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

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

Debtors.

Chapter 11

Case No. 24-80040 (SGJ)

(Jointly Administered)

### AFFIDAVIT OF PUBLICATION OF NOTICE OF DISCLOSURE STATEMENT HEARING AND CLASS OBJECTION DEADLINE IN THE NEW YORK TIMES AND SAN FRANCISCO CHRONICLE

This Affidavit of Publication includes sworn statements verifying that the Notice of Disclosure Statement Hearing and Class Objection Deadline was published and incorporated by reference herein as follows:

- 1. In *The New York Times* on July 18, 2024, attached hereto as **Exhibit A**.
- 2. In the San Francisco Chronicle on July 18, 2024, attached hereto as Exhibit B.

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 Avenue, Dallas, Texas 75201.



# Exhibit A



620 8th Avenue New York, NY 10018 nytimes.com

#### PROOF OF PUBLICATION

July 18, 2024

I, Tami Bacon, in my capacity as a Principal Clerk of the Publisher of The New York Times, a daily newspaper of general circulation printed and published in the City, County, and State of New York, hereby certify that the advertisement annexed hereto was published in the editions of The New York Times on the following date or dates, to wit on.

7/18/2024, NY& NATL, pg B3



Digitally signed by John McGill Date: 2024.07.18 11:16:16 -04'00'

Tami Bacon

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION
In re: EIGER BIOPHARDMACEUTICALS
| Division | Deadline | District of Service | Distric

# Amazon Employees in Britain Reject Union

By ESHE NELSON

LONDON — A fight to form the first union at an Amazon warehouse in Britain came to an end this week, as organizers of the effort fell short by just 28 votes.

About 2,600 employees at the warehouse in Coventry, in the Midlands of England, took part in a ballot for union recognition, which would have forced Amazon to negotiate collectively with the bulk of workers there over working conditions, as well as pay, holiday and other benefits. More than 3,000 Amazon workers were eligible to vote

But in the end, the effort failed, with only 49.5 percent voting in favor in a poll approved by the Central Arbitration Committee, a government body. It is the closest any Amazon center in Britain has come to being unionized.

The results come amid accusations by GMB, a nationwide union, lawyers and some workers that the American tech giant had been heavy-handed in its efforts to discourage unionization. Amazon has a history of pushing back against union movements. In the United States, only one warehouse, on Staten Island, has a formally recognized union. A labor union in Germany has been trying to get collective bargaining powers for more than a decade.

The vote fell "agonizingly short" of a majority, said GMB, which counts Amazon employees among its 500,000 members from various occupations.

"Amazon bosses have created a culture of fear for low-paid workers trying to improve their pay, terms and conditions," said Stuart Richards, an organizer at GMB.

Amazon defended its workplace practices. "We place enormous value on engaging directly with our employees," said Tim Hobden, a spokesman for Amazon, adding that the company has "always worked hard to listen to them, act on their feedback and invest heavily in great pay, benefits and skills development - all in a safe and inclusive workplace."



GMB, a nationwide union with 500,000 members, said the vote fell "agonizingly short" of a majority.

GMB cannot make another bid for formal recognition for three vears, but workers are continuing a legal claim that accuses Amazon of illegally trying to induce employees to quit the union.

Workers claimed the company pressured them to attend several seminars that suggested the union would jeopardize employees pay and benefits. They also said the company liberally displayed QR codes to make it easy to cancel union membership, which lawvers said was a breach of British law that prohibited companies from making offers to employees to not be in a union. Amazon said that attending the meetings was voluntary and that GMB also held meetings in the warehouse.

"Amazon has thrown everything at it," said Rosa Curling, a director at Foxglove, a legal group whose cases focus on big tech companies and is representing about 900 Amazon workers in a claim against the company.

Paramanathan Pradeep, 42, has worked at the Coventry warehouse for about six years alongside his wife and parents. He said the company had tried "scaring" workers by suggesting that union recognition could mean the end of overtime, an important source of additional income for many work-

In the Coventry warehouse, union activities have been intensifying for the past two years. But the fight for unionization has been a long and halting journey. In August 2022, employees walked off the job to protest a pay increase that they felt was insulting after working during the hectic days of the pandemic. Impromptu cafeteria sit-ins broke out in several locations. Since then, about 1,200 workers in Coventry signed up with GMB, which gives them individual representation in the workplace but not collective bargaining

"The last two years have been monumental for us," said Amanda Gearing, a GMB organizer who has been a supporter of Amazon workers for more than a decade. "These workers that have taken off on a massive journey.'

At the warehouse, which is about 400,000 square feet spread over two floors, employees tend to work 10-hour shifts, four days a week, as well as overtime. The site handles only small packages, filled with things like candles, hand soap and baby clothes, which arrive from suppliers and are sorted and sent out to other distribution centers within a few

In the past year and a half, there have been more than 30 days of strikes as some employees are calling for the higher hourly pay of 15 pounds (about \$19.50). The wage for associates, a majority of the workers at Amazon facilities, is £12.30 to £13 per hour, depending on the location. That has increased 20 percent in the past two vears and is above the national minimum wage of £11.44.

# Musk Says He'll Put Hubs Of X and SpaceX in Texas

and ELI TAN

Elon Musk said on Tuesday that he would move the headquarters of two of his businesses, the social media platform X and the rocket manufacturer SpaceX, to Texas, escalating an increasingly contentious fight with California.

Mr. Musk blamed a California law, signed on Monday by Gov. Gavin Newsom, a Democrat, that bars school districts from requiring teachers to notify parents if their children change their gender identification. Mr. Musk called the law "the final straw" and said he had warned Mr. Newsom that such legislation would "force families and companies to leave California to protect their children."

Mr. Musk said SpaceX would move its headquarters from Hawthorne, Calif., to its Starbase facility in Boca Chica, Texas. X, which is based in San Francisco, will move to Austin.

SpaceX, X and Mr. Musk did not immediately respond to requests for comment. Mr. Newsom's office responded by pointing to a Tuesday post on X in which he implied that Mr. Musk was pandering to Donald J. Trump. Mr. Musk endorsed the former president on Saturday.

