

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

In re:

DNIB UNWIND, INC. (f/k/a BIND  
THERAPEUTICS, INC.),<sup>1</sup>

Post-Effective Date Debtor.

Chapter 11

Case No. 16-11084 (BLS)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON FEBRUARY 15, 2017 AT 10:00 A.M.<sup>2</sup> (EDT)<sup>3</sup>**

**I. MATTERS WITH CERTIFICATION OF NO OBJECTION:**

1. Motion of the Post-Effective Date Debtors for Entry of an Order and Final Decree Closing the Chapter 11 Case of DNIB Subsidiary Corporation Pursuant to 11 U.S.C. §§ 105(a) and 350(a) and Bankruptcy Rule 3022 [Docket No. 571 - filed January 25, 2017]

Objection / Response Deadlines: February 8, 2017 at 4:00 p.m. (ET)

Objections / Responses Received:

Related Documents:

- i. Certification of No Objection Regarding Motion of the Post-Effective Date Debtors for Entry of an Order and Final Decree Closing the Chapter 11 Case of DNIB Subsidiary Corporation Pursuant to 11 U.S.C. §§ 105(a) and 350(a) and Bankruptcy Rule 3022 [Docket No. 588 - filed February 9, 2017]

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<sup>1</sup> The Post-Effective Date Debtor's U.S. federal tax identification number is: DNIB Unwind, Inc. (f/k/a BIND Therapeutics, Inc.) (6148). The address for the Post-Effective Date Debtor is c/o Development Specialists, Inc., 333 South Grand Avenue, Suite 4070, Los Angeles, CA 90071.

<sup>2</sup> At the direction of the Court and in consultation with the parties, the hearing on the Second Omnibus Objection (defined herein) with respect to U.S. Oncology will begin at 11:00 a.m. (ET). All other matters going forward will begin at the scheduled time of 10:00 a.m. (ET).

<sup>3</sup> The hearing will be held before The Honorable Brendan L. Shannon at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6<sup>th</sup> Floor, Courtroom 1, Wilmington, Delaware 19801. Any person who wishes to appear telephonically at the February 15, 2017 hearing must contact COURTCALL, LLC at 866-582-6878 prior to 12:00 p.m. (noon) (ET) on Tuesday, February 14, 2017 to register his/her telephonic appearance in accordance with the *Instructions for Telephonic Appearance Effective January 5, 2005, Revised April 27, 2009*.

- ii. Order and Final Decree Pursuant to Bankruptcy Code Sections 105(a) and 350(a) and Bankruptcy Rule 3022 Closing the Chapter 11 Case of DNIB Subsidiary Corporation [Docket No. 589 - entered February 10, 2017]

Status: On February 10, 2017, the Court entered an order resolving this matter. Accordingly, a hearing on this matter is no longer required.

## **II. CONTESTED MATTERS GOING FORWARD:**

2. First Omnibus [Non-Substantive] Objection of the Post-Effective Date Debtors to Equity Claims, Amended Claims and Duplicative Claims [Docket No. 525 - filed December 8, 2016]

Objection / Response Deadlines: December 23, 2016 at 4:00 p.m. (ET) extended until December 30, 2016 at 4:00 p.m. (ET) for the Internal Revenue Service (“IRS”)

Objections / Responses Received:

- A. Informal Response from George Alfred Murillo [Dated December 20, 2016]
- B. United States’ Combined Response to Debtors’ Objections to the IRS’s Proofs of Claim [Docket No. 540 - filed December 29, 2016]
- C. Post-Effective Date Debtors’ Omnibus Reply in Support of (I) First Omnibus [Non-Substantive] Objection of the Post-Effective Date Debtors to Equity Claims, Amended Claims and Duplicative Claims and (II) Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims [Docket No. 546 - filed January 5, 2017]

Related Documents:

