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*Proposed Co-Counsel to the Debtors and  
Debtors in Possession*

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Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

INVITAE CORPORATION, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11362 (MBK)

(Jointly Administered)

**NOTICE OF ENTRY OF AN  
ORDER ESTABLISHING A RECORD DATE  
FOR POTENTIAL NOTICE AND SELL-DOWN PROCEDURES  
FOR TRADING IN CERTAIN CLAIMS AGAINST THE DEBTORS' ESTATES**

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<sup>1</sup> The last four digits of Debtor Invitae Corporation's tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at [www.kccllc.net/invitae](http://www.kccllc.net/invitae). The Debtors' service address in these chapter 11 cases is 1400 16<sup>th</sup> Street, San Francisco, California 94103.

**TO: ALL ENTITIES (AS DEFINED BY SECTION 101(15) OF THE BANKRUPTCY CODE) THAT HOLD CLAIMS AGAINST THE DEBTORS:**

**PLEASE TAKE NOTICE** that on February 13, 2024 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed a petition with the United States Bankruptcy Court for the District of New Jersey (the “Court”) under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). Subject to certain exceptions, section 362 of the Bankruptcy Code operates as a stay of any act to obtain possession of property of or from the Debtors’ estates or to exercise control over property of or from the Debtors’ estates.

**PLEASE TAKE FURTHER NOTICE** that on the Petition Date, the Debtors filed the *Debtors’ Motion for Entry of an Order Establishing a Record Date for Potential Notice and Sell-Down Procedures for Trading in Certain Claims Against the Debtors’ Estates* [Docket No. 13] (the “Motion”).<sup>2</sup>

**PLEASE TAKE FURTHER NOTICE** that on February 16, 2024, the Court entered the *Order Establishing a Record Date for Potential Notice and Sell-Down Procedures for Trading in Certain Claims Against the Debtors’ Estates* [Docket No. 56] (the “Record Date Order”), establishing an effective date for potential notice and the Sell-Down Procedures for trading in certain claims against the Debtors’ estates. The “Record Date” is the date that the Record Date Order was entered (*i.e.*, February 16, 2024).

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Record Date Order, claimholders and potential purchasers of claims against the Debtors are hereby notified that claimholders that acquire claims after the Record Date in an amount that would entitle them to

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<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion or Record Date Order, as applicable.

receive more than 4.5 percent of the stock of the reorganized Debtors under the Debtors' plan of reorganization may be subject to a required sell-down of any claims purchased after the Record Date.

**PLEASE TAKE FURTHER NOTICE** that all persons or entities that acquired debt claims against the Debtors after the Record Date and currently hold or come to hold such claims in such an amount that the persons or entities holding such claims would be entitled to receive more than 4.5 percent of the equity of the reorganized Debtors under the Debtors' plan of reorganization shall be required to identify themselves to the Debtors after the Court's approval of a corresponding motion.

**PLEASE TAKE FURTHER NOTICE** that upon the request of any person or entity, the Debtors' claims and noticing agent, Kurtzman Carson Consultants LLC, will provide a copy of the Record Date Order in a reasonable amount of time. Complete copies of the Motion and Record Date Order (including the exhibits attached thereto), are available via PACER on the Court's website at <https://www.njb.uscourts.gov> for a fee, or free of charge by accessing the Debtors' restructuring website at <https://www.kccllc.net/invitae>.

**PLEASE TAKE FURTHER NOTICE** that the entry of the Record Date Order shall in no way prejudice the rights of any party to oppose the entry of a Sell-Down Order, on any grounds, and that all parties' rights are expressly preserved hereby.

**PLEASE TAKE FURTHER NOTICE** that the requirements set forth in this notice are in addition to the requirements of applicable law and do not excuse compliance therewith.

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Dated: February 20, 2024

*/s/ Michael D. Sirota*

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<p><b>If you have questions regarding this notice, please call (866) 967-0263 (US &amp; Canada), +1 (310) 751-2663 (International), or email via <a href="http://www.kccllc.net/invitae/inquiry">www.kccllc.net/invitae/inquiry</a>. For more information, please visit the Debtors' restructuring website at <a href="http://www.kccllc.net/invitae">www.kccllc.net/invitae</a>.</b></p>
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