Mr. Musk has long had a lovehate relationship with California, chafing at what he says is overzealous government intervention in the state. He previously moved the headquarters of his electric car company, Tesla, from Palo Alto, Calif., to Austin in the wake of the Bay Area's coronavirus lockdowns in 2020. Mr. Musk called restrictions that made Tesla's factory in Fremont, Calif., shut down "fascist."

He has also criticized the state for being slow to innovate and delaying civil improvement projects by overregulating. And he has said crime and drug use in San Francisco has made it difficult for him to come and go unencumbered from X's office. He has sparred with local politicians and said the city has fallen into a "doom loop."

But he has been hesitant to abandon California entirely, continuing to tap Silicon Valley and its technical talent for his artificial intelligence and engineering efforts.

Texas has no state income tax or capital gains tax, making it an attractive home for high earners like Mr. Musk and some of his employees. The governor's office there did not immediately respond to a request for comment.

Still, moving the headquarters will have limited impact on the underlying financials of Mr. Musk's

companies, said Eric Talley, a corporate law and governance professor at Columbia Law School.

"The optics of this whole thing is that Mr. Musk is making this announcement as kind of a protest statement, something that has nothing to do with corporate law," Mr. Talley said. "I would be surprised if either SpaceX or X ends up completely evacuating the

Mr. Musk has been outspoken on transgender issues. He has complained online, posting on X in 2020 that "pronouns suck." He has instructed employees who police hate speech on the platform to consider "cisgender," a word that refers to people who are not transgender, a slur, he said in a post on

In 2022, one of Mr. Musk's children filed paperwork to officially change her name and gender. According to Mr. Musk's biographer, Walter Isaacson, she had tried to hide her gender identity from her father, but he found out from another member of the family. On paperwork related to her name change, the daughter wrote, "I no longer live with or wish to be related to my biological father in any way, shape or form."

The new California law is intended to protect transgender children from being outed to their parents. Several school boards in California have enacted policies that require school employees to inform parents if their child moves to change their name or gender identity, but the new law would prevent that.

Tennessee and North Carolina have enacted similar policies mandating that teachers inform parents as part of a "parental rights" movement backed by national conservative organizations.

In addition to avoiding California laws by threatening to move some of his companies' physical headquarters to Texas, Mr. Musk has worked to remove his firms from the legal oversight of Delaware courts. While many of his companies, including SpaceX, Tesla and X, have had physical headquarters in California, the businesses claimed Delaware, a state that corporations typically choose for its tax system and business-friendly courts, as their official legal home.

Tesla was sued in a Delaware court over Mr. Musk's pay package as the car maker's chief executive. In January, a Delaware judge voided the compensation package, saying it was excessive. Tesla shareholders responded by approving the package, valued at roughly \$46.5 billion, and moving the company's legal home to

## Exiled Chinese Billionaire Is Convicted of Fraud

**By MICHAEL FORSYTHE** 

Guo Wengui, the exiled Chinese billionaire who transformed himself from a Beijing insider into a fierce critic of the Chinese Communist Party and a favorite of the American right, was convicted on Tuesday of defrauding investors of hundreds of millions of dollars.

Mr. Guo, also known as Miles Guo, was accused of using a number of schemes — club memberships, cryptocurrencies, a sale of private shares in his media company - to fleece his followers and maintain a lavish lifestyle. On the fourth day of deliberations, a jury in the Southern District of New York found him guilty on nine of 12 charges, including racketeering conspiracy, securities fraud and money laundering conspiracy. Set to be sentenced on Nov. 19, Mr. Guo could face decades in prison or the remote possibility of extradition to China.

In a trial lasting almost two months, government prosecutors highlighted rambling videos Mr. Guo had made for his thousands of supporters, often guaranteeing no losses on their investments. The proceeds helped pay for a mansion in New Jersey, a Lamborghini roadster and a \$100 million investment in a hedge fund. Prosecutors also drew on bank records, invoices and the testimony of Mr. Guo's former employees and jilted investors, who had been drawn to a wealthy Beijing expatriate dedicated to ending the seven-decade rule of the Chinese Communist

"Is Miles Guo a real political activist or not? I don't know, I don't care, and neither should vou," Juliana Murray, an assistant U.S. attorney, told the jury on Thursday. "He's an opportunist. He's a fraud-

The conviction is the end point of a remarkable trajectory for Mr. Guo, who made his original fortune in China building hotels and acquiring a brokerage company. Along the way, he allied himself with Ma Jian, a senior intelligence official in the country's feared Ministry of State Security. Mr. Guo used his access to sensitive information to take down people who stood in his way, including a deputy mayor of Beijing who opposed his plans to build a massive office and hotel complex next to the site of the 2008 Olympic Games.

Mr. Guo's time in China came to an abrupt end in 2015, after Mr. Ma was detained by the government. Mr. Guo fled to America and bought a \$68 million Manhattan penthouse overlooking Central Park, winning the approval of the building's co-op board with the help of a recommendation letter from the former British Prime



Guo Wengui at his Manhattan penthouse in 2017. Mr. Guo made his original fortune in China building hotels and acquiring a brokerage company

Minister Tony Blair.

Mr. Guo may be unique in that he thrived — until he didn't — in two very different political systems. When he came to the United States, he cultivated political relationships to burnish his image, but this time it was with members of the American right, especially Stephen K. Bannon, a longtime adviser to former President Donald J. Trump. By early 2017, shortly after Mr. Trump took office, Mr. Guo was a member of Mar-a-Lago, Mr. Trump's club in Palm Beach, Fla.

That year, Mr. Guo applied for political asylum and publicly accused senior Chinese leaders of corruption. China sought to extradite him, enlisting the support of a senior Republican official in a failed attempt to lobby the Trump administration. Beijing also leveled its own charges against him, including bribery and rape, aided by testimony from his former patron Mr. Ma.

