

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

IN RE: Chapter 11 Cases  
VITAL PHARMACEUTICALS, INC., *et al.*,<sup>1</sup> Case No.: 22-17842-PDR  
Debtors. (Jointly Administered)

---

**NOTICE OF BAR DATE FOR FILING APPLICATIONS  
FOR ADMINISTRATIVE EXPENSE CLAIMS**

**NOTICE IS GIVEN THAT** on September 15, 2023, the United States Bankruptcy Court for the Southern District of Florida (the “Court”) entered an *Order Granting Debtors’ Expedited Motion to Fix Bar Date for Filing Applications Seeking Administrative Expenses and to Designate Form and Manner of Notice of Bar Date* [ECF No. 1907] fixing **October 13, 2023** as the deadline for asserting an administrative expense claim (each an “Administrative Expense Claim”) against Vital Pharmaceuticals, Inc., Bang Energy Canada, Inc., JHO Intellectual Property Holdings, LLC, JHO Real Estate Investment, LLC, Quash Seltzer, LLC, Rainbow Unicorn Bev LLC and Vital Pharmaceuticals International Sales, Inc. (each a “Debtor” and, collectively, the “Debtors”).

**NOTICE IS FURTHER GIVEN THAT** any creditor or party in interest seeking allowance of an Administrative Expense Claim against the Debtors other than: (i) Claims representing liabilities incurred in the ordinary course of operating or liquidating the business of the Debtors, (ii) any Indemnification Claim<sup>2</sup> of an Indemnitee, (iii) rejection damage claims for executory contracts and unexpired leases not yet rejected, (iv) Fee Claims, or (v) obligations owed to the Office of the United States Trustee, shall only be permitted to do so by filing a written application **SO THAT IT IS ACTUALLY RECEIVED ON OR BEFORE 4:00 P.M. (PREVAILING EASTERN TIME) on October 13, 2023** (the “Administrative Claims Bar Date”) by the Clerk of the Bankruptcy Court for the Southern District of Florida (the “Clerk”) at the following address:<sup>3</sup>

**U.S. Bankruptcy Court  
299 East Broward Blvd.  
Room 112  
Fort Lauderdale, FL 33301**

---

<sup>1</sup> The address of the Debtors is 1600 N. Park Drive, Weston, FL 33326. The last four digits of the Debtors’ federal tax identification numbers are: (i) Vital Pharmaceuticals, Inc. (8430); (ii) Bang Energy Canada, Inc. (5454); (iii) JHO Intellectual Property Holdings, LLC (0010); (iv) JHO Real Estate Investment, LLC (9394); (v) Quash Seltzer, LLC (6501); (vi) Rainbow Unicorn Bev LLC (2254); and (vii) Vital Pharmaceuticals International Sales, Inc. (8019).

<sup>2</sup> Capitalized terms used in this Notice and not otherwise defined herein shall have the meanings ascribed to such terms in the *Debtors’ Joint Plan of Liquidation* [ECF No. 1875].

<sup>3</sup> An application seeking the allowance of an Administrative Expense Claim may also be filed electronically on the Bankruptcy Court’s CM/ECF system (additional charges apply).

In addition, a copy of any application seeking the allowance of an Administrative Expense Claim must be served on counsel for the Debtors at the following address:

**Berger Singerman LLP**  
**Attn: Jordi Guso, Esq.**  
**1450 Brickell Ave., Suite 1900**  
**Miami, FL 33131**  
**E-mail: [jguso@bergersingerman.com](mailto:jguso@bergersingerman.com)**

**NOTICE IS FURTHER GIVEN THAT** all requests for allowance of Administrative Expense Claims must be submitted in a form and in accordance with the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules for the United States Bankruptcy Court for the Southern District of Florida.

**NOTICE IS FURTHER GIVEN THAT** the failure to assert a request for allowance of an Administrative Expense Claim (i) in accordance with this Notice, and (ii) before the Administrative Expense Claims Bar Date, shall preclude and bar forever any such claimant from asserting an Administrative Expense Claim after the Administrative Expense Claims Bar Date set forth herein.

Dated: September 18, 2023  
Miami, Florida

George A. Davis (admitted *pro hac vice*)  
Liza L. Burton (admitted *pro hac vice*)  
Jonathan J. Weichselbaum (admitted *pro hac vice*)  
**LATHAM & WATKINS LLP**  
1271 Avenue of the Americas  
New York, NY 10020  
Telephone: (212) 906-1200  
Email: [george.davis@lw.com](mailto:george.davis@lw.com)  
[Liza.burton@lw.com](mailto:Liza.burton@lw.com)  
[jon.weichselbaum@lw.com](mailto:jon.weichselbaum@lw.com)

Respectfully submitted,

/s/ Jordi Guso  
Jordi Guso  
Florida Bar No. 863580  
Michael J. Niles  
Florida Bar No. 107203  
**BERGER SINGERMAN LLP**  
1450 Brickell Avenue, Suite 1900  
Miami, FL 33131  
Telephone: (305) 755-9500  
Email: [jguso@bergersingerman.com](mailto:jguso@bergersingerman.com)  
[mniles@bergersingerman.com](mailto:mniles@bergersingerman.com)

– and –

Andrew D. Sorkin (admitted *pro hac vice*)  
**LATHAM & WATKINS LLP**  
555 Eleventh Street, NW, Suite 1000  
Washington, D.C. 20004  
Telephone: (202) 637-2200  
Email: [andrew.sorkin@lw.com](mailto:andrew.sorkin@lw.com)

– and –

Joseph Celentino (admitted *pro hac vice*)  
**LATHAM & WATKINS LLP**  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
Telephone: (312) 876-7700  
Email: [joe.celentino@lw.com](mailto:joe.celentino@lw.com)