewith; And (E) Granting Related Relief; (II) An Order (A) Approving The Sale Of The Debtor's Assets Free And Clear Of Claims, Liens, And Encumbrances; And (B) Approving The Assumption And Assignment And Assignment Of Executory Contracts And Unexpired Leases; And (III) Certain Related Relief (D.I. 362, Filed 6/11/18);

- (b) Oracle's Limited Objection To And Reservation Of Rights Regarding (A) Debtor's Sale Motion And (B) Debtor's Notice Of Proposed Assumption And Assignment Of Executory Contracts (D.I. 364, Filed 6/11/18);
- (c) Limited Objection Of McKesson To Debtor's Motion For An Order Pursuant To Sections 105, 363, 364, 365 And 541 Of The Bankruptcy Code, Bankruptcy Rules 2002, 6004, 6006 And 9007 And Del. Bankr. L.R. 2002-1 And 6004-1 (A) Approving Bidding Procedures And Bid Protections For The Sale Of Substantially All Assets Of Debtor; (B) Approving Procedures For The Assumption And Assignment Rejection Of Designated Executory Contracts And Unexpired Leases; (C) Scheduling The Auction And Sale Hearing; (D) Approving Forms And Manner Of Notice Of Respective Dates, Times, And Places In Connection Therewith; And (E) Granting Related Relief; (II) An Order (A) Approving The Sale Of The Debtor's Assets Free And Clear Of Claims, Liens, And Encumbrances; And (B) Approving The Assumption And Assignment And Assignment Of Executory Contracts And Unexpired Leases; And (III) Certain Related Relief (D.I. 365, Filed 6/11/18);
- (d) Limited Objection And Reservation Of Rights Of Google LLC f/k/a Google Inc. To Notice Of Proposed Assumption And Assignment Of Designation Executory Contracts And Unexpired Leases (D.I. 383, Filed 6/18/18);
- (e) Objection Of Sanofi Winthrop Industrie To Debtor's Proposed Cure Amounts (D.I. 384, Filed 6/18/18);
- (f) Objection of Oregon Health & Science University To Motion For An Order Pursuant To Sections 105, 363, 364, 365 And 541 Of The Bankruptcy Code, Bankruptcy Rules 2002, 6004, 6006 And 9007 And Del. Bankr. L.R. 2002-1 And 6004-1 (A) Approving Bidding Procedures And Bid Protections For The Sale Of Substantially All Assets Of Debtor; (B) Approving Procedures For The Assumption And Assignment Rejection Of Designated Executory Contracts And Unexpired Leases; (C) Scheduling The Auction And Sale Hearing; (D) Approving Forms And Manner Of Notice Of Respective Dates, Times, And Places In Connection Therewith; And (E) Granting Related Relief; (II) An Order (A) Approving The Sale Of The Debtor's Assets Free And Clear Of Claims, Liens, And Encumbrances; And (B) Approving The Assumption And Assignment And

Assignment Of Executory Contracts And Unexpired Leases; And (III) Certain Related Relief (D.I. 385, Filed 6/18/18);

- (g) Limited Objection Of Sabby Volatility Warrant Master Fund, Ltd. And Sabby Healthcare Master Fund, Ltd. To Debtor's Motion For An Order Pursuant To Sections 105, 363, 364, 365 And 541 Of The Bankruptcy Code, Bankruptcy Rules 2002, 6004, 6006 And 9007 And Del. Bankr. L.R. 2002-1 And 6004-1 (A) Approving Bidding Procedures And Bid Protections For The Sale Of Substantially All Assets Of Debtor; (B) Approving Procedures For The Assumption And Assignment Rejection Of Designated Executory Contracts And Unexpired Leases; (C) Scheduling The Auction And Sale Hearing; (D) Approving Forms And Manner Of Notice Of Respective Dates, Times, And Places In Connection Therewith; And (E) Granting Related Relief; (II) An Order (A) Approving The Sale Of The Debtor's Assets Free And Clear Of Claims, Liens, And Encumbrances; And (B) Approving The Assumption And Assignment And Assignment Of Executory Contracts And Unexpired Leases; And (III) Certain Related Relief (D.I. 389, Filed 6/20/18);
- (h) AmerisourceBergen Drug Corporation's Reservation Of Rights Regarding Debtor's Proposed Sale Of Substantially All Of The Debtor's Assets Free And Clear Of All Encumbrances, Other Than Assumed Liabilities (D.I. 411, Filed 6/22/2018); and
- (i) Informal comments from: Caremark; Actavis Laboratories FL; Biologix; Cardinal Health; the U.S. Trustee; the United States Department of Justice; and the Official Committee of Unsecured Creditors.