Mr. Guo, whose age has been described as anywhere from 54 to 57, did not take the stand in his trial. His lawyers argued that his businesses were legitimate and were designed to further his anti-Communist crusade. His efforts included running a Chinese-language streaming site and a Twitter-like social media platform, both popular with exiles. The three counts on which Mr. Guo was found not guilty were related to his media company GTV: wire and securities fraud, and "unlawful monetary transactions." Mr. Guo was the leader of a "po-

litical enterprise of people banded together to bring down one of the world's most powerful governments, and so that's what they set out to do," Sidhardha Kamaraju, one of Mr. Guo's lawyers, said in closing remarks last week. "They started setting up the infrastructure to help carry that movement

But prosecutors countered the portrayal of Mr. Guo as a principled anti-Communist leader with recordings, made by a former employee, of a heated conversation in 2021 about how to execute some planned money transfers. Mr. Guo could be heard screaming at his employees in Mandarin, yelling "scumbag" and "go to hell" and a string of other epithets. Prosecutors played the tape to jurors on Wednesday and again on Thursday to drive home the point.

"That's the boss of a criminal enterprise," Ms. Murray said.

Mr. Guo's defense was also undermined by the behavior of his followers, so-called fellow fighters who were deployed far and wide to attack his perceived enemies, including a prominent Chinese

They demonstrated outside the Cambridge, Mass., home of a government witness, the son-in-law of a court-appointed bankruptcy trustee for Mr. Guo, handing out inflammatory pamphlets with a Communist hammer-and-sickle. They also went to the school where the witness's wife was a third-grade teacher. She was "really panicked, really upset, just really, you know, crying and unsettled and just kind of overcome with fear," Daniel Copeland, the witness, told the court.

Throughout the trial, prosecutors worked to associate Mr. Guo with Mr. Bannon, named a co-conspirator by the government but not indicted. Mr. Bannon had a \$1 million consulting contract with one of Mr. Guo's companies and had a hand in creating three organizations that were central to the government's case. On multiple occasions, his picture was shown on screens placed in front of the ju-

Mr. Bannon, who recently began serving a prison term for contempt of Congress, declined to speak on the record about the

New York Harbor to announce the formation of the New Federal State of China, which aimed to supplant the Communist govern-That August, Mr. Bannon was arrested on Mr. Guo's yacht on unrelated federal charges of defrauding donors to a private fundraising effort called We Build the Wall. He was pardoned by Mr.

In June 2020, he appeared

alongside Mr. Guo on a boat in

state charges in New York. As Chinese officials began to seize Mr. Guo's properties and bank accounts in China and Hong Kong, Mr. Guo turned to those supporters to fund his opulent lifestyle, according to witnesses at the trial.

Trump in the final hours of his

presidency but still faces similar

Mr. Guo was arrested at his New York penthouse in March 2023. Even after the dozen charges against him, he retained fervent followers around the world, dozens of whom showed up to watch the trial and await the verdict. Last week, his two most prominent Chinese supporters, the former soccer star Hao Haidong and his wife, Ye Zhaoying, once the world's top-ranked women's badminton player, were in the gallery among dozens of others. The New Federal State of China website posted daily trial transcripts in English and Chi-

Mr. Guo, dressed in a dark double-breasted suit, sat expressionless as he listened over headphones to a translation of the judge reading the verdict. After the jury of eight men and four women was dismissed, he shook Mr. Kamaraju's hand and hugged another of his lawyers.

The jury began deliberating on Thursday afternoon, but hit a snag on Friday when a juror was dismissed after conducting an internet search for information about one of Mr. Guo's indicted coconspirators, who is now a fugitive. The jury had to pause deliberations while an alternate was

Three floors below their deliberations at the federal courthouse in Lower Manhattan, another jury was deciding the fate of Senator Robert Menendez, the New Jersey Democrat accused of bribery, obstruction of justice and other crimes. On Tuesday he was found guilty on all counts.

In a statement after the Guo verdict, the U.S. attorney for the Southern District, Damian Williams, said: "Thousands of Guo's online followers were victimized so that Guo could live of a life of excess. Today, Guo's schemes have been put to an end."



SpaceX launching its Starship rocket at the company's Starbase in Boca Chica, Texas. SpaceX's headquarters, however, are in Hawthorne, Calif.

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION : EIGER BIOPHARMACEUTICALS, INC., et al.<sup>1</sup> Case No. 24–80040 (SGJ)

NOTICE OF DISCLOSURE STATEMENT HEARING AND CLASS OBJECTION DEADLINE

ion (collectively, the "<u>Debrors</u>") filed with the United States Bankurptcy. Court for the Northern District of Texas (the "<u>Bankruptcy Court</u>") the *Join of Eiger Biopharmaceuticals, Inc. and Its Debtor Affiliates Pursuan* to Chapter 11 of the Bankruptcy Code [Docket No. 424] (as such may b lified, amended, or supplemented from time to time hereafter, includ ing a**ll** exhibits and supplements thereto, the "<u>Plan</u>") and the *Disclosur.* Statement for Joint Plan of Eiger Biopharmaceuticals, Inc. and Its Debto Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 425 (as such may be modified, amended, or supplen nereafter, including all exhibits and supplements thereto, the "<u>Disclosure</u> <u>Statement</u>") pursuant to sections 1125 and 1126(b) of title 11 of the United States Code (the "Bankruptcy Code"). Copies of the Plan and the Disdosure Statement may be obtained upon request of the Debtors counsel at the address specified below and are on file with the Clerk of the Court, 1100 Commerce Street, Dallas, Jevas 75242, where they are available for review between the hours of 8:00 a.m. to 5:00 p.m., prevailing Centra Time. The Plan and the Disclosure Statement also are available for inspection, for a fee, at https://pacer.gov (account required) or, free of charge, (

the Debtors'restructuring website at https://veritaglobal.net/eiger.<sup>2</sup> A hearing will be held before the Honorable Judge Jernigan, Unitec States Bankruptcy Judge, in Courtroom 1 of the United States Bankruptcy Court, 1100 Commerce Street, Dallas, Texas 75242, on J**uly 29, 2024 a**t 9:30 a.m. prevailing Central Time, to consider the adequacy Disclosure Statement, any objections to the Disclosure Statement or the Debtors' classification of such Holder's Claim or Interest as unimpaired, and ther matter that may properly come before the Bankruptcy Court

