

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

**SYNERGY PHARMACEUTICALS INC., et al.,
Debtors.¹**

Chapter 11

Case No. 18-14010 (JLG)

Jointly Administered

Related Docket No. 72

**ORDER (I) ESTABLISHING DEADLINES FOR (A)
SUBMITTING PROOFS OF CLAIM AND (B) REQUESTS
FOR PAYMENT UNDER BANKRUPTCY CODE SECTION
503(b)(9), (II) APPROVING THE FORM AND MANNER FOR
SUBMITTING SUCH PROOFS OF CLAIM AND
REQUESTS FOR PAYMENT, AND (III) APPROVING
NOTICE THEREOF**

This matter coming before the Court on the *Debtors' Motion for Entry of an Order (I) Establishing Deadlines for (a) Submitting Proofs of Claim and (b) Requests for Payment under Bankruptcy Code Section 503(b)(9), (II) Approving the Form and Manner for Submitting such Proofs of Claim and Requests for Payment, and (III) Approving Notice Thereof* (the "**Motion**")², filed by the above-captioned debtors and debtors-in-possession (the "**Debtors**"); the Court having reviewed the Motion and ~~having heard statements of counsel regarding the relief requested in the Motion at a hearing before the Court (the "**Hearing**")~~ **[JLG]**; the Court finding that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and (iii) notice

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: Synergy Pharmaceuticals Inc. (5269); Synergy Advanced Pharmaceuticals, Inc. (4596). The address of the Debtors' corporate headquarters is 420 Lexington Avenue, Suite 2012, New York, New York 10170.

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.**[JLG]**

of the Motion and the Hearing was sufficient under the circumstances; and the Court having determined that the legal and factual bases set forth in the Motion ~~and at the Hearing~~**[JLG]** establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED ~~in its entirety~~ **as set forth herein****[JLG]**.
2. As used herein, (a) the term “claim” has the meaning given to such term in section 101(5) of the Bankruptcy Code, (b) the term “entity” has the meaning given to such term in section 101(15) of the Bankruptcy Code and (c) the term “governmental unit” has the meaning given to such term in section 101(27) of the Bankruptcy Code.
3. The forms of the Publication Notice and the Bar Date Notice Package, and the manner of providing notice of the Bar Dates proposed in the Motion, are approved in all respects pursuant to Bankruptcy Rules 2002(a)(7) and 2002(1), Local Bankruptcy Rule 3003-1 and General Order M-453. The form and manner of notice of the Bar Dates approved herein are deemed to fulfill the notice requirements of the Bankruptcy Code, the Bankruptcy Rules, the Local Bankruptcy Rules, the Guidelines, and General Order M-453. As such, the Debtors are authorized to serve the Bar Date Notice Package in the manner described in the Motion.
4. Except as otherwise provided in this Order, all entities (including, without limitation, individuals, partnerships, corporations, joint ventures and trusts) that assert a claim against a Debtor that arose or is deemed to have arisen prior to the Petition Date must file a proof of claim in writing in accordance with the procedures described herein by 5:00 p.m. prevailing Eastern Time on **February 8, 2019** (the “**General Bar Date**”).

5. The General Bar Date applies to all types of claims against the Debtors that arose prior to the Filing Date, including secured claims, unsecured priority claims and unsecured nonpriority claims.

6. Subject to the provisions of paragraphs 9 through 12 of this Order with respect to holders of claims subject to the Rejection Bar Date, the Amended Schedules Bar Date, the Foreign Creditors Bar Date, and the Governmental Bar Date and the exceptions described in paragraph 8, the following entities must file a proof of claim on or before the General Bar Date:

- (a) any Claimant whose Claim against a Debtor is not listed in the applicable Debtors' Schedules or is listed as any of disputed, contingent, or unliquidated, if the holder of such Claim desires to share in any distribution of these bankruptcy cases;
- (b) any Claimant who believes that its Claim is improperly classified in the Claim Schedules, is listed in an incorrect amount, or who desires to have its Claim allowed to a classification or amount other than that identified in the Schedules;
- (c) any Claimant who believes that its prepetition Claims as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its Claim allowed against a Debtor other than that identified in the Schedules; and
- (d) any entity holding a Claim that is allowable under Bankruptcy Code section 503(b)(9) as an administrative expense in the Chapter 11 Cases.

