

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

In re:

NEW ENGLAND COMPOUNDING
PHARMACY, INC.,

Debtor.

Chapter 11

Case No. 12-19882-HJB

**SUPPLEMENTAL STATEMENT REGARDING CHAPTER 11 TRUSTEE’S MOTION
FOR AN ORDER (I) ESTABLISHING BAR DATES FOR FILING PROOFS OF
CLAIM; (II) APPROVING CERTAIN ADDITIONAL DOCUMENTATION
REQUIREMENTS AND PROCEDURES FOR PERSONAL INJURY TORT AND
WRONGFUL DEATH CLAIMS; (III) APPROVING THE FORM AND MANNER OF
NOTICE THEREOF; AND (IV) GRANTING ADDITIONAL RELATED RELIEF**

1. On June 28, 2013 Paul D. Moore, in his capacity as Chapter 11 trustee (the “Trustee”) in the Chapter 11 proceeding (the “Chapter 11 Case”) of New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center (“NECC” or the “Debtor”), filed the Chapter 11 Trustee’s Motion for an Order (I) Establishing Bar Dates for Filing Proofs of Claim; (II) Approving Certain Additional Documentation Requirements and Procedures for Personal Injury Tort and Wrongful Death Claims; (III) Approving the Form and Manner of Notice Thereof; and (IV) Granting Additional Related Relief [Docket No. 263] (the “Motion”).

2. In addition to establishing procedures for direct notice of the Bar Date¹ to known creditors and parties in interest, the Motion also provides for notice of the Bar Date to potentially unknown creditors by publication and via those entities and individuals that were distributing NECC products during the relevant time period. For example, paragraph 38 of the Motion seeks

¹ Capitalized terms used but not defined herein shall be given the meanings ascribed to them in the Motion.

authority for the Trustee to provide such indirect notice to unknown creditors through third parties identified on two schedules: one listing customers who received products from NECC in the past two years (Schedule 1) and a second listing those health care providers identified on the CDC website as having received lots of methylprednisolone acetate recalled by NECC (Schedule 2). The schedules were not attached to the Motion, as the Trustee continues to gather and process information, but are not necessary for the approval of the Motion and the establishment of the Bar Date. Accordingly, the Trustee intends to attach the schedules (with appropriate redactions) to the certificate of service that will be filed when the Bar Date Notice is served, identifying such parties as recipients of the Bar Date Notice.

Respectfully submitted,

Dated: July 3, 2013
Boston, Massachusetts

PAUL D. MOORE, AS CHAPTER 11 TRUSTEE

BY: /s/ Jeffrey D. Sternklar
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Counsel for the Trustee

CERTIFICATE OF SERVICE

I, Jeffrey D. Sternklar, hereby certify that on this day, July 3, 2013, I caused a copy of the foregoing *Supplemental Statement Regarding Chapter 11 Trustee's Motion for an Order (i) Establishing Bar Dates for Filing Proofs of Claim; (ii) Approving Certain Additional Documentation Requirements and Procedures for Personal Injury Tort and Wrongful Death Claims; (iii) Approving the Form and Manner of Notice Thereof; and (iv) Granting Additional Related Relief*, to be served as indicated on the parties listed on the attached Service List.

/s/ Jeffrey D. Sternklar

Jeffrey D. Sternklar (BBO#549561)

NEW ENGLAND COMPOUNDING PHARMACY, INC.
Chapter 11 Case No. 12-19882-HJB

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