

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re

ZYMERGEN INC.,<sup>1</sup>

Liquidating Debtor.

Chapter 11

Case No. 23-11661 (KBO)

**Objection Deadline:**

April 13, 2026, at 4:00 p.m. (ET)

**Hearing Date:**

TBD

**LIQUIDATING TRUSTEE’S MOTION FOR ENTRY OF AN ORDER FURTHER  
EXTENDING THE DEADLINE TO OBJECT TO CLAIMS**

Pursuant to sections 1.20 and 8.1 of the Debtors’ *First Amended Joint Chapter 11 Plan of Liquidation* [D.I. 372-1] (the “Plan”),<sup>2</sup> Neal Goldman, solely in his capacity as liquidating trustee (the “Liquidating Trustee”) of the ZYM Liquidating Trust (the “Liquidating Trust”), by and through its undersigned counsel, submits this motion (the “Motion”), respectfully requesting the entry of an order, substantially in the form attached hereto as **Exhibit A**, extending the deadline to file objections to claims (the “Claims Objection Deadline”) for an additional six months, from March 30, 2026, through and including September 30, 2026,<sup>3</sup> pursuant to section 105 of title 11 of the United States Bankruptcy Code (the “Bankruptcy Code”) and rule 9006 of the Federal Rules

<sup>1</sup> This chapter 11 case is now being administered by the ZYM Liquidating Trust, pursuant to the terms of the Liquidating Debtors’ *First Amended Joint Chapter 11 Plan of Liquidation* [D.I. 372-1]. The ZYM Liquidating Trust’s mailing address is 500 East Broward Boulevard, Ste 1700, Fort Lauderdale, FL 33394.

<sup>2</sup> Capitalized terms used but not defined herein are defined in the Plan.

<sup>3</sup> The Liquidating Trustee notes that having filed this Motion before expiration of the current deadline of March 30, 2026, rule 9006-2 of the Local Rules of the United States Bankruptcy Court for the District of Delaware provides that “the time is automatically extended until the Court acts on the motion, without the necessity for the entry of a bridge order.” Local Rule 9006-2.

of Bankruptcy Procedure (the “Bankruptcy Rules”), without prejudice to any request for a further extension.

### **JURISDICTION**

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334 and 157 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. Pursuant to Local Rule 9013-1(f), the Liquidating Trustee consents to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

3. The statutory bases for the relief requested herein are section 105 of the Bankruptcy Code, Bankruptcy Rule 9006, and Local Rule 9006-2.

### **BACKGROUND**

4. On October 3, 2023, Zymergen Inc. and three of its affiliates, Lodo Therapeutics Corporation, enEvolv, Inc., and Genesis Acquisition Sub, LLC (the “Debtors”), commenced chapter 11 cases by filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code.

5. On February 5, 2024, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Debtors’ First Amended Joint Chapter 11 Plan of Liquidation* (D.I. 372) (the “Confirmation Order”), confirming the Debtors’ Plan. The effective date of the Plan occurred on February 23, 2024 (the “Effective Date”). On the Effective Date, the Liquidating

Trust was established to administer the Plan and the Liquidation Trust Assets were deemed transferred to the Liquidating Trust on the Effective Date without any further action by the Debtors.

6. Section 8.1 of the Plan grants the Liquidating Trustee the power and responsibility to manage the claims reconciliation process and the power to file objections to all claims. *See* Plan, Section 8.1 (“As of the Effective Date, objections to, and requests for estimation of claims against the Debtors may be interposed and prosecuted by the Liquidation Trustee. Such objections and requests for estimation shall be served and filed on or before the Claims Objection Bar Date . . .”).

7. Section 1.20 of the Plan sets the Claims Objection Deadline as “the date that is 180 days after the Effective Date, subject to extension by the Court.” *See* Plan, § 1.20. The Effective Date occurred on February 23, 2024, making the initial Claims Objection Deadline August 21, 2024.