7. The following procedures for the filing of proofs of claim shall apply:

- (a) Proofs of claim must be on the Proof of Claim Form attached hereto as **Exhibit C** or otherwise conform substantially to Official Bankruptcy Form 410;
- (b) Proofs of claim must be filed by mailing the original proof of claim to: Synergy Pharmaceuticals Inc. Claims Processing Center c/o Prime Clerk LLC, 850 Third Avenue, Suite 412, Brooklyn, NY 11232 **(855)388-4579**; or by electronic filing at <https://cases.primeclerk.com/Synergy/EPOC-Index>.
- (c) Proofs of claim will be deemed filed only when actually received by the Debtors' claims agent, Prime Clerk, LLC, at the addresses set forth in the foregoing subparagraph on or before the applicable Bar Date;
- (d) Proofs of claim submitted by facsimile or electronic mail shall not be accepted and shall not be deemed properly filed;

- (e) Proofs of claim must (i) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant; (ii) include any documents upon which the claim is based (or, if such documents are voluminous, a summary) or an explanation as to why the documents are not available; (iii) be written in the English language; and (iv) be denominated in United States currency; and
- (f) Proofs of claim must specify by name and case number the Debtor against which the claim is filed. If the holder asserts a claim against more than one Debtor or has claims against different Debtors, a separate proof of claim form must be filed with respect to each Debtor. In addition, any entity filing a proof of claim must identify on its proof of claim form the particular Debtor against which its claim is asserted. Any claim filed in the joint administration case number (Synergy Pharmaceuticals Inc., Case No. 18-14010) or that otherwise fails to identify a Debtor shall be deemed to be filed only against Synergy Pharmaceuticals Inc. If more than one debtor is listed on the form, the claim shall be treated as filed only against the first listed Debtor.

8. The following entities, whose claims otherwise would be subject to the General

Bar Date, shall not be required to file proofs of claim in these Chapter 11 Cases:

- (a) any Claimant that already has filed a signed Proof of Claim against the applicable Debtor(s) with the Clerk of the Bankruptcy Court for the Southern District of New York or Prime Clerk in a form substantially similar to Official Bankruptcy Form 410;
- (b) any Claimant whose Claim is listed on the Schedules if (i) the Claim is not scheduled as “disputed,” “contingent,” or “unliquidated,” (ii) the Claimant agrees with the amount, nature, and priority of the Claim as set forth in the Schedules, and (iii) the Claimant does not dispute that the Claim is an obligation of the Debtor as set forth in the Schedules;
- (c) a holder of a Claim that previously has been allowed by order of this Court;
- (d) any entity who holds a Claim that has been paid in full by any of the Debtors or any other party;
- (e) any entity who holds a Claim that is subject to specific deadlines, aside from those established pursuant to the Bar Date Order, fixed by this Court by separate order;
- (f) any Debtor having a Claim against another Debtor;
- (g) any holder of a Claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than any Claim allowable under section 503(b)(9) of the Bankruptcy Code); and

- (h) any person or entity that holds an equity security interest in the Debtors, which interest is based exclusively upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants, options, or rights to purchase, sell or subscribe to such a security or interest; provided, however, that if any such holder asserts a Claim (as opposed to an ownership interest) against the Debtors (including a Claim relating to an equity interest or the purchase or sale of such equity interest), a Proof of Claim must be filed on or before the applicable Bar Date pursuant to the Bar Date Order.

9. Any entity asserting claims arising from or relating to the rejection of executory contracts or unexpired leases, in accordance with section 365 of the Bankruptcy Code and pursuant to an order of this Court entered prior to the confirmation of a chapter 11 plan in the applicable Debtor's Chapter 11 Case (any such order, a "**Rejection Order**"), or claims otherwise related to such rejected agreements (the "**Rejection Damage Claims**") are required to file proofs of claim by the later of (a) the General Bar Date and (b) 5:00 p.m., Eastern Time, on the date that is thirty (30) days after the entry of the applicable Rejection Order (the "**Rejection Bar Date**"). For the avoidance of doubt, all prepetition and postpetition claims of any kind or nature relating to executory contracts or unexpired leases rejected by a Rejection Order must be filed by the Rejection Bar Date. Rejection Orders entered after the date of entry of this Order shall include a description of the Rejection Bar Date in the text of the Rejection Order

10. If the Debtors amend or supplement their Schedules after the service of the Bar Date Notice Package, the Debtors shall give notice of such amendment or supplement to the holders of claims affected thereby, including notice of the Amended Schedules Bar Date to file proofs of claim in response to the amendment or supplement to the Schedules. The affected claimant is required to file a proof of claim or amend any previously filed proof of claim in respect of the amended scheduled claim in accordance with the procedures described herein by the later of (a) the General Bar Date; and (b) 5:00 p.m. prevailing Eastern Time on the date that is thirty (30) days after the date that notice of the applicable amendment to the Schedules is

served on the claimant (the “**Amended Schedules Bar Date**”). Notwithstanding the foregoing, nothing contained herein shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

11. All entities (including, without limitation, individuals, partnerships, corporations, joint ventures and trusts) with foreign addresses that assert a claim against a Debtor that arose or is deemed to have arisen prior to the Petition Date are required to file proofs of claim by February 8, 2019, at 5:00 p.m. prevailing Eastern Time (the “**Foreign Creditors Bar Date**”).

