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**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 *SECOND AMENDED*² AGENDA OF MATTERS
SCHEDULED FOR HEARING ON APRIL 23, 2019 AT 11:00 A.M.**

Time and Date of Hearing: April 23, 2019 at 11:00 a.m. (Prevailing Eastern Time)

Location of Hearing: Honorable James L. Garrity Jr., Courtroom 601, United States
Bankruptcy Court, Southern District of New York, One
Bowling Green, New York, NY 10004

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 620 Lee Road, Chesterbrook, Pennsylvania 19087.

² For ease of reference, amended items are italicized.

Copies of Motions and
Applications

Copies of each pleading identified below can be viewed and/or obtained by: (i) accessing the Court's website at www.nysb.uscourts.gov, (ii) contacting the Office of the Clerk of the Court at United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, NY 10004, or (iii) from the Debtors' notice and claims agent, Prime Clerk, LLC, at <https://cases.primeclerk.com/Synergy> or by calling **1-855-388-4579** (toll free from the U.S. and Canada); or **1-646-795-6978** (international) or by e-mail at synergyinfo@primeclerk.com. Note that a PACER password is needed to access documents on the Court's website.

I. RESOLVED MATTER

1. Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 355]

Objection Deadline: March 13, 2019 at 4:00 p.m., Objection deadline extended to April 18, 2019 at 4:00 p.m.

Responses Filed: Objection of the Official Committee of Unsecured Creditors to Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 540]

Debtors' Limited Objection to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 (corrects and replaces Docket No. 542) [Docket No. 544]

Joinder of CRG Servicing LLC and Affiliated Lenders to Creditors' Committee's Objection to

Application of Equity Committee for Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker [Docket No. 547]

Joinder of CRG Servicing LLC and Affiliated Lenders to Debtors' Objection to Application of Equity Committee for Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker [Docket No. 548]

Limited Objection of the United States Trustee to the Application of the Official Committee of Equity Security Holders for an Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. [Docket No. 555]

Related Documents:

Notice of Application for Order Authorizing Employment and Retention of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 29, 2019 [Docket No. 357]

Amended Notice of Presentment of (I) Application of the Official Committee of Equity Security Holders for an Order Authorizing Employment and Retention of Gibson, Dunn & Crutcher LLP as Its Attorneys *Nunc Pro Tunc* to January 29, 2019, and (II) Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 407]

Notice of Cancellation of Hearing Scheduled for March 20, 2019 at 11:00 a.m. [Docket No. 560]

Notice of Adjournment of Hearing With Respect to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to

11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 562]

Notice of Adjournment of Hearing With Respect to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders [Docket No. 616]

Notice of Withdrawal of Debtors' Limited Objection to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 680]

Withdrawal With Prejudice of Joinder of CRG Servicing LLC and Affiliated Lenders to Creditors' Committee's Objection to Application of Equity Committee for Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker [Docket No. 681]

Withdrawal With Prejudice of Joinder of CRG Servicing LLC and Affiliated Lenders to Debtors' Objection to Application of Equity Committee for Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker [Docket No. 682]

Notice of Withdrawal of Objection of the Official Committee of Unsecured Creditors to Application of the Official Committee of Equity Security

Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 683]

Certificate of No Objection to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 693]

Status:

This matter has been resolved. The hearing on this matter is going forward.

II. CONTESTED MATTER

2. Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 516]

Objection Deadline: April 11, 2019 at 4:00 p.m.

Related Documents: Redline of Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 517]

Order (I) Approving the Form and Manner of Notice of the Disclosure Statement Hearing; (II) Approving Disclosure Statement; (III) Scheduling Hearing on Confirmation of Plan; (IV) Establishing Deadlines and Procedures for Filing Objections to the Confirmation of Plan; (V) Establishing Deadlines and Procedures for Voting on the Plan; (VI) Approving Solicitation Procedures; (VII) Establishing Procedures for Tabulation of Votes; and (VIII) Granting Related Relief [Docket No. 541]

Notice of Filing of Solicitation Version of Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 545]

Notice of Filing of Solicitation Version of Third Amended Disclosure Statement for the Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 546]

Notice of (A) Confirmation Hearing With Respect to Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate and (B) Related Objection Deadline [Docket No. 549]

Notice of Certification of Publication of Gregory R. DePalma Regarding Notice of (A) Confirmation Hearing with Respect to Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and its Debtor Affiliate and (B) Related Objection Deadline [Docket No. 589]

Notice of Filing of Plan Supplement to the Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 632]

Notice of Assumption of Executory Contracts by the Liquidating Debtors [Docket No. 633]

Declaration of James Daloia of Prime Clerk LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on The Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 671]

Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 685]

Redline of Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 686]

Notice of Filing of Second Plan Supplement to the Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 687]

Declaration of Sean A. Gumbs, a Senior Managing Director at FTI Consulting, Inc., in Support of Confirmation of the Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 688]

Declaration of Gary G. Gemignani in Support of Confirmation of the Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 689]

Debtors' Memorandum of Law (I) in Support of Confirmation of the Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate and (II) in Response to Objections Thereto [Docket No. 690]

Notice of Filing of Proposed Findings of Fact, Conclusions of Law and Order Confirming Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 691]

Notice of Filing of Third Plan Supplement to the Fourth Amended Joint Plan of Reorganization of Synergy Pharmaceuticals Inc. and Its Debtor Affiliate [Docket No. 706]

Responses Filed:

Objection of the United States Trustee to the Fourth Amended Plan of Reorganization of Synergy Pharmaceuticals, Inc. and Its Debtor Affiliate [Docket No. 666]

Lead Plaintiffs' Reservation of Rights With Respect to Confirmation of Third Amended Joint Plan of Reorganization of Synergy Pharmaceuticals, Inc. and Its Debtor Affiliate [Docket No. 667]

Reply Deadline:

April 18, 2019 at 12:00 p.m.

Status: The hearing on this matter is going forward.

Dated: New York, New York
April 22, 2019

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Ron E. Meisler

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