8. Section 1.20 of the Plan expressly provides that the Court may extend the Claims Objection Deadline. The terms of the Liquidating Trust Agreement (the “LTA”) that were approved by the Court as part of the Debtors’ Plan Supplement [D.I. 319-1] also expressly provide that the initial 180-day period for the Liquidating Trustee to object to claims may be extended by the Court.<sup>4</sup> On August 12, 2024, April 16, 2025, and October 28, 2025, the Court entered orders extending the Claims Objection Deadline beyond the initial deadline established in the Plan. *See* D.I. 555, 608, 633. The Claims Objection Deadline is currently March 30, 2026.

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<sup>4</sup> Article 7.1 of the LTA provides that “[a]s soon as practicable, but in no event later than 180 days after the Effective Date, objections to Claims shall be filed with the Bankruptcy Court and served upon holders of each of the Claims to which objections are made, provided, however, that such deadline may be extended by order of the Bankruptcy Court.”

9. To date, the Liquidating Trustee has objected to [fifty-six] claims. The Liquidating Trust also entered into a stipulation with the U.S. Securities and Exchange Commission (the “SEC”), which resolved disputes between the Liquidating Trust and the SEC, subject to the SEC’s approval of further documentation. This Court subsequently entered the *Order Approving the Stipulation Between the ZYM Liquidating Trust and U.S. Securities and Exchange Commission* [D.I. 512] (the “SEC Order”) on June 10, 2024, which, among other things, facilitated the Liquidating Trust’s initial distribution to holders of allowed Class 3 general unsecured claims. Separately, the Liquidating Trust has reached an agreement in principle with the Internal Revenue Service (the “IRS”) to resolve disputes with respect to the claims of the IRS and is working to document same.

10. On July 1, 2024, the Liquidating Trust made a significant initial distribution on allowed Class 3 claims. The initial distribution approximated 78.7 percent on the allowed amount of the claims. On December 20, 2024, the Liquidating Trust made a second interim distribution to allowed Class 3 claimants, increasing their recovery by approximately an additional 7.9 percent.

11. The Liquidating Trustee’s reconciliation of Class 3 claims is nearly complete. There remain a few claims that the Liquidating Trustee hopes to resolve consensually, but the Liquidating Trustee needs additional time to reach such resolutions, or otherwise object to the claims. Accordingly, the Liquidating Trustee files this Motion out of an abundance of caution.

**BASIS FOR RELIEF**

12. Good cause exists to extend the Claims Objection Deadline. The Liquidating Trustee has objected to substantially all the claims that the Liquidating Trustee believes are objectionable. Nevertheless, the Liquidating Trustee is working to resolve a few

remaining Class 3 disputed claims. The Liquidating Trustee files this Motion out of an abundance of caution to ensure that all the claims are appropriately reconciled and classified for the benefit of all of the beneficiaries of the Liquidating Trust (the “Liquidating Trust Beneficiaries”).

13. The Plan contemplates that the Court may extend the Claims Objection Deadline. *See* Plan, § 1.20; LTA, Art. 7.1. In addition, the Court has broad authority pursuant to section 105(a) of the Bankruptcy Code to issue orders necessary to implement the provisions of the Plan and the Bankruptcy Code. *See* 11 U.S.C. § 105(a) (“The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].”).

14. Moreover, Bankruptcy Rule 9006(b) provides that the Court may extend a time period provided under the Bankruptcy Rules or order of the Court for cause shown. Bankruptcy Rule 9006 provides, in pertinent part, as follows:

Except as provided in paragraphs (2) and (3), the court may-at any time and for cause-extend the time to act if: (A) with or without motion or notice, a request to extend is made before the period (or a previously extended period) expires . . . .

Fed. R. Bankr. P. 9006(b)(1)(A).

15. As discussed above, the Liquidating Trust has made significant progress in implementing the Plan following the Effective Date. The Liquidating Trustee has objected to numerous claims, settled with the largest governmental creditor that could have significantly delayed or disrupted distributions to unsecured creditors, and made significant interim distributions to holders of allowed Class 3 claims. Notwithstanding the foregoing, the Liquidating Trustee has identified certain claims that are objectionable and is working to resolve these claims consensually. The Liquidating Trustee therefore seeks to extend the Claims Objection Deadline to

avoid a situation where a claim may be inadvertently allowed due to the expiration of the Claims Objection Deadline.