12. All governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date (including secured claims, unsecured priority claims and unsecured nonpriority claims) are required to file proofs of claim by June 10, 2019, at 5:00 p.m. prevailing Eastern Time (the “**Governmental Bar Date**”).

13. Any entity that is required to file a proof of claim in these cases pursuant to the Bankruptcy Code, the Bankruptcy Rules or this Order with respect to a particular claim against a Debtor, but that fails to properly do so by the applicable Bar Date, shall be forever barred, estopped and enjoined from: (a) asserting any claim against the Debtors or their estates or property that (i) is in an amount that exceeds the amount, if any, that is identified in the Schedules on behalf of such entity as undisputed, noncontingent and liquidated or (ii) is of a different nature or a different classification than any claim identified in the Schedules on behalf of such entity (any such claim under subparagraph (a) of this paragraph being referred to herein as an “**Unscheduled Claim**”); or (b) voting upon, or receiving distributions under any chapter 11 plan in these Chapter 11 Cases in respect of an Unscheduled Claim.

14. As soon as practicable, but in any event no later than January 9, 2019, the Debtors, through Prime Clerk or otherwise, shall serve the Bar Date Notice Package, including a

copy of the Bar Date Notice and the Proof of Claim Form substantially in the forms attached hereto as **Exhibit A** and **Exhibit C**, respectively, by first class mail, postage prepaid, on:

- (a) William K. Harrington, United States Trustee for Region 2;
- (b) counsel to the administrative agent under the Debtors' prepetition first lien credit agreement;
- (c) counsel to the indenture trustee under the Debtors' prepetition 7.50% convertible senior notes due 2019;
- (d) the U.S. Attorney for the Southern District of New York;
- (e) counsel to the administrative agent under the postpetition debtor-in-possession financing facility;
- (f) the Internal Revenue Service;
- (g) the Food and Drug Administration;
- (h) the Securities and Exchange Commission;
- (i) all known holders of claims against the Debtors as of the Bar Date Order;
- (j) all parties that have filed Proofs of Claim against the Debtors;
- (k) all parties to executory contracts and unexpired leases with the Debtors;
- (l) all parties to pending litigation with the Debtors;
- (m) the Debtors' current employees, and the Debtors' former employees to the extent that contact information for former employees is available in the Debtors' records;
- (n) all parties who have requested notice of the proceedings in the Chapter 11 Cases;
- (o) all known non-Debtor equity and interest holders of the Debtors as of the date when the Bar Date Order is entered (whose Bar Date Package shall not contain a Proof of Claim); and
- (p) any such other party entitled to notice pursuant to Rule 9013-1(b) of the Local Bankruptcy Rules.

15. As part of the Bar Date Package, the Debtors shall mail one or more Proof of Claim Forms (as appropriate) to the parties receiving the Bar Date Notice. For holders of potential claims listed in the Schedules, the Proof of Claim Form mailed to such entities shall

indicate how the Debtors have scheduled the creditor's claim in the Schedules, including (a) the identity of the Debtor against which the entity's claim is scheduled; (b) the amount of the claim, if any; (c) whether the claim is listed as disputed, contingent or unliquidated; and (d) whether the claim is listed as a secured claim, an unsecured priority claim or an unsecured nonpriority claim.

16. Pursuant to Bankruptcy Rule 2002(1), the Debtors shall publish notice of the Bar Dates in substantially the form of the Publication Notice attached hereto as **Exhibit D**, in the national and international editions of the *New York Times* by 1/9/2019[JLG]. The Publication Notice is hereby approved and shall be deemed good, adequate and sufficient publication notice of the Bar Dates. The Debtors, in their sole discretion, may publish the Publication Notice in other newspapers, trade journals or similar publications. **The Debtors shall also post the Proof of Claim Form and the Bar Date Notice, along with instructions for filing Proofs of Claim on the website established by Prime Clerk for the Debtors' cases:**

<https://cases.primeclerk.com/Synergy/Home-Index>. [JLG]

17. The entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing a date by which holders of claims or interests not subject to the Bar Dates established herein must file such proofs of claim or interest or be barred from doing so.