Please be advised that you may participate at the hearing either in person or by an audio or video connection. Audio communication will be by use of the Court's dial-in facility. You may acces the facility at **(650) 479-3207**. The access code is **2304 154 2638**. Vide communication wi**ll** be by use of the Cisco WebEx platform. Connect via th Cisco WebEx application or click the link on Judge Jernigan's home pag https://us-courts.webex.com/meet/jerniga. The meeting code is 2304
154 2638. Click the settings icon in the upper right corner and enter you name under the personal information setting. Please be advised that the Combined Hearing may be continued from time to time by the Court o the Debtor without further notice other than by such adjo announced in open court or by a notice of adjournment filed with the Cour

CRITICAL INFORMATION

Notice Record Date. The notice record date is July 22, 2024, which is the record date for determining which Holders of Claims and Interests are

entitled to receive Non-Voting P̃ackages under the Plan. <u>Class Treatment</u>. The Plan and Disclosure Statement describe in detail nsactions contemplated by the Plan and the treatmen arizes the classes of Claims and Interests, their status, and vot

Class 3 | Prepetition Term Loan Claims | Unimpaired | Not Entitled to Vote (Deemed to Accept) |

and nature of any objection and, if practicable, a proposed modification to the Plan (or related materials) that would resolve such objection, and (d) be filed with the Bankrupty Court (contemporaneously with a proof of service) and served upon the following parties so as to be actually received on or before July 29, 2024 at 9:30 a.m., prevailing Central Time (the "Class Objection Deadline): (i) Debtors: Eiger BioPharmaceuticals Inc., 2100 Ross Avenue, Dallas, Texas 75201, Attn: Douglas Staut, Chief Restructuring Officer, Email: dstaut@ Eiger BioPharmaceuticals Inc., 2100 Ross Avenue, Dallas, Texas 75201, Attn: Douglas Staut, Chief Restructuring Officer, Email: dataut@alwarezandmarsal.com; (ii) Counsel to the Debtors: Sidley Austin LLP, 787 Seventh Avenue, New York, New York 10019, Facsimile: (212) 839–5599, Attn: William E. Currin, Anne G. Wallice, Email-wcurrin@sidley.com, anne wallice@sidley.com; (iii) United States Trustee: Office of the United States Trustee; 1100 Commerce Street, Room 976, Dallas, Texas 75242, Attn: Elizabeth A. Young, Email: elizabeth.a.young@usdoj.gov; (iv) Proposed Counsel to the Official Committee of Unsecured Creditors: Munsch Hardt Kopf & Har, PC. 200 N. Akard Street, Suite 4000, Dallas, IX 75201, Telephone: (713) 485–7300, Facsimile (713) 485–7344, Attn: Davor Rukavina, Thomas Berghman, Garrick Smith, Email: drukavina@munsch.com, therghman@munsch.com, gsmith@munsch.com—and-Meland Budwick, PA., 3200 Southeast Financial Center, Coo South Biscayne Blbd, Milami, Florida 3313, Telephone: (303) 358– 200 South Biscayne Blyd., Miami, Florida 33131, Telephone: (305) 358 5363, Attn: Michael S. Budwick, Daniel N. Gonzalez, Meaghan E. Murphy Shira A. Baratz, Email: mbudwick@melandbudwick.com, dgonzalez nelandbudwick.com, mmurphy@melandbudwick.com, sbaratz@ nelandbudwick.com; **(v) Proposed Counsel to the Official Equity** metantoutowick.com; (v) Proposed course to the ortical Equity Security Holders' Committee: Porzio, Bromberg, & Newman, P.C., 100 Southgate Parkway, P.O. Box 1997, Morristown, NI 07962, Telephone: 1973) 538-4006, Attr. Warren I., Martin Jr., Radhel A. Parisi, David E. Sklar, Email: WiMartin@plonlaw.com, RAParisi@phnlaw.com, DESklar@pbnlaw.com—and- McKool Smith, P.C. 600 Travis Street, Suite Tool, Houston, Texas 77002, Telephone: (713) 485-7300, Facsimile (713) 485-7344, Attn: John J.Sparacino, Esq., Email: jsparacino/emckoolsmith.com.
UNLESS AN OBJECTION IS TIMELY SERVED AND FILED IN
ACCORDANCE WITH THIS NOTICE IT MAY NOT BE CONSIDERED BY THE

<u>Class Objection Deadline</u>. Objections, if any, to the Debtors' lassification of such Holder's Claim or Interest as unimpaired must: (a)

be in writing; (b) conform to the Federal Rules of Bankruptcy Procedure, the Bankruptcy Local Rules for the Northern District of Texas, and any orders of the Court; (c) state, with particularity, the legal and factual bases

YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE

PLAN, INCLUDING THE SUMMARY OF CLASSES AND TREATMENT OF CLAIMS OR INTERESTS IN ARTICLE III OF THE PLAN, AS YOUR RIGHTS MIGHT BE AFFECTED. digits of each Debtor's federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LL (8352); Eiger BioPharmaceuticals Europe Limited (I/M2) and EigerBio Europe Limited (I/M4). The Debtor's service address is 2100 Ross Avenue,

Dallas,Texas 75201 Ordios, recons 2201.

Capitalized terms used but not defined herein have the meanings given to them in the Plan or the Disclosure Statement, as applicable. The statements contained herein are summaries of the provisions contained in the Plan and the Disclosure Statement and do not purport to be precise or complete statements of all the terms and provisions of the Plan or the

chart summarizes the dasses of Claims and Interests, their status, and vorling rights.

