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*Proposed Attorneys for the Debtors  
and Debtors in Possession*

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

In re:

EIGER BIOPHARMACEUTICALS, INC.,  
*et al.*<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-80040 (SGJ)

(Jointly Administered)

**AGENDA FOR HEARING  
SCHEDULED FOR MAY 7, 2024 AT 1:30 P.M.  
(PREVAILING CENTRAL TIME)**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) hereby file this agenda for matters set for hearing on **May 7, 2024 at 1:30 p.m.** (prevailing Central Time), before the Honorable Stacey G. C. Jernigan at the United States Bankruptcy Court for the Northern District of Texas, at Courtroom #1, Earle Cabell Federal Building, 1100 Commerce Street, Dallas, Texas 75242-1496.

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors’ service address is 2100 Ross Ave., Dallas, Texas 75201.



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**AGENDA MATTERS**<sup>2</sup>

1. *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts (II) Honor Certain Obligations Relating Thereto; and (III) Granting a Waiver of Certain Deposit and Investment Requirements In 11 U.S.C. § 345(b) and the UST Guidelines* [Docket No. 4];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Interim Order Authorizing the Debtors to (I) Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts (II) Honor Certain Obligations Relating Thereto; and (III) Granting a Waiver of Certain Deposit and Investment Requirements In 11 U.S.C. § 345(b) and the UST Guidelines* [Docket No. 89]
- c. *Notice of Hearing for May 7, 2024 Setting* [Docket No. 113]
- d. *Amended Notice of Hearing for May 7, 2024 Setting* [Docket No. 169]
- e. *Debtors' Witness and Exhibit List* [Docket No. 201]

**Status: This matter is going forward on a uncontested basis, subject to the resolution of certain informal comments.**

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<sup>2</sup> The Debtors have resolved any informal comments of the United States Trustee to all First and Second Day Motions. The Debtors have not filed Certificates of No Objection and Certificates of Counsel, nor have they uploaded any orders for signature, pending resolution of the United States Trustee's Motion to Transfer Venue.

2. *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing the Debtors to Pay Certain Taxes and Fees* [Docket No. 11];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Interim Order Authorizing the Debtors to Pay Certain Taxes and Fees* [Docket No. 88]
- c. *Notice of Hearing for May 7, 2024 Setting* [Docket No. 113]
- d. *Amended Notice of Hearing for May 7, 2024 Setting* [Docket No. 169]
- e. *Debtors' Witness and Exhibit List* [Docket No. 201]

**Status:** This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.

3. *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Honor and Continue Certain Customer Programs and Customer Obligations in the Ordinary Course of Business, and (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests Related Thereto* [Docket No. 17];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Interim Order (I) Authorizing the Debtors to Honor and Continue Certain Customer Programs and Customer Obligations in the Ordinary Course of*

*Business, and (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests Related Thereto [Docket No. 87]*

- c. *Notice of Hearing for May 7, 2024 Setting [Docket No. 113]*
- d. *Amended Notice of Hearing for May 7, 2024 Setting [Docket No. 169]*
- e. *Debtors' Witness and Exhibit List [Docket No. 201]*

**Status: This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.**

4. *Debtors' Debtors' Application for Entry of an Order Authorizing (I) the Retention of Alvarez & Marsal North America, LLC to Provide the Debtors a Chief Restructuring Officer and Certain Additional Personnel and (II) Designating Douglas Staut as Chief Restructuring Officer for the Debtors Effective as of the Petition Date [Docket No. 150];*

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings [Docket No. 19]*
- b. *Alvarez & Marsal North America, LLC Engagement Letter [Docket No.150-2]*
- c. *Declaration of Douglas Staut in Support of Debtors' Application for Entry of an Order Authorizing (I) the Retention of Alvarez & Marsal North America, LLC to Provide the Debtors a Chief Restructuring Officer and Certain Additional Personnel and (II) Designating Douglas Staut as Chief Restructuring Officer for the Debtors Effective as of the Petition Date [Docket No. 150-3]*
- d. *Amended Notice of Hearing for May 7, 2024 Setting [Docket No. 169]*
- e. *Debtors' Witness and Exhibit List [Docket No. 201]*

**Status:** This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.

5. *Debtors' Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals* [Docket No. 154];

**Related Documents:**

- a. *Amended Notice of Hearing for May 7, 2024 Setting* [Docket No. 169]
- b. *Debtors' Witness and Exhibit List* [Docket No. 201]

**Status:** This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.

6. *Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Sidley Austin LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date* [Docket No. 155];

**Related Documents:**

- a. *Sidley Austin Engagement Letter* [Docket No. 155-1, Exhibit 1]
- b. *Declaration of Thomas R. Califano in Support of the Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Sidley Austin LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date* [Docket No. 155-2]
- c. *Declaration of Douglas Staut in Support of the Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Sidley Austin LLP as*

*Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date* [Docket No. 155-3]

- d. *Amended Notice of Hearing for May 7, 2024 Setting* [Docket No. 169]
- e. *Debtors' Witness and Exhibit List* [Docket No. 201]

**Status: This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.**

7. *Debtors' Application for Entry of an Order Authorizing the Employment and Retention of SSG Advisors, LLC as Investment Banker Effective as of the Petition Date* [Docket No. 156];

**Related Documents:**

- a. SSG Capital Advisors, LLC Engagement Agreement [Docket No. 156-2]
- b. *Declaration of J. Scott Victor in Support of the Debtors' Application for Entry of an Order Authorizing Employment and Retention of SSG Capital Advisors, LLC as Investment Banker to the Debtors Effective as of the Petition Date* [Docket No. 156-3]
- c. *Amended Notice of Hearing for May 7, 2024 Setting* [Docket No. 169]
- d. *Debtors' Witness and Exhibit List* [Docket No. 201]

**Status: This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.**

8. *Debtor's Motion for Entry of an Order Authorizing the Debtors to Retain and Compensate Professionals Utilized in the Ordinary Course of Business* [Docket No. 157];

**Related Documents:**

- a. *Emergency Notice of Hearing for May 7, 2024 Setting* [Docket No. 191]
- b. *Debtors' Witness and Exhibit List* [Docket No. 201]

**Status: This matter is going forward on a uncontested basis, subject to the resolution of the Venue Motion.**

9. *United States Trustee's Emergency Motion to Transfer Venue or Dismiss under 28 U.S.C. §§ 1406 and 1408 and Fed. R. Bankr. P. 1014(a)(2)* [Docket No. 111];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Hearing on the United States Trustee's Emergency Motion to Transfer Venue or Dismiss under 28 U.S.C. §§ 1406 and 1408 and Fed. R. Bankr. P. 1014(a)(2)* [Docket No. 118]
- c. *Debtors' Objection to United States Trustee's Emergency Motion to Transfer Venue or Dismiss Under 28 U.S.C. §§ 1406 and 1408 and Fed. R. Bankr. P. 1014(a)(2)* [Docket No. 200]
- d. *Debtors' Witness and Exhibit List* [Docket No. 201]
- e. *Joinder of Innovatus Life Sciences Lending Fund I, LP to United States Trustee's Emergency Motion to Transfer Venue or Dismiss under §§ 1406 and 1408 and Fed. R. Bankr. P. 1014(a)(2)* [Docket No. 219]

**Status:** This matter is going forward on a contested basis.

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Dated: May 6, 2024  
Dallas, Texas

**SIDLEY AUSTIN LLP**

*/s/ Thomas R. Califano*

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*Proposed Attorneys for the Debtors and Debtors  
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**Certificate of Service**

I certify that on May 6, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ Thomas R. Califano  
Thomas R. Califano