18. The requirements set forth in Local Bankruptcy Rule 9013-1(b) are satisfied by the contents of the Motion.

19. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

20. The Court shall retain jurisdiction with respect to all matters arising from or related to the interpretation, implementation or enforcement of this Order.

Dated: New York, New York
January 4, 2019

/s/ James L. Garrity, Jr.

HONORABLE JAMES L. GARRITY JR.
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

(Form of Bar Date Notice)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

SYNERGY PHARMACEUTICALS INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 18-14010 (JLG)

Jointly Administered

NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM

**(GENERAL BAR DATE IS FEBRUARY 8, 2019, AT 5:00 P.M.
EASTERN TIME)**

**TO ALL PERSONS AND ENTITIES WITH CLAIMS
AGAINST ANY OF THE DEBTOR ENTITIES LISTED ON
APPENDIX A ATTACHED HERETO:**

On January 2, 2019 the United States Bankruptcy Court for the Southern District of New York (the “**Court**”) entered an order (the “**Bar Date Order**”) establishing certain deadlines for the filing of proofs of claim in the chapter 11 cases of the above-captioned debtors and debtors-in-possession (the “**Debtors**”). A list of all of the Debtors and their respective case numbers is attached as **Appendix A**.

By the Bar Date Order, the court established February 8, 2019, at 5:00 p.m. prevailing Eastern Time (the “**General Bar Date**”) as the general claims bar date for filing proofs of claim in the Debtors’ cases. As described below, the Bar Date Order also establishes different bar dates for other categories of claims. Among other exceptions described below, the General Bar Date does not apply to claims of creditors with a foreign address or any governmental unit.

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: Synergy Pharmaceuticals Inc. (5269); Synergy Advanced Pharmaceuticals, Inc. (4596). The address of the Debtors’ corporate headquarters is 420 Lexington Avenue, Suite 2012, New York, New York 10170.

For your convenience, enclosed with this notice (this “**Notice**”) is a proof of claim form, which identifies on its face the amount, nature, and classification of your claim(s), if any, listed in the Debtors schedules of assets and liabilities and statements of financial affairs filed in these cases (collectively, the “**Schedules and Statements**”).

As used in this Notice, the term “claim” means, as to or against any of the Debtors and in accordance with section 101(5) of title 11 of the United States Code (the “**Bankruptcy Code**”):

(a) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

I. The Bar Dates

The Bar Date Order establishes the following bar dates for filing proofs of claim in these cases (collectively, the “**Bar Dates**”).

- (a) **General Bar Date.** Pursuant to the Bar Date Order, except as described below, all entities holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases are required to file proofs of claim by **February 8, 2019, at 5:00 p.m. prevailing Eastern Time** (the “**General Bar Date**”). These cases were commenced on December 12, 2018 (the “**Petition Date**”). The General Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date, including secured claims, unsecured priority claims, and unsecured nonpriority claims.

- (b) **Foreign Creditors Bar Date.** Pursuant to the Bar Date Order, all entities with foreign addresses holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases are required to file proofs of claim by **February 8, 2019, at 5:00 p.m. prevailing Eastern Time** (the “**Foreign Creditors Bar Date**”). The Foreign Creditors Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date, including secured claims, unsecured priority claims, and unsecured nonpriority claims.
- (c) **Governmental Bar Date.** Pursuant to the Bar Date Order, all governmental units holding claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date (including secured claims, unsecured priority claims, and unsecured nonpriority claims) are required to file proofs of claim by **June 10, 2019, at 5:00 p.m. prevailing Eastern Time** (the “**Governmental Bar Date**”).
- (d) **Amended Schedules Bar Date.** Pursuant to the Bar Date Order, if subsequent to the date of this Notice, a Debtor amends or supplements its Schedules, the affected claimant is required to file a proof of claim or amend any previously filed proof of claim in respect of the amended scheduled claim on or before the later of (i) the General Bar Date and (ii) 5:00 p.m. prevailing Eastern Time on the date that is thirty (30) days after the date that notice of the applicable amendment or supplement to the Schedules and Statements are served on the claimant. The later of these dates is referred to in this Notice as the “**Amended Schedules Bar Date.**”
- (e) **Rejection Bar Date.** Pursuant to the Bar Date Order, any entity asserting claims arising from or relating to the rejection of executory contracts or unexpired leases,