Class | Claims and Interests | Status | Voting Rights

Class | Other Secured Claims | Unimpaired |
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or the Disclosure Statement, the Plan or the Disclosure Statement, as applicable, shall govern and control. For a more detailed description of the Plan, please refer to the

# Exhibit B

### **DECLARATION OF PUBLICATION OF**

SAN FRANCISCO CHRONICLE

Amir Rezaee				
declares that:				
The annexed advertisement has been regulin the	larly published			
SAN FRANCISCO CHRONI	CLE			
which is and was at all times her established as newspaper of general cir City and County of San Francisco, State of that term is defined by Section 6000 of the Code.	culation in the of California, as			
SAN FRANCISCO CHRONIO	CLE			
(Name of Newspaper)				
901 Mission Street				
San Francisco, CA 94103				
From July 18,2024				
To July 18,20	024			
Namely, on July 18,2024				
(Dates of Publication)				
I declare under penalty of perjury that the true and correct.	foregoing is			
Executed on July 18,2024				
at San Francisco, California.	Rezaee			
Amir Rezaee				

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

EIGER BIOPHARMACEUTICALS, INC., et al. Debtors.

Chapter 11 Case No. 24-80040 (SGJ) (Jointly Administered)

#### NOTICE OF DISCLOSURE STATEMENT

**HEARING AND CLASS OBJECTION DEADLINE**On July 15, 2024, the above-captioned debtors and debtors in possession (collectively, the "Debtors") filed with the United States Bankruptcy Court for the Northern District of Texas (the "Bankruptcy Court") the Joint Plan of Eiger Biopharmaceuticals, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 424] (as such may be modified, amended, or supplemented from time to time hereafter, including all exhibits and supplements thereto, the "Plan") and the Disclosure Statement for Joint Plan of Eiger Biopharmaceuticals, Inc. and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 425] (as such may be modified, amended, or supplemented from time to time hereafter, including all exhibits and supplements thereto, the "<u>Disclosure Statement</u>") pursuant to sections 1125 and 1126(b) of title 11 of the United States Code (the "<u>Bankruptcy Code</u>"). Copies of the Plan and the Disclosure Statement may be obtained upon request of the Debors' counsel at the address specified below and are on file with the Clerk of the Court, 1100 Commerce Street, Dallas, Texas 75242, where they are available for review between the hours of 8:00 a.m. to 5:00 p.m., prevailing Central Time. The Plan and the Disclosure Statement also are available for inspection, for a fee, at https://pacer.gov (account required) or, free of charge, on the Debtors' restructuring website at

https://veritaglobal.net/eiger.<sup>2</sup>
A hearing will be held before the Honorable Judge Jerniqan, United States Bankruptcy Judge, in Courtroom 1 of the United States Bankruptcy Court, 1100 Commerce Street, Dallas, Texas 75242, on July 29, 2024 at 9:30 a.m. prevailing Central Time, to consider the adequacy of the Disclosure Statement, any objections to the Disclosure Statement or the Debtors' classification of such Holder's Claim or Interest as unimpaired, and any other matter

Debtors' classification of such Holder's Claim or Interest as unimpaired, and any other matter that may properly come before the Bankruptcy Court.

Please be advised that you may participate at the hearing either in person or by an audio or video connection. Audio communication will be by use of the Court's dial-in facility. You may access the facility at (650) 479-3207. The access code is 2304 1542 638. Video communication will be by use of the Cisco WebEx platform. Connect via the Cisco WebEx application or click the link on Judge Jernigan's home page, https://us-courts.webex.com/meet/jerniga. The meeting code is 2304 1542 638. Click the settings icon in the upper right corner and enter your name under the personal information setting. Please be advised that the Combined Hearing may be continued from time to time by the Court or the Debtor without further notice other than by such adioumment being announced in one nour tor by a notice of further notice other than by such adjournment being announced in open court or by a notice of

adjournment filed with the Court and served on other parties entitled to notice.

CRITICAL INFORMATION

Notice Record Date. The notice record date is July 22, 2024, which is the record date for determining which Holders of Claims and Interests are entitled to receive Non-Voting Packages

Class Treatment. The Plan and Disclosure Statement describe in detail the Liquidation Transactions contemplated by the Plan and the treatment of Holders of Claims and Interests against or in the Debtors. The following chart summarizes the classes of Claims and Interests, their status, and voting rights.

ı	Class	Claims and Interests	Status	Voting Rights
ı	Class 1	Other Secured Claims	Unimpaired	Not Entitled to Vote (Deemed to Accept)
ı	Class 2	Other Priority Claims	Unimpaired	Not Entitled to Vote (Deemed to Accept)
ı	Class 3	Prepetition Term Loan Claims	Unimpaired	Not Entitled to Vote (Deemed to Accept)
ı	Class 4	General Unsecured Claims	Unimpaired	Not Entitled to Vote (Deemed to Accept
ı	Class 5	Intercompany Claims	Unimpaired	Not Entitled to Vote (Deemed to Accept)
ı	Class 6	Existing Equity Interests	Unimpaired	Not Entitled to Vote (Deemed to Accent)