16. Accordingly, to facilitate the efficient continued administration of the Liquidating Trust, the Liquidating Trustee requests an extension of the Claims Objection Deadline for an additional six months, from March 30, 2026, through and including September 30, 2026, without prejudice to any request for a further extension, if necessary.

17. Moreover, the proposed extension of the Claims Objection Deadline sought by this Motion is well within the range of extensions granted by other courts in this jurisdiction. *See, e.g., In re Structurlam Mass Timber U.C., Inc.*, Case No. 23-10497 (CTG) (Bankr. D. Del. Sept. 12, 2025) [D.I. 793] (extending the claims objection deadline by six months); *In re CL H Winddown LLC*, Case No. 21-10527 (JTD) (Bankr. D. Del. April 5, 2024) [D.I. 1320] (extending the claims objection deadline by 180 days); *In re Indep. Pet Partners Holdings, LLC*, Case No. 23-10153 (LSS) (Bankr. D. Del. Jan. 12, 2024) [D.I. 694] (extending the claims objection deadline by six months); *In re ExpressJet Airlines LLC*, Case No. 22-10787 (MFW) (Bankr. D. Del. May 8, 2023) [D.I. 528] (extending the claims objection deadline by 150 days); *In re Promise Healthcare Group, LLC*, Case No. 18-12491 (CTG) (Bankr. D. Del. Aug. 25, 2021) [D.I. 2478] (extending the claims objection by 180 days).

18. The Liquidating Trustee believes that the requested extension of the Claims Objection Deadline is in the best interests of the Liquidating Trust Beneficiaries and is appropriate under the circumstances as it will provide the Liquidating Trustee with the additional time needed to reconcile the remaining Claims for the benefit of the Liquidating Trust Beneficiaries.

**RESERVATION OF RIGHTS**

19. The Liquidating Trustee reserves the right to seek further extensions of the Claims Objection Deadline, if necessary.

**NOTICE**

20. Notice of this Motion has been given to the Office of the United States Trustee and any other party entitled to notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, the Liquidating Trustee submits that no further notice is required.

**CONCLUSION**

WHEREFORE, the Liquidating Trustee respectfully requests the entry of an order, substantially in the form attached hereto as **Exhibit A**, extending the Claims Objection Deadline for an additional six months, from March 30, 2026, through and including September 30, 2026, and granting to the Liquidating Trustee such other and further relief as the Court deems just and proper.

Dated: March 30, 2026  
Wilmington, Delaware

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

/s/ Sophie Rogers Churchill

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*Counsel to the Liquidating Trust*

**EXHIBIT A**

**Proposed Order**

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

In re

ZYMERGEN INC.,<sup>1</sup>

Liquidating Debtor.

Chapter 11

Case No. 23-11661 (KBO)

**Re: D.I. \_\_\_\_**

**ORDER FURTHER EXTENDING THE DEADLINE TO OBJECT TO CLAIMS**

Upon consideration of the *Liquidating Trustee's Motion for Entry of an Order Further Extending the Deadline to Object to Claims* (the "Motion"); and the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012, and that this Court may enter a final order consistent with Article III of the United States Constitution, (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b), and (iv) notice of the Motion and opportunity for a hearing was sufficient under the circumstances; and the Court having determined that the relief requested in the Motion is necessary and essential for the administration of the Debtors' confirmed chapter 11 Plan and such relief is in the best interests of the Liquidating Trust and the Liquidating Trust Beneficiaries and all other parties in interest; and the legal and factual bases set forth in the Motion having established just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor; it is hereby

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<sup>1</sup> This chapter 11 case is now being administered by the ZYM Liquidating Trust, pursuant to the terms of the Liquidating Debtors' *First Amended Joint Chapter 11 Plan of Liquidation* [D.I. 372-1]. The ZYM Liquidating Trust's mailing address is 500 East Broward Boulevard, Ste 1700, Fort Lauderdale, FL 33394.

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED as set forth herein.
2. The deadline to file objections to claims is hereby extended six months, through and including September 30, 2026, without prejudice to the rights of the Liquidating Trustee to seek further extensions.
3. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).
4. The Liquidating Trustee is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.
5. This Order shall be effective and enforceable by its terms immediately upon entry.
6. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.