in accordance with section 365 of the Bankruptcy Code and pursuant to an order entered prior to the confirmation of a chapter 11 plan in the applicable Debtor's chapter 11 case (any such order, a "**Rejection Order**"), or claims otherwise related to such rejected agreements, (the "**Rejection Damage Claims**") are required to file proofs of claim by the later of (a) the General Bar Date and (b) 5:00 p.m. prevailing Eastern Time on the date that is thirty (30) days after the entry of the relevant Rejection Order. The later of these dates is referred to in this Notice as the "**Rejection Bar Date.**" For the avoidance of doubt, all prepetition and postpetition claims of any kind or nature arising from or relating to executory contracts or unexpired leases rejected by a Rejection Order must be filed by the Rejection Bar Date.

II. Who Must File A Proof of Claim

Unless one of the exceptions described in Section 5 below applies, if you have a claim that arose or is deemed to have arisen prior to the Petition Date, you **MUST** file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Debtors' bankruptcy estates. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Except where the Rejection Bar Date, the Amended Schedules Bar Date, the Foreign Creditors Bar Date, or the Governmental Bar Date apply to establish a different deadline or one of the exceptions in Section 5 applies, the following entities must file proofs of claim on or before the General Bar Date:

- (a) any Claimant whose Claim against a Debtor is not listed in the applicable Debtors' Schedules or is listed as any of disputed, contingent, or unliquidated, if the holder of such Claim desires to share in any distribution of these bankruptcy cases;
- (b) any Claimant who believes that its Claim is improperly classified in the Claim Schedules, is listed in an incorrect amount, or who desires to have its Claim allowed to a classification or amount other than that identified in the Schedules;
- (c) any Claimant who believes that its prepetition Claims as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its Claim allowed against a Debtor other than that identified in the Schedules; and
- (d) any entity holding a Claim that is allowable under Bankruptcy Code section 503(b)(9) as an administrative expense in the Chapter 11 Cases.

III. What To File

The Debtors are enclosing a proof of claim form for use in these cases. Additional proof of claim forms may be obtained at the following website:

<https://cases.primeclerk.com/Synergy/EPOC-Index>. **Alternatively, parties may obtain copies of Official Bankruptcy Form 410 on the Court's website: www.nysb.uscourts.gov.** [JLG]

All proof of claim forms must be signed by the claimant, or, if the claimant is not an individual, by an authorized agent of the claimant. The proof of claim form must be written in English and be denominated in United States currency. You should attach to your completed

proof of claim form any documents on which the claim is based (or, if such documents are voluminous, attach a summary) or an explanation as to why the documents are not available.

All entities asserting claims against more than one Debtor must file a separate proof of claim with respect to each such Debtor. In addition, any entity filing a proof of claim must identify on its proof of claim form the particular Debtor against which its claim is asserted. A list of the Debtors, together with their respective case numbers, is set forth on **Appendix A**. Any claim filed in the joint administration case number or that otherwise fails to identify a Debtor shall be deemed as filed only against Synergy Pharmaceuticals Inc. If more than one Debtor is listed on the form, the proof of claim will be treated as filed only against the first listed Debtor.

IV. When and Where To File

IF BY MAIL:

Synergy Pharmaceuticals Inc.
Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232
T: (855) 388-4579

IF DELIVERED BY HAND:

Synergy Pharmaceuticals Inc.
Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232
T: (855) 388-4579

IF FILED

ELECTRONICALLY:

[https://cases.primeclerk.com/
Synergy/EPOC-Index](https://cases.primeclerk.com/Synergy/EPOC-Index)

Proofs of claim may NOT be delivered by facsimile or electronic mail

transmission. Proofs of claim will be deemed filed only when **actually received** on or before the applicable Bar Date.

V. Who Need Not File A Proof of Claim

The Bar Date Order further provides that the following entities, whose claims otherwise would be subject to the General Bar Date, need not file proofs of claim:

- (a) any Claimant that already has filed a signed Proof of Claim against the applicable Debtor(s) with the Clerk of the Bankruptcy Court for the Southern District of

New York or Prime Clerk in a form substantially similar to Official Bankruptcy Form 410;

