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*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.*¹

Debtors.

Chapter 11

Case No. 24-80040 (SGJ)

(Jointly Administered)

**AMENDED AGENDA FOR HEARING
SCHEDULED FOR JUNE 26, 2024 AT 1:30 P.M.
(PREVAILING CENTRAL TIME)**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) hereby file this amended agenda for matters set for hearing on **June 26, 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.

¹ 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.



AGENDA MATTERS

1. *Debtors' Motion for Entry of an Order (I) Setting Bar Dates for Filing Proofs of Claim; (II) Approving Form and Manner for Filing Proofs of Claim; and (II) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(B)(9) Requests Notice of Bar Dates*
[Docket No. 309]

Related Documents:

- a. *Notice of Hearing for June 26, 2024 Setting* [Docket No. 310]
- b. *Debtors' Witness and Exhibit List* [Docket No. 356]
- c. *Debtors' Amended Witness and Exhibit List* [Docket No. 363]

Status: This matter is going forward on a uncontested basis.

2. *Debtors' Motion for Entry of an Order (I)(A) Approving the Bid Procedures; (B) Authorizing the Debtors to Select Sentynyl Therapeutics, Inc. as the Zokinvy Stalking Horse Purchaser & Approving Bid Protections; (C) Approving the Bid Protections Relating to the Remaining Assets Stalking Horse Purchaser(s), if any; (D) Establishing Bid Deadlines, Auction(s), and Sale Hearing(s); (E) Approving the Form and Manner of Sale Notice; (F) Approving Assignment and Assumption Procedures; (G) Approving the Form and Manner of Potential Assumption and Assignment Notice; (II)(A) Authorizing the Sale of the Assets Free and Clear; and (B) Approving the Assumption and Assignment of Designated Contracts; and (III) Granting Related Relief* [Docket No. 13]

Related Documents:

- a. *Order (I)(A) Approving the Bid Procedures; (B) Authorizing the Debtors to Select Sentynl Therapeutics, Inc. as the Zokinvy Stalking Horse Purchaser & Approving Bid Protections; (C) Approving the Bid Protections Relating to the Remaining*

Assets Stalking Horse Purchaser(s), if Any; (D) Establishing Bid Deadlines, Auction(s), and Sale Hearing(s); (E) Approving the Form and Manner of Sale Notice; (F) Approving Assignment and Assumption Procedures; (G) Approving the Form and Manner of Potential Assumption and Assignment Notice; (II)(A) Authorizing the Sale of the Assets Free and Clear; and (B) Approving the Assumption and Assignment of Designated Contracts; And (III) Granting Related Relief [Docket No. 94]

- b. *Notice of Filing of Revised Bid Procedures* [Docket No. 119]
- c. *Notice of Cure Amounts and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with the Remaining Assets Sale Transaction(s)* [Docket No. 313]
- d. *Fujifilm Diosynth Biotechnologies, U.S.A., Inc.'s Objection and Reservation of Rights Regarding Debtors' Notice of Cure Amounts and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with the Remaining Asset Sale Transaction(s)* [Docket No. 327]
- e. *Objection and Reservation of Rights Regarding Debtors' Notice of Cure Amounts and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with the Remaining Assets Sale Transaction(s)* [Docket No. 328]
- f. *Objection of Biorasi, LLC to Debtors' Notice of Cure Amounts and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with the Remaining Assets Sale Transaction(s)* [Docket No. 329]

- g. *Revised Notice of Sale, Bid Procedures, Auction, and Sale Hearing* [Docket No. 331]
- h. *Notice of Selection of Stalking Horse Bidder* [Docket No. 333]
- i. *Notice of Hearing for June 26, 2024 Setting* [Docket No. 334]
- j. *Notice of Selection of Winning Bid* [Docket No. 350]
- k. *Amended Notice of Cure Amounts and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with the Remaining Assets Sale Transactions(s)* [Docket No. 351]
- l. *Debtors' Witness and Exhibit List* [Docket No. 356]
- m. *Declaration of Craig D. Warznak in Support of the Debtors' Motion for the Sale of the Avexitide Assets and Motion for Entry of the Final Order (I) Authorizing the Debtors to Use Cash Collateral; (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties; and (III) Modifying the Automatic Stay* [Docket No. 361]
- n. *Debtors' Amended Witness and Exhibit List* [Docket No. 363]
- o. *Notice of Proposed Form of Avexitide Sale Order* [Docket No. 366]

Status: This matter is going forward on an uncontested basis. The Debtors do not plan on going forward with Cure Objections and will adjourn the hearing on those matters to a later date in coordination with the objecting parties in the event the Debtors and objecting parties cannot consensually resolve the outstanding objections.

[Remainder of the page intentionally left blank.]

Dated: June 25, 2024
Dallas, Texas

SIDLEY AUSTIN LLP

/s/ Thomas R. Califano

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Certificate of Service

I certify that on June 25, 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