

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
BAXANO SURGICAL, INC.,)	Case No. 14-12545 (JTD)
)	Related to ECF No. 752
Debtor.)	
)	

FINAL DECREE CLOSING THIS CASE AND GRANTING RELATED RELIEF

On the *Motion of the Liquidation Trustee of the Baxano Liquidation Trust for the Entry of a Final Decree Closing this Case and Granting Related Relief* [ECF No. 752] (the “**Motion**”);¹ and due notice and opportunity for a hearing having been provided; and it appearing that no other or further notice must be given; and after due deliberation; and there being cause sufficient for the Court to grant the relief requested in the Motion;

IT IS HEREBY DECREED THAT:

1. The Motion is **GRANTED** as set forth in this Final Decree.
2. Section 2.5(d) of the Liquidation Trust Agreement permits the Trustee to use, and the Trustee may use, the Trust’s \$20,279.15 in cash to satisfy the Trust’s debts, including those to Tamarack, S&L, and the U.S. Trustee.
3. The *Order Granting Motion for Order Approving Distribution of Liquidation Trust Assets* [ECF No. 750] requires the Trustee to distribute, and the Trustee shall distribute, after using the Trust’s \$20,279.15 in cash to satisfy the Trust’s debts, including those to Tamarack, S&L, and the U.S. Trustee, the remainder of the Trust’s cash, pro rata as provided in the Plan, to the holders of

¹ Capitalized terms not defined in this Final Decree have the meanings given to those terms in the Motion.

- (a) the Deferred Hercules Claim and
- (b) the Deferred Professional Administrative Claims.

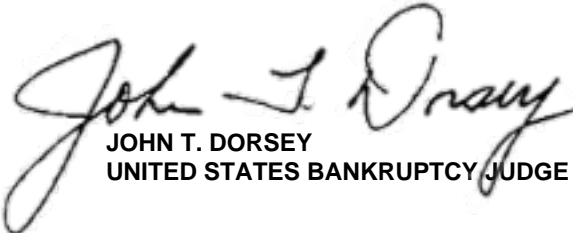
4. Within fourteen (14) days of entry of this Order, the claims agent in this case, Omni Agent Solutions, formerly known as Rust Consulting Omni Bankruptcy (the “**Claims Agent**”), shall (a) forward to the Clerk an electronic version of all imaged claims, (b) upload the creditor mailing list into CM/ECF, and (c) docket a Final Claims Register. The Claims Agent shall further box and transport all original claims to the Philadelphia Federal Records Center, 14470 Townsend Road, Philadelphia, Pennsylvania 19154 (the “**Federal Records Center**”) and docket a completed SF-135 Form indicating the accession and location numbers of the archived claims; however, nothing in this Order shall require the Claims Agent to transport the original claims to the Federal Records Center while the Federal Records Center is not accepting physical records for archiving.

5. This case, which is *In re Baxano Surgical, Inc.*, Case No. 14-12545 (CSS) (Bankr. D. Del.), is closed.

6. The Trustee may take any action that is necessary or appropriate to give effect to the relief that is granted in this Final Decree.

7. The Court retains jurisdiction of any matter arising from this Final Decree, including its interpretation, implementation, and enforcement.

Dated: December 23rd, 2020
Wilmington, Delaware


JOHN T. DORSEY
UNITED STATES BANKRUPTCY JUDGE