

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

In re:

GRACEWAY PHARMACEUTICALS, LLC,  
*et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 11-13036 (PJW)

Jointly Administered

Hearing Date: January 25, 2012 at 10:30 a.m. (ET)

Objection Deadline: January 4, 2012 at 4:00 p.m. (ET)

**DEBTORS' MOTION TO APPROVE DEBTORS' REDACTION OF  
PRIVATE INDIVIDUALS' NAMES AND ADDRESSES FROM  
THE SCHEDULES AND STATEMENTS**

The above-captioned debtors and debtors-in-possession (collectively, the "**Debtors**") hereby move this Court (the "**Motion**") for entry of an order, in substantially the form attached hereto as Exhibit A, approving the Debtors' redaction of private individuals' names and addresses from the Schedules and Statements (defined below). In support of this Motion, the Debtors respectfully state as follows:

**Jurisdiction**

1. This Court has jurisdiction over this Motion under 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of this proceeding and this Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409.

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Graceway Pharma Holding Corp., a Delaware corporation (9175), Case No. 11-13037 (PJW); Graceway Holdings, LLC, a Delaware limited liability company (2502), Case No. 11-13038 (PJW); Graceway Pharmaceuticals, LLC, a Delaware limited liability company (5385), Case No. 11-13036 (PJW); Chester Valley Holdings, LLC, a Delaware limited liability company (9457), Case No. 11-13039 (PJW); Chester Valley Pharmaceuticals, LLC, a Delaware limited liability company (3713), Case No. 11-13041 (PJW); Graceway Canada Holdings, Inc., a Delaware corporation (6663), Case No. 11-13042 (PJW); and Graceway International, Inc., a Delaware corporation (2399), Case No. 11-13043 (PJW). The mailing address for Graceway Pharmaceuticals, LLC is 340 Martin Luther King Jr. Blvd., Suite 500, Bristol, TN 37620 (Attn: John Bellamy). On October 4, 2011, Graceway Canada Company filed an application in the Ontario Superior Court of Justice (Commercial List) pursuant to the *Courts of Justice Act*, R.S.O. 1990, c. C. 43.

2. The statutory bases for the relief requested herein are Sections 107 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “**Bankruptcy Code**”) and Rule 9018 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”).

### **Background**

3. On September 29, 2011 (the “**Petition Date**”), each of the Debtors filed a petition with this Court under chapter 11 of the Bankruptcy Code (collectively, the “**Chapter 11 Cases**”). The Debtors are operating their businesses and managing their properties as debtors-in-possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code. On September 30, 2011, the Court entered an order consolidating these Chapter 11 Cases for procedural purposes only [Docket No. 42]. On October 11, 2011, the Office of the United States Trustee appointed an official committee of unsecured creditors pursuant to Section 1102 of the Bankruptcy Code (the “**Committee**”) [Docket No. 90].

4. On October 31, 2011, pursuant to Section 521 of the Bankruptcy Code and Bankruptcy Rule 1007, the Debtors filed their respective Schedules of Assets and Liabilities and Statements of Financial Affairs [Docket Nos. 175-188] (the “**Schedules and Statements**”). Throughout the Schedules and Statements, the Debtors redacted the names and addresses of private individuals to protect the privacy of those individuals.

### **Relief Requested**

5. Although the Debtors do not believe their redaction of private individuals’ names and addresses requires approval by the Court, at the request of the United States Trustee and solely out of an abundance of caution, the Debtors seek entry of an order approving the Debtors’ redaction of private individuals’ names and addresses from the Schedules and Statements.

### **Basis for Relief**

6. The Debtors redacted private individuals' names and addresses from the Schedules and Statements to protect the privacy of those individuals. Courts in this District have regularly allowed debtors to redact from their schedules and statements certain information relating to private individuals without requiring debtors to file motions asking permission to redact. See, e.g., In re Advanta Corp., No. 09-13931 (KJC) (Bankr. D. Del. Jan. 25, 2010) [Docket Nos. 175-212] (debtors' redacted schedules and statements, which were filed without an order authorizing such redactions); In re Visteon Corporation, No. 09-11786 (CSS) (Bankr. D. Del. Aug. 26, 2009) [Docket Nos. 839-868, 870-899] (same); In re Tribune Company, No. 08-13431 (KJC) (Bankr. D. Del. Feb. 14, 2009) [Docket No. 11] (same); In re SemCrude, L.P., No. 08-11525 (BLS) (Bankr. D. Del. October 20, 2008) [Docket Nos. 1805-1808, 1810-1825, 1829-1833] (same).

7. The Debtors provided the United States Trustee with unredacted versions of the Schedules and Statements. The Debtors will also provide unredacted copies to the Committee subject to the terms of the signed confidentiality agreement between the Committee and the Debtors.

8. Because redactions of sensitive information are common practice in chapter 11 cases and because the United States Trustee has been served with unredacted versions of the Schedules and Statements, the Debtors submit that the relief requested herein is appropriate, in the best interests of the Debtors and their estates, and should be granted in all respects.

### **Notice**

9. The Debtors have provided notice of this Motion to: (a) the United States Trustee for the District of Delaware; (b) financing counsel to the administrative agent for the lenders under the Debtors' prepetition first lien credit facility; (c) special restructuring and bankruptcy

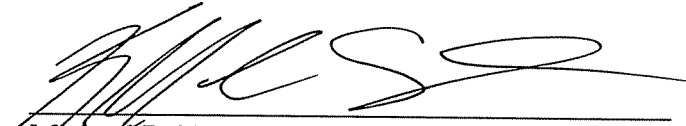
counsel to the administrative agent for the lenders under the Debtors' prepetition first lien credit facility; (d) counsel to the administrative agent for the lenders under the Debtors' prepetition second lien credit facility; (e) the administrative agent for the lenders under the Debtors' prepetition unsecured mezzanine credit facility; (f) the Committee; (g) the creditors listed on the Debtors' consolidated list of 30 largest unsecured creditors, as filed with the Debtors' chapter 11 petitions; (h) the Food and Drug Administration; (i) the Internal Revenue Service; and (j) all parties requesting notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, the Debtors submit that no further notice is required or needed under the circumstances.

10. A copy of the Motion is available on the Court's website: [www.deb.uscourts.gov](http://www.deb.uscourts.gov). Additional copies of the Motion are available for free on the website of the Debtors' claims, noticing, soliciting and balloting agent, BMC Group, Inc., at [www.bmcgroup.com/graceway](http://www.bmcgroup.com/graceway), or can be requested by calling (888) 909-0100 from within the United States or +1 (310) 321-5555 if calling from outside the United States.

WHEREFORE, the Debtors respectfully request that this Court enter the Order, substantially in the form attached hereto as Exhibit A, (a) approving the Debtors' redaction of private individuals' names and addresses from the Schedules and Statements and (b) granting such other and further relief as this Court deems appropriate.

Dated: December 21, 2011  
Wilmington, Delaware

Respectfully Submitted,



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