

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re : Chapter 11 Case No.  
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IMPATH INC., et al. : 03-16113 (PCB)  
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Debtors. : (Jointly Administered)  
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**POSTCONFIRMATION ORDER AND NOTICE**

WHEREAS, a confirmation order was entered on March 21, 2005 (the “Confirmation Order”) and whereas it is the responsibility of the trustee (the “Trustee”) of the liquidating trust (the “Liquidating Trust”) established pursuant to the Debtors’ Third Amended Joint Plan of Liquidation Under Chapter 11 of the Bankruptcy Code, dated January 20, 2005, as amended by that Order Authorizing the Debtors to Make Certain Technical Modifications to Their Chapter 11 Plan (the “Plan”), to inform the Court of the progress made towards: (i) consummation of the Plan under section 1102(2) of title 11 of the United States Code (the “Bankruptcy Code”), (ii) entry of a final decree under Rule 3022 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and (iii) case closing under section 350 of the Bankruptcy Code:

**IT IS THEREFORE ORDERED** that the Trustee shall act as the “Responsible Party” under Rule 3022-1 of the Local Bankruptcy Rules for the Southern District of New York (the “Local Rules”) and shall comply with the following, except to the extent the Court orders otherwise:

1. Periodic Status Reports. Subject to the requirements set forth in paragraph 3 of this post-confirmation order (the “Order”) and section 1106(a)(7) of the Bankruptcy Code, the Trustee shall file, within forty-five (45) days after the date of this Order, a status report detailing the actions taken by the Trustee and the progress made toward consummation of the Plan (the “Report”). Reports shall be filed thereafter every January 15th, April 15th, July 15th, and October 15th until a final decree has been entered.
2. Notice. The Trustee shall mail a copy of this Order to the Office of the United States Trustee for the Southern District of New York, the attorneys for the official committee of unsecured creditors and all parties requesting notice who have filed with the Court a notice of appearance pursuant to Bankruptcy Rule 2002.

3. Case Closing, Closing Report and Final Decree. When all Disputed Claims<sup>1</sup> have become Allowed Claims or disallowed by Final Order, and all of the Liquidating Trust Assets have been distributed in accordance with the Plan, the Trustee shall file a closing report in accordance with Local Rule 3022-1 and an application for approval of final accounting and for entry of a final decree. If the Trustee fails to comply with this Order, the Clerk shall so advise Chambers and an order to show cause may be issued.

Dated: October 4, 2005  
New York, New York

/s/ Prudence Carter Beatty  
HONORABLE PRUDENCE CARTER BEATTY  
UNITED STATES BANKRUPTCY JUDGE

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<sup>1</sup> All capitalized terms not expressly defined in this Order shall have the meanings ascribed to them in the Plan.