- i. Certification of Counsel Regarding First Omnibus [Non-Substantive] Objection of the Post-Effective Date Debtors to Equity Claims, Amended Claims and Duplicative Claims [Docket No. 539 - filed December 28, 2016]
- ii. Order Sustaining First Omnibus [Non-Substantive] Objection of the Post-Effective Date Debtors to Equity Claims, Amended Claims and Duplicative Claims [Docket No. 541 - entered December 29, 2016]

Status: On December 29, 2016, the Court entered an order granting the relief requested in the objection except for the claims of the IRS and George Alfred Murillo. The objection with respect to the claim of the IRS has

been resolved and the IRS has indicated it will withdraw its claims. The hearing with respect to the claims of George Alfred Murillo will go forward.

3. Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims [Docket No. 526 - filed December 8, 2016] (the "Second Omnibus Objection")

Objection / Response Deadlines: December 23, 2016 at 4:00 p.m. (ET) extended until December 30, 2016 at 4:00 p.m. (ET) for McKinsey & Company, Inc. United States and the IRS and January 4, 2017 at 4:00 p.m. for U.S. Oncology Research, LLC ("U.S. Oncology")

Objections / Responses Received:

- A. Opposition of Claimants Sabby Healthcare Master Fund, Ltd. and Sabby Volatility Warrant Master Fund, Ltd. to Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims (Claim Nos. 135 and 137) [Docket No. 532 - filed December 22, 2016]

Status: On January 31, 2017, the Court entered an order resolving this matter. Accordingly, a hearing on this matter is no longer required.

- B. Response of A.C.R.-Service, Ltd. to the Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims [Docket No. 533 - filed December 23, 2016]

Status: The Debtors and A.C.R.-Service, Ltd. ("A.C.R.") have reached an agreement in principle regarding this matter. Accordingly, a hearing on this matter is not necessary at this time.

- C. United States' Combined Response to Debtors' Objections to the IRS's Proofs of Claim [Docket No. 540 - filed December 29, 2016]

Status: The response of the IRS is resolved and the IRS has indicated that it will withdraw its claim. Accordingly, a hearing on this matter is no longer required.

- D. Response of U.S. Oncology Research, LLC to Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing [Docket No. 545 - filed January 4, 2017]

- E. Supplemental Response of U.S. Oncology Research, LLC to Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing [Docket No. 587 - filed February 9, 2017]

Status: The hearing on this matter will go forward. At the direction of the Court and in consultation with the parties, the hearing with respect to U.S. Oncology will begin at 11:00 a.m. (ET).

Related Documents:

- i. Certification of Counsel Regarding Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims [Docket No. 537 - filed December 27, 2016]
- ii. Order Sustaining Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims [Docket No. 542 - entered December 29, 2016]
- iii. Certification of Counsel Regarding Order Approving Stipulation By and Between the Trustee of the DNIB Liquidation Trust, Sabby Healthcare Master Fund, Ltd. and Sabby Volatility Warrant Master Fund, Ltd. Regarding Allowance of Prepetition Claims [Docket No. 578 - filed January 30, 2017]
- iv. Order Approving Stipulation By and Between the Trustee of the DNIB Liquidation Trust, Sabby Healthcare Master Fund, Ltd. and Sabby Volatility Warrant Master Fund, Ltd. Regarding Allowance of Prepetition Claims [Docket No. 579 - entered January 31, 2017]
- v. Post-Effective Date Debtors' Omnibus Reply in Support of (I) First Omnibus [Non-Substantive] Objection of the Post-Effective Date Debtors to Equity Claims, Amended Claims and Duplicative Claims and (II) Second Omnibus [Substantive] Objection of the Post-Effective Date Debtors to Excessive Claims and No Amount Due and Owing Claims [Docket No. 546 - filed January 5, 2017] (*located at tab 2.c*)

Status: The individual status of each response to the Second Omnibus Objection is noted above.

Dated: February 13, 2017  
Wilmington, Delaware

*/s/ Brett M. Haywood*

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