<u>Class Objection Deadline</u>. Objections, if any, to the Debtors' classification of such Holder's Claim or Interest as unimpaired must: (a) be in writing; (b) conform to the Federal Rules of Bankruptcy Procedure, the Bankruptcy Local Rules for the Northern District of Texas, and any orders of the Court; (c) state, with particularity, the legal and factual bases and nature of any objection and, if practicable, a proposed modification to the Plan (or related materials) that would resolve such objection; and (d) be filed with the Bankruptcy Court (contemporaneously would resolve such objection, and up on the following parties so as to be actually received on or before July 29, 2024 at 9:30 a.m. prevailing Central Time (the "Class Objection <u>Deadline</u>): (i) Debtors: Eiger BioPharmaceuticals Inc., 2100 Ross Avenue, Dallas, Texas 75201, Attn: Douglas Staut, Chief Restructuring Officer, Email: dstaut@alvarezandmarsal.com; (ii) Counsel to the Debtors: Sidley Austin LLP, 787 Seventh Avenue, New York, New York 10019, Facsimile: (212) 839-5599, Attn: William E. Cutrin, Anne G. Wallice, Email: wcurting officer and the control of the contro 10019, Facsimiler (21/2) 839-5399, Attn: William E. Currin, Anne G. Wallice, Emalir Wcutring sidelycom, annew wallice@sidleycom; (iii) United States Trustee: Office of the United States Trustee, 1100 Commerce Street, Room 976, Dallas, Texas 75242, Attn: Elizabeth A. Young, Email: elizabeth.a.young@usdoj.gov; (iv) Proposed Counsel to the Official Committee of Unsecured Creditors: Munsch Hardt Kopf & Harr, P.C., 500 N. Akard Street, Suite 4000. Dallas, TX 75201, Telephone: (713) 485-7306, Facsimile (713) 485-7344, Attn: Davor Rukavina. Thomas Berghman, Garrick Smith, Emall: drukavina@munsch.com, tberghman@munsch.com, gmith@munsch.com - and- Meland Budwick, PA., 3200 Southeast Financial Center 200 South Biszyne Blvd., Miami, Florida 33131, Telephone: (305) 358-6363, Attr.: Michael S. Budwick, Daniel N. Gonzalez, Meaghan E. Murphy, Shira A. Baratz, Email: mbudwick@ melandbudwick.com, dgonzalez@melandbudwick.com, mmurphy@melandbudwick.com, sbaratz@melandbudwick.com; (v) Proposed Counsel to the Official Equity Security Holders' Gommittee: Porzio, Bromberg, & Newman, P.C., 100 Southgate Parkway, P.O. Box 1997, Morristown, NJ 07962, Telephone: (973) 538-4006, Attn: Warren J. Martin Jr., Rachel A. Parisi, David E. Sklar, Email: WJMartin@phnlaw.com, RAParisi@phnlaw.com, DESklar@phnlaw.com—and-McKool Smith, P.C., 600 Travis Street, Suite 7000, Houston, Texas 77002, Telephone: (713) 485-7300, Facsimile (713) 485-7344, Attn: John J. Sparacino, Esq., Email: Carparisin@phnlaw.com

UNLESS AN OBJECTION IS TIMELY SERVED AND FILED IN ACCORDANCE WITH THIS

UNITIES AN OBJECTION IS TIMES TSEVED AND TIED IN ACCUMENTS WITH THIS ONTICE IT MAY NOT BE CONSIDERED BY THE BANKRUPTCY COURT. YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE SUMMARY OF CLASSES AND TREATMENT OF CLAIMS OR INTERESTS IN ARTICLE III OFTHE PLAN, AS YOUR RIGHTS MIGHT BE AFFECTED.

- 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 Eiger BioPharma Europe Limited (N/A). The Debtors's ervice address is 2100 Ross Avenue, Dallas, Texas 75201.
- Capitalized terms used but not defined herein have the meanings given to them in the Plan or the Disclosure Statement, as applicable. The statements contained herein are summaries of the provisions contained in the Plan and the Disclosure Statement and do not purport to be precise or complete statements of all the terms and provisions of the Plan or the documents referred therein. To the extent there is a discrepancy between the terms herein and the Plan or the Disclosure Statement, the Plan or the Disclosure Statement, as applicable, shall govern and control. For a more detailed description of the Plan, please refer to the Disclosure Statement.

# Californians lead the S.F. bashing at RNC

MILWAUKEE — Leave it to a guy living in the rancid squalor of Pacific Heights' Billionaires' Row to complain to the Republican National Convention that San Francisco has become "a cesspool."

"In my hometown of San Francisco, Democrat rule has turned the streets of our beautiful city into a cesspool of crime, homeless encampments and open drug use," David Sacks, the wealthy venture capitalist and former PayPal workmate of billionaire Elon Musk, said Monday during his seven-minute speech.

His home is now worth about \$39 million, according to Zillow. The South African native was proud enough of his adopted city to host a fundraiser for Donald Trump at his home in June that raised an estimated \$12 million for the presumptive Republican nominee. Attendees, including vice presidential nominee J.D. Vance, paid between \$50,000 to \$500,000 to bask in Trump's glow in the cesspoolfree part of San Francisco.

Sacks' diss was nothing new, even if the audience was. Along with much of conservative media, Sacks has been carping on San Francisco's real problems of homelessness, crime and drug abuse for years through his vast social media feed and "All-In," the technology podcast he cohosts with wealthy investor Chamath Palihapitiya.

Other rich tech guys are joining them in slamming San Francisco and backing Trump, in-



IT'S ALL POLITICAL

cluding Musk, who plans to pitch in \$45 million a month to a pro-Trump super PAC. Other donors include cryptocurrency execs Tyler and Cameron Winklevoss, the billionaire twins best known outside the tech world for suing Facebook cofounder Mark Zuckerberg for allegedly ripping off their idea for a social network.

Musk has had enough of San Francisco, too. Only instead of spewing idle chat to a roomful of Republican delegates, he's actually leaving town. Or so he said Tuesday on X, the social media platform he owns.

"Have had enough of dodging gangs of violent drug addicts just to get in and out of the building," Musk wrote. He said he's moving X to Austin.

Despite Sacks' pointed barbs, his speech was tepidly received inside the arena Monday. That's not surprising. Unlike most of the evening's other speakers, Sacks is neither a regular on Fox News or other conservative media, nor is he an elected offi-

And much of his speech was about an issue that doesn't typ-



Venture capitalist David Sacks said San Francisco has become a "cesspool of crime, homeless encampments and open drug use."

ically resonate well to convention audiences: foreign policy. Sacks said President Joe Biden "provoked — yes, provoked the Russians to invade Ukraine with talk of NATO expansion. Afterward, he rejected every opportunity for peace in Ukraine, including a deal to end the war just two months after it broke out."

His comments show how far the party has come from the days when Ronald Reagan demanded that the Soviet Union "tear down that (Berlin) wall." Instead, it now echoes the position of Vance, another former San Francisco tech investor turned politician. Shortly after Russia invaded Ukraine, Vance said, "I don't really care what happens to Ukraine, one way or

While some Republican convention delegates might not know Sacks, many agreed with his point: San Francisco isn't what it used to be. And nobody here wants to hear stats that contradict that narrative, like how crime reports are down 32% since last year or how drug overdose deaths are at their lowest point in two years. (Homelessness is still on the rise.)

