

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re

KaloBios Pharmaceuticals, Inc.

Debtor.¹

Chapter 11

Case No. 15-12628 (LSS)

NOTICE OF **AMENDED**² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON FEBRUARY 4, 2016 AT 10:00 A.M. (EASTERN TIME)³

MATTERS UNDER CERTIFICATION:

1. Emergency Motion Of The Debtor For Interim And Final Orders Under Section 366 Of The Bankruptcy Code (A) Prohibiting Utility Providers From Altering, Refusing Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, And (C) Establishing Procedures For Determining Adequate Assurance Of Payment (D.I. 19, Filed 1/8/16).

Objection Deadline: January 28, 2016 at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

- a) Interim Order Under Section 366 Of The Bankruptcy Code (A) Prohibiting Utility Providers From Altering, Refusing Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, And (C) Establishing Procedures For Determining Adequate Assurance Of Payment (D.I. 46, Entered 1/12/16);
- b) Notice Of Hearing Re: D.I. 19 And 46 (D.I. 53, Filed 1/13/16);
- c) Certificate Of No Objection Regarding Emergency Motion Of The Debtor For Interim And Final Orders Under Section 366 Of The Bankruptcy Code (A)

¹ The last four digits of the Debtor's federal tax identification number are 7236. The Debtor's address is 442 Littlefield Ave., San Francisco, CA 94080.

² **Amended items appear in bold.**

³ The hearing will be held before Judge Laurie S. Silverstein at the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 6th Floor, Courtroom #2, Wilmington, Delaware 19801.

Prohibiting Utility Providers From Altering, Refusing Or Discontinuing Service, (B) Deeming Utilities Adequately Assured Of Future Performance, And (C) Establishing Procedures For Determining Adequate Assurance Of Payment (D.I. 115, Filed 2/2/16); and

d) Proposed Form Of Order.

Status: A certificate of no objection has been filed.

2. Application Of The Debtor For Entry Of An Order Pursuant To Bankruptcy Code Sections 327(a), 328, 330, And 1107 Authorizing Employment And Retention Of Hogan Lovells US LLP As Counsel For The Debtor In Possession Nunc Pro Tunc To The Petition Date And Statement Required By Bankruptcy Code Section 329, And For Authorization To Apply Retainer To Payment Of Fees And Expenses Incurred In Connection With Services Rendered By Hogan Lovells US LLP Pre-Petition (D.I. 24, Filed 1/8/16).

Objection Deadline: January 22, 2016 at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

- a) Amended Notice Of Application Of The Debtor For Entry Of An Order Pursuant To Bankruptcy Code Sections 327(a), 328, 330, And 1107 Authorizing Employment And Retention Of Hogan Lovells US LLP As Counsel For The Debtor In Possession Nunc Pro Tunc To The Petition Date And Statement Required By Bankruptcy Code Section 329, And For Authorization To Apply Retainer To Payment Of Fees And Expenses Incurred In Connection With Services Rendered By Hogan Lovells US LLP Pre-Petition (D.I. 51, Filed 1/13/16);
- b) Certificate Of No Objection Regarding Application Of The Debtor For Entry Of An Order Pursuant To Bankruptcy Code Sections 327(a), 328, 330, And 1107 Authorizing Employment And Retention Of Hogan Lovells US LLP As Counsel For The Debtor In Possession Nunc Pro Tunc To The Petition Date And Statement Required By Bankruptcy Code Section 329, And For Authorization To Apply Retainer To Payment Of Fees And Expenses Incurred In Connection With Services Rendered By Hogan Lovells US LLP Pre-Petition (D.I. 101, Filed 1/29/16); and
- c) Proposed Form Of Order.

Status: A certificate of no objection has been filed.

3. Debtor's Emergency Motion For Entry Of Interim And Final Orders Pursuant To 11 U.S.C. §§ 105(A), 363, 364, 1107(A) And 1108 And Fed. R. Bank. P. 6003 And 6004 Authorizing The Debtor To (I) Honor Prepetition Obligations To Certain Critical Vendors And (II) Granting Related Relief (D.I. 39, Filed 1/12/16).