Related Pleadings:

- (a) Affidavit/Declaration of Service re: Notice of Agenda of Matters Scheduled for First Day Hearing (related document(s)18) Filed by Kurtzman Carson Consultants LLC (D.I. 27, Filed 3/12/18);
- (b) Affidavit of Service re: First Day Motions, Orders, and Hearing Notices (related document(s)3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64) Filed by Kurtzman Carson Consultants LLC (D.I. 69, Filed 3/15/18)
- (c) Affidavit/Declaration of Service re: Bidding Procedures Motion (related document(s)70) Filed by Kurtzman Carson Consultants LLC (D.I. 73, Filed 3/21/18);
- (d) Affidavit/Declaration of Service re service of Order Shortening Notice and Notices of Hearing (related document(s)110, 111, 113, 114, 115) Filed by Kurtzman Carson Consultants LLC (D.I. 198, Filed 4/16/18);

- (e) Amended Affidavit/Declaration of Service re Documents Served on or before April 16, 2018 (related document(s)189, 191, 192, 193) Filed by Kurtzman Carson Consultants LLC (D.I. 239, Filed 4/23/18);
- (f) Affidavit/Declaration of Service re Documents Served on April 23, 2018 (related document(s)230, 231, 237, 238) Filed by Kurtzman Carson Consultants LLC (D.I. 254, Filed 4/25/18);
- (g) Affidavit/Declaration of Mailing Re: Service of Notice of Sale of Substantially All Assets Of Debtor's Assets, Free And Clear Of All Encumbrances, other than Assumed Liabilities, and Scheduling Final Sale Hearing Related Thereto (related document(s)250) Filed by Kurtzman Carson Consultants LLC (D.I. 267, Filed 4/27/18);
- (h) Amended Affidavit/Declaration of Service re Documents Served on April 4, 2018 (related document(s)110, 111, 113, 114, 115) Filed by Kurtzman Carson Consultants LLC (D.I. 272, Filed 5/4/18);
- (i) Order Pursuant To Sections 105, 363, 364, 365 And 541 Of The Bankruptcy Code, Bankruptcy Rules 2002, 6004, 6006 And 9007 And Del. Bankr. L.R. 2002-1 And 6004-1 (A) Approving Bidding Procedures And Bid Protections For The Sale Of Substantially All Assets Of Debtor; (B) Approving Procedures For The Assumption And Assignment Rejection Of Designated Executory Contracts And Unexpired Leases; (C) Scheduling The Auction And Sale Hearing; (D) Approving Forms And Manner Of Notice Of Respective Dates, Times, And Places In Connection Therewith; And (E) Granting Related Relief (D.I. 231, Entered 4/23/18);
- (j) Notice Of Proposed Sale Of All Or Substantially All Of The Debtor's Assets, Free And Clear Of All Encumbrances, Other Than Assumed Liabilities, And Scheduling Final Sale Hearing Related Thereto (D.I. 250, Filed 4/25/18);
- (k) Notice Of Proposed Assumption And Assignment Of Designated Executory Contracts And Unexpired Leases (D.I. 346, Filed 6/4/18);
- (l) Notice Of Filing Of Supplement To Schedule 3.8 Of Stalking Horse APA (D.I. 347, Filed 6/4/18);
- (m) Notice Of Filing Of Supplemental Schedules To Stalking Horse APA (D.I. 387, Filed 6/18/18);
- (n) Notice Of Cancellation Of Auction (D.I. 409, Filed 6/22/18);
- (o) Joinder Of Certain Secured Noteholders And DIP Lenders To Debtor's Reply To The Limited Objection Of Sabby Volatility Warrant Master Fund, Ltd. And

Sabby Healthcare Master Fund, Ltd. To Debtor's Sale (D.I. 415, Filed 6/25/18);
and

- (p) Debtor's Reply To The Limited Objection Of Sabby Volatility Warrant Master Fund, Ltd. And Sabby Healthcare Master Fund, Ltd. To Debtor's Sale (D.I. 416, Filed 6/25/18).

Status: The Sale Hearing is going forward.

Dated: June 26, 2018
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jose F. Bibiloni

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