CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed December 29, 2025

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	Chapter 11
OMNICARE, LLC, *et al.* [1]	Case No. 25-80486 (SGJ)
	(Jointly Administered)
Debtors.	

STIPULATION AND AGREED ORDER
REGARDING 11 U.S.C. § 523(c) DEADLINE

[1] The last four digits of Omnicare, LLC's federal tax identification number are 1351. There are 111 Debtors in these chapter 11 cases, which are being jointly administered for procedural purposes only. A complete list of the Debtors and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors' claims and noticing agent at https://cases.stretto.com/Omnicare. The location of Omnicare, LLC's corporate headquarters and the Debtors' service address is One CVS Drive, Mail Code 1160, Woonsocket, RI 02895.

The United States of America (the "**United States**") and Omnicare, LLC ("**Omnicare**") and certain of its affiliates (collectively, the "**Debtors**" and together with the United States, the "**Parties**"), hereby agree and stipulate as follows (this "**Stipulation and Agreed Order**"):

RECITALS

1. On September 22, 2025 (the "**Petition Date**"), the Debtors commenced these cases (the "**Chapter 11 Cases**") by filing voluntary petitions under chapter 11 of the Bankruptcy Code. The Debtors continue to operate their businesses and manage their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. On October 16, 2025, Lisa L. Lambert, the United States Trustee for Region 6 (the "**U.S. Trustee**") appointed the Official Committee of Unsecured Creditors (the "**Committee**") [Docket No. 157].

3. The section 341 meeting of creditors commenced on November 3, 2025. *See Notice of Chapter 11 Bankruptcy Case* [Docket No. 81].

4. The Debtors are pursuing a sale of substantially all their assets pursuant to section 363 of the Bankruptcy Code. *See Debtors' Motion for Entry of an Order (I)(A) Approving Bidding Procedures and the Form and Manner of Notice Thereof, (B) Authorizing the Selection of Stalking Horse Bidder(s) and Approving Bid Protections, (C) Establishing Bid Deadlines and Scheduling the Auction and Sale Hearing(s), and (D) Establishing Certain Assumption and Assignment Procedures and Approving the Manner of Notice Thereof; and (II) Granting Related Relief* [Docket No. 398] (the "**Sale Motion**").

5. On August 18, 2025, following a four-week jury trial, the United States District Court for the Southern District of New York (the "**SDNY District Court**") entered a judgment (the "**Judgment**") in the amount of $948,778,444.10 in favor of the Government and against

Omnicare, consisting of $135,592,814.70 in damages which were trebled under the False Claims Act (a total of $406,778,444.10), plus $542,000,000 in statutory penalties, and $164,800,000 of which the SDNY District Court found CVS Health Corp. to be jointly and severally liable with Omnicare. *See United States of America et al. ex rel. Uri Bassan v. Omnicare, Inc. et al.,* No. 15-cv-4179 (CM) (S.D.N.Y. Aug. 18, 2025) [Docket No. 831] (the "**FCA Action**").

6. The United States asserts that any debts arising from the FCA Action, including the Judgment, are automatically nondischargeable under 11 U.S.C. § 1141(d)(6).

7. Section 1141(d)(6) provides, in part that "the confirmation of a plan does not discharge a debtor that is a corporation from any debt . . . (A) of a kind specified in paragraph (2)(A) or (2)(B) of section 523(a) [of the Bankruptcy Code] . . . ."

8. Section 523(c) of the Bankruptcy Code, in turn, provides that the "debtor shall be discharged from a debt of a kind specified in paragraph (2) . . . or (6) of subsection (a) of this section, unless on request of the creditor to whom such debt is owed . . . the court determines such debt to be excepted from discharge . . . ."

9. Bankruptcy Rule 4007(c) provides that "a complaint to determine whether a debt is dischargeable under §523(c) must be filed within 60 days after the first date set for the §341(a) meeting of creditors. . . . On a party in interest's motion filed before the time expires, the court may, after notice and a hearing and for cause, extend the time to file."

10. The Debtors do not concede that the debts described in 11 U.S.C. § 1141(d)(6) are automatically nondischargeable.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION AND AGREED ORDER, IT IS ORDERED AS FOLLOWS:

11. The above recitals are fully incorporated herein and made an express part of this Stipulation and Agreed Order.

12. The deadline by which the United States may file a complaint or take other action that may be required, if any, in these Chapter 11 Cases to determine the dischargeability of any prepetition debts owed to the United States pursuant to section 1141(d)(6) of the Bankruptcy Code shall be (a) May 25, 2026, or (b) such later date as may be ordered by the Court, without prejudice to the United States' right to seek further extensions of such deadline or to argue that such deadline should not apply, and without prejudice to any party's rights, objections, or defenses related thereto.

13. Nothing in this Stipulation and Agreed Order constitutes a determination that section 523(c) of the Bankruptcy Code or Bankruptcy Rule 4007(c) apply, or that any deadline exists to seek a determination of dischargeability under section 1141(d)(6) of the Bankruptcy Code as to the United States. Nothing in this Stipulation and Agreed Order constitutes a determination that section 523(c) of the Bankruptcy Code or Bankruptcy Rule 4007(c) apply, or that any deadline exists to seek a determination of dischargeability under section 1141(d)(6) of the Bankruptcy Code.

End of Order # #

STIPULATED AND AGREED TO THIS 22nd DAY OF DECEMBER 2025, By and Between:

Counsel to the Debtors and Debtors in Possession:

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