Objection Deadline: January 28, 2016 at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

- a) Interim Order Under 11 U.S.C. §§ 105(A), 363, 364, 1107(A) And 1108 And Fed. R. Bank. P. 6003 And 6004 Authorizing The Debtor To (I) Honor Prepetition Obligations To Certain Critical Vendors And (II) Granting Related Relief (D.I. 45, Entered 1/12/16);
- b) Notice Of Hearing Re: D.I. 39 And 45 (D.I. 52, Filed 1/13/16);
- c) Certificate Of No Objection Regarding Debtor's Emergency Motion For Entry Of Interim And Final Orders Pursuant To 11 U.S.C. §§ 105(A), 363, 364, 1107(A) And 1108 And Fed. R. Bank. P. 6003 And 6004 Authorizing The Debtor To (I) Honor Prepetition Obligations To Certain Critical Vendors And (II) Granting Related Relief (D.I. 113, Filed 2/2/16); and
- d) Proposed Form Of Order.

Status: A certificate of no objection has been filed.

4. Motion Of Debtor For Entry Of An Order Pursuant To Bankruptcy Rules 1007(a) And 1007(c) And Local Rule 1007-1(b) Extending The Time To File Schedules Of Assets And Liabilities, Statement Of Financial Affairs, And List Of Equity Security Holders (D.I. 49, Filed 1/12/16).

Objection Deadline: January 26, 2016 at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

- a) Certificate Of No Objection Regarding Motion Of Debtor For Entry Of An Order Pursuant To Bankruptcy Rules 1007(a) And 1007(c) And Local Rule 1007-1(b) Extending The Time To File Schedules Of Assets And Liabilities, Statement Of Financial Affairs, And List Of Equity Security Holders (D.I. 102, Filed 1/29/16); and
- b) Proposed Form Of Order.

Status: A certificate of no objection has been filed.

5. Debtor's Motion Pursuant To Bankruptcy Code Sections 105(a) And 331, Bankruptcy Rule 2016 And Local Rule 2016-2 For An Order Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals (D.I. 71, Filed 1/15/16).

Objection Deadline: January 28, 2016 at 4:00 p.m. (ET).

Responses Received: None.

Related Pleadings:

- a) Certificate Of No Objection Regarding Debtor's Motion Pursuant To Bankruptcy Code Sections 105(a) And 331, Bankruptcy Rule 2016 And Local Rule 2016-2 For An Order Establishing Procedures For Interim Compensation And Reimbursement Of Expenses Of Professionals (D.I. 114, Filed 2/2/16); and
- b) Proposed Form Of Order.

Status: A certificate of no objection has been filed.

CONTESTED MATTERS GOING FORWARD

6. Debtor's Application For Entry Of An Order Under 11 U.S.C. §§ 327(a), 328(a), And 1107(b), Fed. R. Bankr. P. 2014 And 2016, And Del. Bankr. L.R. 2014-1 And 2016-1, Authorizing Retention And Employment Of Morris, Nichols, Arsht & Tunnell LLP As Delaware Bankruptcy Co-Counsel For The Debtor, *Nunc Pro Tunc* To The Petition Date (D.I. 70, Filed 1/15/16).

Objection Deadline: January 28, 2016 at 4:00 p.m. (ET).

Responses Received:

- a) Acting United States Trustee's Objection To Debtor's Application For Entry Of An Order Under 11 U.S.C. §§ 327(a), 328(a), And 1107(b), Fed. R. Bankr. P. 2014 And 2016, And Del. Bankr. L.R. 2014-1 And 2016-1, Authorizing Retention And Employment Of Morris, Nichols, Arsht & Tunnell LLP As Delaware Bankruptcy Co-Counsel For The Debtor, *Nunc Pro Tunc* To The Petition Date (D.I. 98, Filed 1/28/16);
- b) Notice Of Filing Supplemental Authorities In Support Of United States Trustee's Objection To Debtor's Application For Entry Of An Order Under 11 U.S.C. §§ 327(a), 328(a), And 1107(b), Fed. R. Bankr. P. 2014 And 2016, And Del. Bankr. L.R. 2014-1 And 2016-1, Authorizing Retention And**

