

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

In re:

NEW ENGLAND COMPOUNDING
PHARMACY, INC.,

Debtor.

Chapter 11

Case No. 12-19882-HJB

**NOTICE OF NON-VOTING STATUS WITH
RESPECT TO CLASSES PRESUMED TO ACCEPT THE FIRST AMENDED JOINT
CHAPTER 11 PLAN OF NEW ENGLAND COMPOUNDING PHARMACY, INC.**

PLEASE TAKE NOTICE THAT on March 3, 2015, the United States Bankruptcy Court for the District of Massachusetts (the “Court”) entered the *Order (I) Approving the Adequacy of the Amended Joint Disclosure Statement; (II) Approving Solicitation and Notice Procedures With Respect to Confirmation of the Plan Proponents’ First Amended Joint Plan of Reorganization; (III) Approving the Form of Various Ballots and Notices in Connection Therewith; (IV) Scheduling Certain Dates With Respect Thereto; and (V) Granting Related Relief* [Docket No. 1181] (the “Disclosure Statement Order”) that, among other things: (a) approved the adequacy of the *Disclosure Statement for First Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc.* [Docket No. 1155] (as amended and including all exhibits and supplements thereto, the “Disclosure Statement”) filed in support of the *First Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc.* [Docket No. 1154] (as amended and including all exhibits and supplements thereto, the “Plan”); and (b) authorized the Plan Proponents to solicit acceptances or rejections of the Plan from holders of Impaired Claims who are (or may be) entitled to receive distributions under the Plan.¹

PLEASE TAKE FURTHER NOTICE THAT the Disclosure Statement, the Disclosure Statement Order, the Plan, and the other documents and materials included in the Solicitation Package, excepting Ballots, may be obtained at no charge from Donlin, Recano & Co., Inc., the claims and noticing agent retained by the Debtor in the Chapter 11 Cases (the “Claims and Noticing Agent”) by (a) accessing the website for the Claims and Noticing Agent at <http://www.drcdrx.com/cases/caseinfo/necp>; (b) writing to the Claims and Noticing Agent by First Class Mail at P.O. Box 2034, Murray Hill Station, New York, NY 10156-0701, Re: New England Compounding Pharmacy, Inc., Attn: Voting Department; (c) writing to the Claims and Noticing Agent by Hand Delivery or Overnight Mail at 6201 15th Ave, Brooklyn, NY 11219, Re: New England Compounding Pharmacy, Inc., Attn: Voting Department; or (d) calling the

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Plan, the Disclosure Statement, or the Disclosure Statement Order, as applicable.

Claims and Noticing Agent at (212) 771-1128. You may also obtain copies of any pleadings filed in the Chapter 11 Cases for a fee via PACER at: <http://www.mab.uscourts.gov>.

PLEASE TAKE FURTHER NOTICE THAT you are receiving this notice because, pursuant to the terms of the Plan and the applicable provisions of the Bankruptcy Code, your Claim(s) against the Debtor are Unimpaired and, therefore, pursuant to section 1126(f) of the Bankruptcy Code, **you are conclusively presumed to have accepted the Plan and are, therefore, not entitled to vote on the Plan.**

PLEASE TAKE FURTHER NOTICE THAT the Court has established **May 5, 2015**, as the deadline for filing and serving objections to the Confirmation of the Plan (the “Plan Objection Deadline”). Any objection to the Plan must: (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the amount and nature of the Claim; (d) state with particularity the basis and nature of any objection to the Plan; (e) propose a modification to the Plan that would resolve such objection (if applicable); and (f) be filed, contemporaneously with a proof of service, with the Court and served so that it is actually received by each of the following notice parties by the Plan Objection Deadline:

<i>Chapter 11 Trustee</i>	
Paul D. Moore DUANE MORRIS LLP 100 High Street Suite 2400 Boston, MA 02110-1724	
<i>Co-Counsel to the Chapter 11 Trustee</i>	
DUANE MORRIS LLP Michael R. Lastowski 222 Delaware Avenue Suite 1600 Wilmington, DE 19801-1659	HARRIS BEACH PLC Frederick H. Fern 100 Wall Street New York, NY 10005
<i>Counsel to the Committee</i>	
BROWN RUDNICK LLP William R. Baldiga Kiersten A. Taylor One Financial Center Boston, MA 02111	BROWN RUDNICK LLP David J. Molton 7 Times Square New York, NY 10036
<i>U.S. Trustee</i>	
John Fitzgerald Office of the US Trustee J.W. McCormack Post Office & Courthouse 5 Post Office Sq., 10th Fl., Suite 1000 Boston, MA 02109	

PLEASE TAKE FURTHER NOTICE THAT A hearing to confirm the Plan (the “Confirmation Hearing”) will commence on **May 19, 2015 at 10:00 a.m. (Eastern Prevailing Time)** before the Honorable Henry J. Boroff, United States Bankruptcy Judge, in the United States Bankruptcy Court for the District of Massachusetts, 300 State Street, Springfield, MA

01105-2925. Please be advised that the Confirmation Hearing may be continued from time to time by the Court or the Plan Proponents without further notice other than by such adjournment being announced in open court or by a notice of adjournment being filed with the Court and served on parties entitled to notice under Bankruptcy Rule 2002 and the Local Rules or otherwise. In accordance with the Plan, the Plan may be modified, if necessary, prior to, during, or as a result of the Confirmation Hearing without further action by the Plan Proponents and without further notice to or action, order, or approval of the Court or any other entity.

PLEASE TAKE FURTHER NOTICE THAT if you have any questions about the status of any of your Claims, you should contact the Claims and Noticing Agent in accordance with the instructions provided above.

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*Counsel to the Official Committee
of Unsecured Creditors*

Dated: March 6, 2015