"I won't even go up to San Francisco because of the heightened level of danger," Paul Ramirez, a Republican delegate who lives in Los Angeles, said Tuesday. As a gay Latino, he said "San Francisco was one of our favorite areas. But it's dangerous, and the gay community in Los Angeles and across the state is waking up to that."

Michelle Gorham, an alternate delegate from Dixon, agreed with Sacks, too.

"Anyone who is a local to the Bay Area has seen San Francisco deteriorate dramatically, and especially in the last five years," she said.

California Republican Party Chair Jessica Millan Patterson said, "I don't disagree with the words that he said."

"We've definitely seen the decline of a very beautiful American city," she said Tuesday. 'Whether it's the crime, whether it be the homeless crisis, these are all issues that are facing a once very beautiful city.'

Oddly enough, the one person to come to San Francisco's defense Tuesday — sort of — was a

Eric Trump, the former president's son, who is involved in the construction and development arm of the Trump family business, told the California delegation Tuesday that "I love your state" and noted that the family owns two commercial buildings in downtown San Francisco. He praised California for being an economic powerhouse, the world's fifth largest economy. "It's really incredible," Trump said. "You guys have an amazing state. But your politicians have run it into the ground.'

He'd love to live in California, Trump said, "if it wasn't for the

Reach Joe Garofoli: jgarofoli@sfchronicle.com; Twitter: @joegarofoli

## More street ambassadors for Tenderloin

By Aldo Toledo

San Francisco leaders have hatched a plan to bring more community ambassadors to the Tenderloin amid continued concern over street conditions in certain parts of the district.

The new plan is tied to the extension of the Department of Homelessness and Supportive Housing's lease at the Cova Hotel at 655 Ellis St. The hotel, now a homeless shelter, is in a section of the Tenderloin where there are no community patrols despite an increase in ambassadors in other areas of the neighborhood over the past few years.

Neighborhood advocates say that since the shelter opened, street conditions in the area have deteriorated, hurting nearby Little Saigon businesses and contributing to a sense that the neighborhood is unsafe.

On Tuesday, the Board of Supervisors voted to extend the lease through March 31 as long as city officials commit to provide ambassador patrols from 7 a.m. to 5:30 p.m. at a minimum, as well as improve street cleaning in the area and set up a new street management plan.

In an email to Supervisor Dean Preston's office Monday, HSH said it will also seek to place unhoused people currently on the streets of the Tenderloin at

"We are committed to working closely with the community, city partners and our non-profit partners to address concerns and make improvements to the area," HSH told Preston's office in the email.

Formerly lodging for tourists, the Cova — which has capacity for about 82 residents - was turned into a shelter-in-place hotel for unhoused people during the pandemic. In December 2022, HSH turned it into a non-group shelter with the goal of eventually transforming the hotel into permanent supportive housing.

Street conditions in the area have declined to the point that, in March, two hotels and several residents of the district sued the city over the constant presence of drugs and tents, which they said was part of the city's effort to make the area a "containment zone."

Other hotels nearby have also been turned into shelters. One hotel near the Cova at 685 Ellis St. is also a shelter and will remain one for the next few years, although plans also call for it to eventually be turned into permanent supportive housing.

Randy Shaw, who runs the Tenderloin Housing Clinic, said this is the only place in San Francisco where two homeless shelters are practically next door to each other. While he supports the agreement to increase community ambassadors' presence in the neighborhood and improve street cleaning, Shaw said more needs to be done.

Shaw said when he walked down Ellis toward Hyde Street two weeks ago, he saw an open-air drug market overflowing into the street with about 100 people. New ambassadors on Ellis could help to calm the area, but places like the 300 block of Hyde, Willow Alley and the South of Market neighborhood still need more attention, Shaw add-

"If it's implemented appropriately, it's obviously helpful because the city has not made enough of a priority of the crisis in Little Saigon. It's actually ignored it," said Shaw, whose nonprofit runs permanent supportive housing for those who were formerly unhoused. "We still think that the Cova should not be used as a shelter, however. It's bad for the neighborhood."

But in renewing the Cova's lease, city leaders had to strike a balance between the needs of a community impacted by open-air drug use and rampant homelessness and the hundreds of people waiting to be placed in limited shelter beds.

Compass Family Services — which operates the city's shelter intake process - stated in a letter to the Board of Supervisors that it had 469 families on the shelter waiting list as of July 10. Compass Policy and Organizing Manager Alisha Zhao wrote that non-group shelters are important, "particularly for women and children, as well as those fleeing domestic violence."

Cassandra and Walter Watson — who reside at the Cova — also wrote to the Board of Supervisors on July 9, urging them to renew the hotel's lease. They said their room has been a blessing and has helped them "start to get our life squared away.'

"And if this palace was took from us ... it would be a disaster to our life," the Watsons wrote. "This place has helped so many people ... to go back on the street would be hell."

Preston, who has been pushing for more street ambassadors in this part of the Tenderloin for the last two years, said he was glad that the plan came together.

"Not surprisingly, street conditions improve where ambassadors are," Preston said. "But because a lot of folks simply move from those blocks to areas where there aren't ambassadors ... we've been raising the issue and demanding that ambassadors cover the entire Tenderloin."

Reach Aldo Toledo: Aldo.Toledo@ sfchronicle.com

## Temperatures rise when Solano prison loses power for days

By Julie Johnson

Power was restored Tuesday at the California State Prison, Solano, in Vacaville, where thousands of incarcerated people had been without electricity since Sunday, according to the California Department of Corrections and Rehabilitation.

Prison officials said the facility lost power early Sunday because of "a major outage in the city of Vacaville" but didn't elaborate when asked for details. PG&E spokesperson Paul Moreno said the power failure did not involve the company's equipment and that crews had been on hand to restore service once prison officials had repaired "their equipment."