- (b) any Claimant whose Claim is listed on the Schedules if (i) the Claim is not scheduled as “disputed,” “contingent,” or “unliquidated,” (ii) the Claimant agrees with the amount, nature, and priority of the Claim as set forth in the Schedules, and (iii) the Claimant does not dispute that the Claim is an obligation of the Debtor as set forth in the Schedules;
- (c) a holder of a Claim that previously has been allowed by order of this Court;
- (d) any entity who holds a Claim that has been paid in full by any of the Debtors or any other party;
- (e) any entity who holds a Claim that is subject to specific deadlines, aside from those established pursuant to the Bar Date Order, fixed by this Court by separate order;
- (f) any Debtor having a Claim against another Debtor;
- (g) any holder of a Claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than any Claim allowable under section 503(b)(9) of the Bankruptcy Code); and
- (h) any person or entity that holds an equity security interest in the Debtors, which interest is based exclusively upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants, options, or rights to

purchase, sell or subscribe to such a security or interest; *provided, however*, that if any such holder asserts a Claim (as opposed to an ownership interest) against the Debtors (including a Claim relating to an equity interest or the purchase or sale of such equity interest), a Proof of Claim must be filed on or before the applicable Bar Date pursuant to the Bar Date Order.

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Court believe that you have a claim against the Debtors.

VI. Executory Contracts and Unexpired Leases

As described in Section 1 above, any entity wishing to assert a Rejection Damage Claim must file a proof of claim for any prepetition or postpetition damages caused by such rejection, or any other prepetition or postpetition claims of any kind or nature whatsoever relating to the rejected agreement, by the Rejection Bar Date.

VII. Consequences of Failure To File A Proof of Claim by The Applicable Bar Date

Any entity that is required to file a proof of claim with respect to a particular claim against a Debtor, but that fails to do so by the applicable bar date described in this notice, **shall be forever barred, estopped and enjoined from the following:** (a) asserting any claim against the Debtors or their estates or property that (i) is in an amount that exceeds the amount, if any, that is identified in the schedules on behalf of such entity as undisputed, noncontingent and liquidated or (ii) is of a different nature or a different classification than any claim identified in the schedules on behalf of such entity (any such claim being referred to in this notice as an

“unscheduled claim”); or (b) voting upon, or receiving distributions under, any chapter 11 plan in these chapter 11 cases in respect of an unscheduled claim.

VIII. The Debtors’ Schedules and Access Thereto

You may be listed as the holder of a claim against one or more of the Debtors in the Debtors’ Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed proof of claim form(s) regarding the nature, amount and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Court) on account of your claim, the information on the enclosed proof of claim form may reflect the net remaining amount of your claims. If the Debtors believe that you may hold claims against more than one Debtor, you will receive multiple proof of claim forms, each of which will reflect the nature and amount of your claim against one Debtor, as listed in the Schedules.

If you rely on the Debtors’ Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. If you agree with the nature, amount and status of your claim as listed in the Debtors’ Schedules, and if you do not dispute that your claim is only against the Debtor specified by the Debtors in the Schedules, and if your claim is not described in the Schedules as “disputed,” “contingent” or “unliquidated,” you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

IX. Reservation of Rights

The Debtors reserve the right to (a) dispute, or to assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to nature, amount, liability, priority, classification or otherwise; (b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules. Nothing

contained in this Notice shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

X. Additional Information

Copies of the Debtors' Schedules are available for inspection on the Court's website at www.nysb.uscourts.gov. A login and password to the Court's Public Access to Court Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at www.pacer.gov. Copies of the Schedules may also be examined ~~between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, New York, NY 10004-1408.~~ Accessed thru the website established by the Debtors' Claims and Noticing agent, Prime Clerk:

<https://cases.primeclerk.com/Synergy/Home-Index> [JLG]

A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

Dated: New York, New York
January 4, 2019

BY ORDER OF THE COURT

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ Lisa Laukitis

Lisa Laukitis
Christine A. Okike
Four Times Square
New York, New York 10036-6522
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- and -

Ron E. Meisler (admitted *pro hac vice*)
Christopher M. Dressel (admitted *pro hac vice*)
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155 North Wacker Drive
Chicago, Illinois 60606-1720
Telephone: (312) 407-0700
Fax: (312) 407-0411

Counsel for Debtors and Debtors-in-Possession

Appendix A

Debtors	Case Number	Employee Identification Number (EIN)
Synergy Pharmaceuticals Inc.	18-14010	33-0505269
Synergy Advanced Pharmaceuticals, Inc.	18-14011	26-1124596

EXHIBIT C

(Proof of Claim Form)

United States Bankruptcy Court for the Southern District of New York

Fill in this information to identify the case (Select only one Debtor per claim form):