Employment Of Morris, Nichols, Arsht & Tunnell LLP As Delaware Bankruptcy Co-Counsel For The Debtor, *Nunc Pro Tunc* To The Petition Date (D.I. 117, Filed 2/2/16); and

- c) **Letter from Richard L. Shepacarter to the Honorable Laurie Selber Silverstein (D.I. 121, Filed 2/2/16).**

Related Pleadings:

- a) Notice Of Filing Of Revised Order Granting Debtor's Application For Entry Of An Order Under 11 U.S.C. §§ 327(a), 328(a), And 1107(b), Fed. R. Bankr. P. 2014 And 2016, And Del. Bankr. L.R. 2014-1 And 2016-1, Authorizing Retention And Employment Of Morris, Nichols, Arsht & Tunnell LLP As Delaware Bankruptcy Co-Counsel For The Debtor, *Nunc Pro Tunc* To The Petition Date (D.I. 111, Filed 2/2/16).

Status: This matter is going forward.

7. United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 106, Filed 2/1/16).

Objection Deadline: February 3, 2016 at 2:00 p.m. (ET).

Responses Received:

- a) **Declaration Of Ronald Barliant In Support Of Debtor's Opposition To United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 127, Filed 2/3/16);**
- b) **Limited Response Of Savant Neglected Diseases, LLC To United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 128, Filed 2/3/16);**
- c) **Declaration Of Dr. Cameron Durrant In Support Of Debtor's Opposition To United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 129, Filed 2/3/16);**
- d) **[SEALED] Declaration Of Dr. Cameron Durrant In Support Of Debtor's Opposition To United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 130, Filed 2/3/16);**

- e) **Debtor's Opposition To United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 133, Filed 2/3/16).**

Related Pleadings:

- a) Order Shortening Notice (D.I. 110, Entered 2/2/16); and
b) **Notice Of Hearing (D.I. 120, Filed 2/2/16).**

Status: This matter is going forward.

STATUS CONFERENCE

Gregory Rea, et al. v. Kalobios Pharmaceuticals, Adv. Pro. No. 16-50001

8. Defendants' Motion To Dismiss the Adversary Complaint (A.D.I. 18, Filed 2/1/16).

Related Pleadings:

- a) Opening Memorandum Of Law In Support Of Defendant's Motion To Dismiss The Adversary Complaint (A.D.I. 19, Filed 2/1/16); and
b) Declaration Of John D. Beck In Support Of Defendants' Motion To Dismiss the Complaint (A.D.I. 20, Filed 2/1/16).

Status: This matter is going forward as a status conference only.

ADDITIONAL MATTER

9. **Debtor's Motion To File Under Seal Exhibit To The Declaration Of Dr. Cameron Durrant In Support Of Debtor's Opposition To United States Trustee's Emergency Motion For An Order Directing The Appointment Of A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 131, Filed 2/3/16).**

Objection Deadline: At the hearing

Responses Received: None as of the filing this agenda.

Related Pleadings:

- a) **Debtor's Motion For An Order Pursuant To 11 U.S.C. §§ 102(1) And 105(a), Fed. R. Bankr. P. 9006 And Del. Bankr. L.R. 9006-1(e) Shortening Notice Of Debtor's Motion To File Under Seal Exhibit To The Declaration Of Dr. Cameron Durrant In Support Of Debtor's Opposition To United States Trustee's Emergency Motion For An Order Directing The Appointment Of**

**A Trustee Or, In The Alternative, Conversion To A Chapter 7 Case (D.I. 132,
Filed 2/3/16).**

Status: The Debtors request that this matter go forward.

Dated: February 3, 2016
Wilmington, Delaware

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Matthew B. Harvey

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