se 24-80040-sgj11 Doc 304 Filed (15/29/21) Entered (15/29/21/16:35:03 Docket #0304 Date Filed: 05/29/2024 Case 3:24-cv-01309-K Main Docume Inclined Fage 1 013 Fage 1 Case 24-80040-sgj11 Doc 304 Filed 05/20/24

BTXN 049 (rev. 03/15)

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

In Re:		§	
Eiger BioPharmaceuticals, Inc.		§ 8	Case No.: 24–80040–sgj11
	Debtor(s)	§	Chapter No.: 11
Innovatus Life Sciences Lending Fund	l I, LP	§	
-	Appellant(s)	§	
VS.		§	
Eiger Biopharmaceuticals, Inc., et al.		§	
	Appellee(s)	§	
		§	
		§	
		§	
		8	

# **NOTICE OF TRANSMITTAL**

T	am	transmitting	•
1	am	uansmung	•

	The Motion for leave to Appeal 28 U.S.C. § (USDC Civil Action No. DNC Case).
	The Motion for Stay Pending Appeal (USDC Action No. – DNC Case).
	The Proposed Findings of Fact and Conclusions of Law.
	The Motion to Extend Time To File Designation (USDC Civil Action No DNC Case).
	On , the Record on Appeal was transmitted. The designation of record or item(s) designated by were not filed when the record was transmitted. The item(s) were filed on awaiting instructions from the assigned district judge.
	Other
V	Copies of: Notice of appeal, appealed order [260] and supporting documents

**TO ALL ATTORNEYS**: File all subsequent papers captioned and numbered with the appropriate division of the United States District Clerk's Office. Any questions concerning this proceeding should be directed to the U.S. District Clerk's Office at (214) 753-2200.

DATED: 5/29/24 FOR THE COURT: Kevin McNatt, Clerk of Court

by: /s/Sheniqua Whitaker, Deputy Clerk

BTXN 116 (rev. 07/08)

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

# APPEAL SERVICE LIST

# Transmission of the Record

BK Case No.: <u>24–80040–sgj11</u>
Received in District Court by:
Date:
Volume Number(s):
cc: Stacey G Jernigan Courtney Lauer Nick Olivencia Attorney(s) for Appellant US Trustee

Appellant Innovatus Life Sciences Lending Fund I, LP

KRAMER LEVIN NAFTALIS & FRANKEL, LLP Adam C. Rogoff (admitted Pro Hac Vice) P. Bradley ONeill (admitted Pro Hac Vice) Andrew J. Citron (admitted Pro Hac Vice) 1177 Avenue of the Americas New York, NY 10036

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**Appellee** Eiger Biopharmaceuticals, Inc., EBPI Merger Inc., EB Pharma LLC, Eiger BioPharmaceuticals Europe Limited, and EigerBio Europe Limited

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# Case 24-80040-sgj11 Doc 304 Filed 05/29/24 Entered 05/29/24 16:35:03 Desc Case 3:24-cv-01309-K Main DocumenFiled Page 9/24 5 Page 4 of 5 Page D 4

BTXN 150 (rev. 11/10)

In Re:

Eiger BioPharmaceuticals, Inc.

\$ \$ Case No.: 24–80040–sgj11 \$ Chapter No.: 11

Debtor(s)

## **CIVIL CASE COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

### I. (a) APPELLANT

Innovatus Life Sciences Lending Fund I, LP

- (b) County of Residence of First Listed Party: (EXCEPT IN U.S. PLAINTIFF CASES)
- (c) Attorney's (Firm Name, Address, and Telephone Number) KRAMER LEVIN NAFTALIS & FRANKEL, LLP Adam C. Rogoff (admitted Pro Hac Vice) P. Bradley ONeill (admitted Pro Hac Vice) Andrew J. Citron (admitted Pro Hac Vice) 1177 Avenue of the Americas New York, NY 10036

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-and-

o another district

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#### APPELLEI

Eiger Biopharmaceuticals, Inc., et al.

County of Residence of First Listed Party: (IN U.S. PLAINTIFF CASES ONLY)

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II. BASIS OF JURISDICTION				Federal Question		Diversity	
C U.S. Government Plaintiff	O 2	U.S. Government Defendant	<b>⊙</b> 3	(U.S. Government Not a Party)	O 4	(Indicate Citizenship of Parties in Item III)	
III. CITIZENSHIP OF PRINCI	PAL PAR	TIES					
Citizen of This State	$\circ$ $_{\scriptscriptstyle 1}$	O 1		ed or Principal Place is In This State	0	4 O 4	
Citizen of Another State	O 2	$\circ$ 2		ed <i>and</i> Principal Place is In Another State	0	5 ° 5	
Citizen or Subject of a Foreign Country	O 3	O 3	Foreign N	ation	0	6 ° 6	
IV. NATURE OF SUIT							
<sup>C</sup> 422 Appeal 28 USC 158 C 423 Withdrawal 28 USC 157 C 890 Other Statutory Actions							
V. ORIGIN	•						
Original Proceeding	$\circ$ 2	Removed from State Court	O 3 R	emanded from Appellate Co	ourt	Reinstated or 4 Reopened	
C Transferred from	0	Multidistrict	Ο A	ppeal to District Judge from	ı		

Litigation

Magistrate Judgment

Case 24-80040-sgj11 Doc 304 Filed 05/29/24 Entered 05/29/24 16:35:03 Desc Case 3:24-cv-01309-K Main DocumenFiled Patgle 5 20f 5 Page 5 of 5 Page 1D 5

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  $422\ Appeal\ 28\ USC\ 158$ 

Brief description of cause:

Notice of appeal of a bankruptcy court order

VII. R	REQUESTED IN COMPLAINT:		
	CHECK IF THIS IS A <b>CLASS ACTION</b> UNDER F.R.C.P. 23	B DEMAND \$	CHECK YES only if demanded in complaint:  JURY DEMAND: Yes No
VIII. R Judge;	RELATED CASE(S) IF ANY Start	Docket Number:	3:24-ev-01195-X

DATED: 5/29/24 FOR THE COURT:
Kevin McNatt, Clerk of Court
by: /s/Sheniqua Whitaker, Deputy Clerk