

**Letter to Opioid Claimants Regarding Opioid Resolutions, Bar Date Materials and the Chapter 11 Cases of Endo**

We are special counsel to the Official Committee of Opioid Claimants (the “OCC”) in the chapter 11 bankruptcy cases (the “Chapter 11 Cases”) of Endo and its affiliated chapter 11 debtors (collectively, “Endo”). The OCC was appointed at the beginning of the Chapter 11 Cases to serve as a fiduciary for the interests of all holders of claims arising from harm suffered due to Endo’s opioid products and practices (collectively, “Opioid Claims”). We write this letter to inform you of information regarding certain of your rights in Endo’s bankruptcy cases.

If you would like to file a claim against Endo, you will need to fill out the enclosed materials and return them as instructed in the materials. The deadline for Private Opioid Claimants (as defined below) to file a proof of claim is July 7, 2023 (also called the “Bar Date”). If you fail to timely file a proof of claim and are not granted the right to file your claim after the Bar Date has passed, you will likely not be able to receive any proceeds from the trusts that may be established for Private Opioid Claimants.

Endo has determined to conduct an auction to sell substantially all of its assets. On April 3, 2023, the Bankruptcy Court for the Southern District of New York (the “Court”) entered an order which, among other things, approved certain bidding procedures in connection with this auction [ECF No. 1765] (the “Bidding Procedures Order”). Under the Bidding Procedures Order, Endo also received authorization to enter into an agreement with a proposed purchaser of substantially all of its assets—its “stalking horse” (or lead) bidder (the “Stalking Horse Bidder”), which has agreed that it will purchase the assets at a set price if no other bidders emerge.

If the Stalking Horse Bidder is the “Successful Bidder” (as defined in the Bidding Procedures Order), the Stalking Horse Bidder has agreed with the OCC (as part of an overall resolution of various disputes) to establish a voluntary trust (as well as certain voluntary sub-trusts) for the benefit of currently existing “Private Opioid Claimants” (as opposed to public entities, such as governmental, public school or tribal entities asserting opioid claims, which are proposed to be treated separately) (such trust, the “Private Opioid Trust”). The Stalking Horse Bidder has agreed to fund the Private Opioid Trust with \$119.2 million (the “Trust Proceeds”) within the two years following the closing of the sale. Under the terms of the resolution, the Stalking Horse Bidder also has the right to fund the Private Opioid Trust earlier than two years after closing, at a discount. Further details of the resolution reached between the Stalking Horse Bidder and the OCC can be found at the website established by the OCC (the “OCC Website”), which is <https://cases.ra.kroll.com/EndoOpioidClaimantInfo/>.

If the Private Opioid Trust is established, the rights of each currently existing Private Opioid Claimant to obtain distributions will be subject to “Trust Distribution Protocols” setting forth the criteria for evaluating the claims of, and making distributions to, Private Opioid Claimants. There will be separate Trust Distribution Protocols for each category of Private Opioid Claimant, such as, for example, personal injury victims (including children born with neonatal abstinence syndrome), third party payors, hospitals and emergency room physicians.

Importantly, to be eligible to participate in the Private Opioid Trust and receive any Trust Proceeds, any currently existing Private Opioid Claimant must do the following: (a) fill out a proof of claim form and return it prior to the Bar Date as explained and set forth in the proof of claim form and the materials enclosed herein from Endo; and (b) for any claimant that returns a proof of claim form,

such claimant must both (x) voluntarily elect to opt-in to participate in the Trust Proceeds (including, as necessary, providing supporting documentation and any other items required by the Private Opioid Trust or the Private Opioid Claimant's applicable sub-trust), by filling out the "Opt In" form (such form, an "Opt-In Form") online or return it pursuant to the instructions of the Opt-In Form, and (y) execute a voluntary release form (the "Release Form") online or return it pursuant to the instructions on the Release Form. Opt-In Forms and Release Forms will be available to each Private Opioid Claimant that fills out a proof of claim form. If a Private Opioid Claimant executes a Release Form, the Private Opioid Claimant will be agreeing to release certain direct claims (if any) against Endo and its affiliates, the Stalking Horse Bidder, certain private trust and sub-trust administrators and trustees, and other specified parties, to receive Trust Proceeds from the applicable sub-trust. Signing the Release Form will not release claims against, among others, McKinsey & Company, Inc., Arnold and Porter, LLP, or any of the distributors, manufacturers (other than Endo) or pharmacies that have been frequently named as defendants in any of the nationwide opioid litigation. Importantly, a Private Opioid Claimant must **both** submit an Opt-In Form in order to "opt in" to the Private Opioid Trust **as well as** execute the Release Form to be eligible to receive any Trust Proceeds.

The Trust Distribution Protocols, the trust agreements, the Opt-In Forms and the Release Form, once finalized, will be made available at, among other places, the OCC Website, which also includes information on other issues in connection with the Chapter 11 Cases. As noted above, the OCC Website can be found at <https://cases.ra.kroll.com/EndoOpioidClaimantInfo/>. The OCC Website will also include information, prior to the Bar Date, setting forth the allocation of Trust Proceeds among the various categories of Private Opioid Claimants.

Finally, please note that the Stalking Horse Bidder is not certain to be the Successful Bidder, and that any designation of the Stalking Horse Bidder as the Successful Bidder will remain subject to the Court's ultimate approval of the proposed sale at a future hearing. If the Stalking Horse Bidder is not the Successful Bidder, there can be no assurance that the Private Opioid Trust or the various sub-trusts will be established, or that the Trust Proceeds (or any consideration whatsoever) will be made available to Private Opioid Claimants.

If you have any questions about the information in this letter, or about the Chapter 11 Cases, please contact us at the following email address: [EndoCreditorInfo@akingump.com](mailto:EndoCreditorInfo@akingump.com). In addition, we would encourage you to check the box on question 6 (six) in your proof of claim form (and provide you and/or your counsel's email address), which will allow us to continue to correspond with you (and/or your counsel) via email throughout the case. This will also facilitate our ability to send to you (and/or your counsel) the Opt-In Form and the Release Form at the appropriate time, if you fill out and timely return a proof of claim form. Finally, please note that although the OCC represents the interests of all currently existing Private Opioid Claimants *as a whole*, we cannot represent any *individual* Private Opioid Claimant. Thank you.

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