Debtor: _____

Case Number: _____

Official Form 410

Proof of Claim

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Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense (other than a claim entitled to priority under 11 U.S.C. § 503(b)(9)). Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	Name of the current creditor (the person or entity to be paid for this claim) _____	
	Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	Name _____	Name _____
	Number _____ Street _____	Number _____ Street _____
	City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____
	Contact phone _____	Contact phone _____
	Contact email _____	Contact email _____
4. Does this claim amend one already filed?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

<p>6. Do you have any number you use to identify the debtor?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____</p>
<p>7. How much is the claim? \$ _____</p>	<p>Does this amount include interest or other charges? <input type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</p>
<p>8. What is the basis of the claim?</p>	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.</p> <p>_____</p>
<p>9. Is all or part of the claim secured?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.</p> <p>Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</p> <p>Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</p> <p>Value of property: \$ _____</p> <p>Amount of the claim that is secured: \$ _____</p> <p>Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</p> <p>Amount necessary to cure any default as of the date of the petition: \$ _____</p> <p>Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</p>
<p>10. Is this claim based on a lease?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</p>
<p>11. Is this claim subject to a right of setoff?</p>	<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</p>

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check one:

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.	\$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim. \$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____ (mm/dd/yyyy)

Signature

Print the name of the person who is completing and signing this claim:

Name _____
First name Middle name Last name

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____
Number Street

City State ZIP Code

Contact phone _____ Email _____

Official Form 410

Instructions for Proof of Claim

United States Bankruptcy Court

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These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of the date the case was filed.**
- **Fill in the caption at the top of the form.**
- **If the claim has been acquired from someone else, then state the identity of the last party** who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- **Attach any supporting documents to this form.**
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)
Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called “Bankruptcy Rule”) 3001(c) and (d).
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.**

- **A Proof of Claim form and any attached documents must show only the last 4 digits of any social security number, individual’s tax identification number, or financial account number, and only the year of any person’s date of birth.** See Bankruptcy Rule 9037.
- **For a minor child, fill in only the child’s initials and the full name and address of the child’s parent or guardian.** For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent’s website at <http://cases.primeclerk.com/Synergy>.

Understand the terms used in this form

Administrative expense: Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing the bankruptcy estate.
11 U.S.C. § 503.

Claim: A creditor’s right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy.
11 U.S.C. § 101 (5). A claim may be secured or unsecured.

Claim Pursuant to 11 U.S.C. §503(b)(9): A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

Evidence of perfection: Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Priority claim: A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Setoff: Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

Synergy Pharmaceuticals Inc. Claims Processing Center
c/o Prime Clerk LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232

Do not file these instructions with your form

EXHIBIT D

(Form of Publication Notice)

In re:)	Chapter 11
)	
Synergy Pharmaceuticals Inc., <i>et al</i>)	Case No. 18-14010
)	
Debtors. ¹)	Jointly Administered
)	
)	

**NOTICE OF DEADLINES FOR SUBMITTING PROOFS OF CLAIM
AND REQUESTS FOR PAYMENT UNDER BANKRUPTCY CODE
SECTION 503(b)(9) AGAINST THE DEBTOR**

PLEASE TAKE NOTICE THAT on January 4, 2019, the Court entered an order approving the *Debtors’ Motion for Entry of an Order (I) Establishing Deadlines for (a) Submitting Proofs of Claim and (b) Requests for Payment under Bankruptcy Code Section 503(b)(9), (II) Approving the Form and Manner for Submitting such Proofs of Claim and Requests for Payment, and (III) Approving Notice Thereof* [Docket No. 72] (the “**Bar Date Order**”) in the above captioned cases. A copy of the Bar Date Order can be accessed at the Debtors’ restructuring website, <https://cases.primeclerk.com/Synergy/Home-Index>.

The Bar Date Order requires all entities (the “**Claimants**”) holding or wishing to assert a claim that arose or is deemed to have arisen prior to the Petition Date against the Debtor (the “**Claims**”) to submit a proof of claim (“**Proof of Claim**”) so as to be actually received by Prime Clerk, LLC. (“**Prime Clerk**”), the Debtor’s claims and noticing agent, on or before a certain date (the “**Bar Dates**”). Set forth below are the Bar Dates:

<u>General Bar Date</u> (Including 503(b)(9) claims)	All Claimants, other than governmental units and entities with a foreign address, holding or wishing to assert a Claim must submit proof of such Claim so as to be actually received by Prime Clerk by February 8, 2019 at 5:00 p.m. prevailing Eastern Time (the “ General Bar Date ”). Requests for payment under Bankruptcy Code section 503(b)(9) must also be submitted so as to be actually received by Prime Clerk by the General Bar Date.
<u>Foreign Creditors</u> <u>Bar Date</u> (Including 503(b)(9) claims)	All Claimants with foreign addresses holding or wishing to assert a Claim must submit proof of such Claim so as to be actually received by Prime Clerk by February 8, 2019 at 5:00 p.m. prevailing Eastern Time (the “ Foreign Creditors Bar Date ”). Requests for payment under Bankruptcy Code section 503(b)(9) must also be submitted so as to be actually received by Prime Clerk by the Foreign Creditors Bar Date.
<u>Governmental</u>	All governmental units holding or wishing to assert a Claim must submit

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: Synergy Pharmaceuticals Inc. (5269); Synergy Advanced Pharmaceuticals, Inc. (4596). The address of the Debtors’ corporate headquarters is 420 Lexington Avenue, Suite 2012, New York, New York 10170.

<u>Bar Date</u>	proof of such Claim so to be actually received by June 10, 2019 at 5:00 p.m. prevailing Eastern Time (the “ Governmental Bar Date ”).
<u>Amended Schedules Bar Date</u>	In the event the Debtors amend or supplement their schedules of assets and liabilities (collectively, the “ Schedules and Statements ”) to reduce, delete, change the classification of, or add a Claim, the Debtors shall give notice of any such amendment to the holders of any Claim affected thereby, and such holders shall be afforded the later of thirty (30) days from the date on which such notice is given or the General Bar Date or Governmental Bar Date, as applicable, to submit a Proof of Claim with respect to such amended Claim (the “ Amended Schedules Bar Date ”) or be forever barred from doing so.
<u>Rejection Bar Date</u>	Claimants must file a proof of claim arising from the Debtor’s rejection of any executory contract or unexpired lease by the later of the General Bar Date or 5:00 p.m., Eastern Time, on the date that is thirty (30) days after the entry of the relevant rejection order by this Court (the “ Rejection Bar Date ”).

Filing a Proof of Claim. All Proofs of Claim must be submitted so as to be **actually received** no later than 5:00 p.m. prevailing Eastern Time on the applicable Bar Date at the following address:

IF BY MAIL:

Synergy Pharmaceuticals Inc.
Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232
T: (855) 388-4579

IF DELIVERED BY HAND:

Synergy Pharmaceuticals Inc.
Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232
T: (855) 388-4579

IF FILED ELECTRONICALLY:

<https://cases.primeclerk.com/Synergy/EPOC-Index>

**PROOFS OF CLAIM SUBMITTED BY
FACSIMILE OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.**

Contents of Proofs of Claim. Each Proof of Claim must: (i) be written in English; (ii) include a Claim amount denominated in United States dollars; (iii) conform substantially with the Proof of Claim Form provided by the Debtor or Official Form 410; (iv) state a Claim against the Debtor; (v) be signed by the Claimant or if the Claimant is not an individual, by an authorized agent of the Claimant; and (vi) include supporting documentation (or, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available.

Consequences of Failing to Timely Submit Your Proof of Claim. Any Claimant who is required, but fails, to submit a Proof of Claim in accordance with the Bar Date Order on or before the applicable Bar Date shall be forever barred, estopped, and enjoined from asserting such Claim against the Debtors, their property, or their estates (or filing a Proof of Claim with respect thereto), and the Debtors, their property, and their estates shall be forever discharged from any and all indebtedness or liability with respect to such Claim, and such holder shall not be permitted to vote, to accept or reject any plan of reorganization filed in the chapter 11 case, or participate in any distribution on account of such Claim or receive further notices regarding such Claim.

Reservation of Rights. Nothing contained in this notice is intended to or should be construed as a waiver of the Debtors' right to: (a) dispute, or assert offsets or defenses against, any filed Claim or any Claim listed or reflected in the Schedules as to the nature, amount, liability or classification thereof; (b) subsequently designate any scheduled Claim as disputed, contingent or unliquidated; and (c) otherwise amend the Schedules.

Additional Information. If you have any questions regarding the claims process and/or if you wish to obtain a copy of the Bar Date Order (which contains a more detailed description of the requirements for filing proofs of claim), a proof of claim form, **Debtors' Schedules**, or related documents you may do so by contacting Prime Clerk at: (a) (855) 388-4579; or (b) the Debtors' restructuring website <https://cases.primeclerk.com/Synergy/Home-Index>. Please note that Prime Clerk cannot advise you how to file, or whether you should file, a Proof of Claim.