IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re: : Chapter 11

MALLINCKRODT PLC, et al., : Case No. 20-12522 (JTD)

Reorganized Debtors. : (Jointly Administered)

OPIOID MASTER DISBURSEMENT TRUST II, : Adversary Proceeding

Plaintiff, : No. 22-50435 (JTD)

v.

ARGOS CAPITAL APPRECIATION MASTER : Re: Docket No. 400 :

Defendants.

VARIOUS DEFENDANTS' RESPONSE TO THE SIXTH MOTION OF THE OPIOID MASTER DISBURSEMENT TRUST II FOR ENTRY OF AN ORDER FURTHER ENLARGING THE TIME TO EFFECTUATE SERVICE OF PROCESS

The undersigned defendants (the "<u>Various Defendants</u>"), by and through their counsel, submit this Objection ("<u>Objection</u>") to the *Sixth Motion of the Opioid Master Disbursement Trust II for Entry of an Order Further Enlarging the Time to Effectuate Service of Process* [D.I. 400] (the "<u>Sixth Extension Motion</u>"), filed on April 8, 2024 by the Plaintiff, Opioid Master Disbursement Trust II (the "<u>Trust</u>"), in the above-captioned adversary proceeding (the "<u>Adversary Proceeding</u>").

1. Through the Sixth Extension Motion, the Trust now seeks a sixth extension of the Service Deadline¹ to October 8, 2024. *See* D.I. 400 ¶ 11. In the Sixth Extension Motion, the Trust

¹ Unless otherwise stated herein, all defined terms shall have the same meaning as in the Various Defendants' Objection to the Fifth Extension Motion (defined *infra*).

Case 22-50435-JTD Doc 405 Filed 04/22/24 Page 2 of 4

incorporates-by-reference its purported justifications for its requested Fifth Extension of the

Service Deadline, which ran on April 9, 2024. See D.I. 400 ¶ 11.

2. As the Trust advances no new arguments for its sixth requested extension of the

Service Deadline, the Various Defendants incorporate by reference the points they made in

response in their Objection to the Fifth Motion of the Opioid Master Disbursement Trust II for

Entry of an Order Further Enlarging the Time to Effectuate Service of Process and the Motion for

Leave to Serve Limited Interrogatories on Defendants [D.I. 275] (the "Objection to the Fifth

Extension Motion") as if stated herein. For all the same reasons stated therein, the Trust has failed

to demonstrate good cause for a sixth extension of the Service Deadline by more than six months

to a date that would be almost two years after the Trust filed the initial Complaint on October 12,

2022, just as the two-year limitations period in Section 546(a) of the Bankruptcy Code was about

to expire.

3. The Court should deny the Sixth Extension Motion.

Remainder of page intentionally left blank.

211468703v.1

Dated: April 22, 2024

Wilmington, Delaware

By: /s/ Daniel A. Mason

Daniel A. Mason (No. 5206) Sabrina M. Hendershot (No. 6286)

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

1313 N. Market Street, Suite 806 Wilmington, Delaware 19801 Telephone: (302) 655-4410 Email: dmason@paulweiss.com shendershot@paulweiss.com

-and-

Andrew Gordon (admitted pro hac vice)
William A. Clareman (admitted pro hac vice)
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Email: agordon@paulweiss.com
 wclareman@paulweiss.com

Counsel to Virtu Americas LLC

By: /s/ Jeremy W. Ryan

Jeremy W. Ryan (No. 4057) Andrew L. Brown (No. 6766)

POTTER ANDERSON CORROON LLP

1313 N. Market Street, 6th Floor Wilmington, Delaware 19801 Telephone: (302) 984-6000 Email: jryan@potteranderson.com

abrown@potteranderson.com

-and-

Philip D. Anker (admitted pro hac vice)
Noah A. Levine (admitted pro hac vice)
Ross E. Firsenbaum (admitted pro hac vice)
Michael McGuinness (admitted pro hac vice)
Austin M. Chavez (admitted pro hac vice)

WILMER CUTLER PICKERING HALE AND DORR LLP

7 World Trade Center 250 Greenwich Street New York, New York 10007 Telephone: (212) 230-8000

Email: philip.anker@wilmerhale.com noah.levine@wilmerhale.com ross.firsenbaum@wilmerhale.com mike.mcguinness@wilmerhale.com austin.chavez@wilmerhale.com

Counsel to Defendants Barclays Capital Inc.; BlackRock Institutional Trust Company, N.A. UK Branch; BlackRock International Limited; Citadel Securities LLC; D.E. Shaw Asymptote Portfolios, L.L.C.; D.E. Shaw Valence Portfolios, L.L.C.; GF Trading LLC; GTS Securities, LLC; Jane Street Capital, LLC; Latour Trading LLC; Morgan Stanley; Morgan Stanley Capital Services LLC; Palomino Limited; PFM Health Sciences, L.P.; RIEF RMP LLC; RIEF Trading LLC; Rock Creek MB, LLC; Spire X Trading LLC; Susquehanna Securities, LLC; Tower Research Capital LLC; T. Rowe Price

Associates, Inc.; T. Rowe Price All-Cap Opportunities Fund, Inc.; T. Rowe Price Balanced Fund, Inc.; T. Rowe Price All-Cap Opportunities Portfolio, a Series of T. Rowe Price Equity Series, Inc.; T. Rowe Price Health Sciences Portfolio, a Series of T. Rowe Price Equity Series, Inc.; T. Rowe Price Equity Index 500 Portfolio, a Series of T. Rowe Price Equity Series, Inc.; T. Rowe Price Moderate Allocation Portfolio, a Series of T. Rowe Price Equity Series, Inc.; T. Rowe Price Global Allocation Fund, Inc.; T. Rowe Price Health Sciences Fund, Inc.; T. Rowe Price Spectrum Conservative Allocation Fund, a Series of T. Rowe Price Spectrum Funds II, Inc.; T. Rowe Price Spectrum Moderate Allocation Fund, a Series of T. Rowe Price Spectrum Funds II, Inc.; T. Rowe Price Spectrum Moderate Growth Allocation Fund, a Series of T. Rowe Price Spectrum Funds II, Inc.; and T. Rowe Price Value Fund, Inc.

CERTIFICATE OF SERVICE

I, Jeremy W. Ryan, do hereby certify that on April 22, 2024, a copy of the foregoing Various Defendants' Response to the Sixth Motion of the Opioid Master Disbursement Trust II for Entry of an Order Further Enlarging the Time to Effectuate Service of Process was served on the parties listed below *via* email.

Counsel to the Plaintiffs

Justin R. Alberto, Esq.
Patrick J. Reilley, Esq.
Melissa M. Hartlipp, Esq.
Cole Schotz P.C.
500 Delaware Avenue, Suite 1410
Wilmington, Delaware 19801
Email: jalberto@coleschotz.com;
preilley@coleschotz.com;
mhartlipp@coleschotz.com

Counsel to the Plaintiffs

Seth Van Aalten, Esq.
Anthony De Leo, Esq.
Conor D. McMullan, Esq.
Julie A. Aberasturi, Esq.
Cole Schotz P.C.
1325 Avenue of the Americas, 19th Floor
New York, New York 10019
Email: svanaalten@coleschotz.com;
adeleo@coleschotz.com;
Cmcmullan@coleschotz.com;
jaberasturi@coleschotz.com

/s/ Jeremy W. Ryan
Jeremy W. Ryan (No. 4057)