The prison is one of California's most overcrowded. With 4,070 male inmates, it houses more than 150% of the population the facility was de-

signed to contain. Alesha Monteiro, the founder of Sacramento nonprofit Just Advocate, said some families in touch with loved ones at the Vacaville facility noted that many buildings still were without power as of 4:30 p.m. Tuesday.

Shawna Urquilla of Carmichael said her husband, who is incarcerated at Solano, said he told her that the heat was at times unbearable and that no one had been able to go outside since the week-

"With no fans and no air movement, he said it was like a sauna in there," Urquilla said.

The prison had been using generators in some areas of the prison to ensure "appropriate access to medical and mental nealth care, prison offi cials said.

Medical staff were making "regular rounds in all buildings to monitor the well-being of the incarcerated population," prison officials said in a statement. "Running water and ice are available to help manage heat-related concerns and cooling fans are operating in most areas."

The power failure occurred on the heels of a heat wave, although temperatures remained high in Vacaville after hitting 97 degrees Sunday.

Reach Julie Johnson: julie.johnson@ sfchronicle.com; Twitter: @juliejohnson

## LEGAL NOTICES VISIT SFGATE.COM/LEGALNOTICES

### Ficticious Name

**FICTITIOUS BUSINESS** NAME STATEMENT FILE NO. 2024-0403663

itte NO. 2024-0403-055 rictitious Business Name(s): PRAG-MATEK, 325 Berry Street, Suite 110, San Francisco, CA 94158, County of San Francisco, Full name of registrant #1: IOTA Engineering, Inc., 300 Deschutes Way SW, Suite 208, Tumwater, WA Way SW, Suite 208, Iumwalei, wo 98501. This business is conducted by

sesoli. Inis business is conducted by a corporation.

The registrant commenced to transact business under the above-listed fictitious business name on 7/8/2024. This statement was filed with the County Clerk of San Francisco on:

Jun. 12, 2024 Pub Dates: Jul. 11, 18, 25, Aug. 1, 2024

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## Ficticious Name

FICTITIOUS BUSINESS

NAME STATEMENT FILE NO. 2024-0403663 FILE NO. 2024-0403663 Fictitious Business Name(s): LEXICON, 325 Berry Street, Suite 110, San Francisco, CA 94158, County of San Francisco. Full name of registrant #1: IOTA Engineering, Inc., 300 Deschutes Way SW, Suite 208, Tumwater, WA 98501. This business is conducted by a corporation

ration.
The registrant commenced to transact business under the above-listed fictitious business name on 7/8/2024.
This statement was filed with the County Clerk of San Francisco on:
Jun. 12, 2024
Pub Dates:

Jul. 11, 18, 25, Aug. 1, 2024 FICTITIOUS Business Name Statement File No. 2024-0402542 Fictitious Business Name: Merle Support Pet Services, 1166 Naples St.San Francisco, CA. 94112, County of

Full name of Registrant: Merle A Eggen, 1166 Naples St., San Francisco, CA. 94112This business is conducted by an

The registrant commenced to transact business under above-listed fictitious business name on2/7/2024. The statement was filed with the County Clerk of San Francisco on Feb 7, 2024 June 27, July 4, 11, 18, 2024

## Legals/Public Notices

PLEASE TAKE NOTICE that on April 7th PLEASE TAKE NOTICE that on April 7th, 2024, Artichoke Joe's Casino issued new chips for use at its table games and that as of August 7th, 2024 [120 days later] Artichoke Joe's will discontinue redemption of any and all previously issued chips. Redemption of all chips can be made at Artichoke Joe's Casino at 659 Huntington Avenue, San Bruno. California.

### **Ficticious Name**

FICTITIOUS BUSINESS NAME STATEMENT FILE NO. 2024-0403663

FILE NO. 2024-0403663 Fictitious Business Name(s): COGITECH, 325 Berry Street, Suite 110, San Fran-cisco, CA 94158, County of San Fran-cisco. Full name of registrant #1: IOTA Engineering, Inc., 300 Deschutes Way SW, Suite 208, Tumwater, WA 98501. This business is conducted by a corpo-ration.

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

In re: EIGER BIOPHARMACEUTICALS, INC., et al.<sup>1</sup> Case No. 24-80040 (SGI)

(Jointly Administered)

NOTICE OF DISCLOSURE STATEMENT HEARING AND CLASS OBJECTION DEADLINE On July 15, 2024, the above-captioned debtors and debtors in possession (collectively, the <u>'Debtors'</u>') filed with the United States Bankruptcy Court for the Northern District of Texas (the Bankruptcy Court") the Joint Plan of Eiger Biopharmaceuticals, Inc. and Its Debtor Affiliate

Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 424] (as such may be modified amended, or supplemented from time to time hereafter, including all exhibits and supplement: thereto, the "<u>Plan</u>") and the *Disclosure Statement for Joint Plan of Eiger Biopharmaceuticals, Inc* and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Docket No. 425] (as suc nay be modified, amended, or supplemented from time to time hereafter, including all exhibit and supplements thereto, the "<u>Disclosure Statement</u>") pursuant to sections 1125 and 1126(b) o itle 11 of the United States Code (the "<u>Bankruptcy Code</u>"). Copies of the Plan and the Disclosur statement may be obtained upon request of the Debtors' counsel at the address specified below and are on file with the Clerk of the Court, 1100 Commerce Street, Dallas, Texas 75242, when they are available for review between the hours of 8:00 a.m. to 5:00 p.m., prevailing Central Time. The Plan and the Disclosure Statement also are available for inspection, for a fee, at nttps://pacer.gov (account required) or, free of charge, on the Debtors' restructuring website a A hearing will be held before the Honorable Judge Jernigan, United States Bankruptcy

ludge, in Courtroom 1 of the United States Bankruptcy Court, 1100 Commerce Street, Dallas, Texas 75242, on July 29, 2024 at 9:30 a.m. prevailing Central Time, to consider the Debtors' classification of such Holder's Claim or Interest as unimpaired, and any other matter hat may properly come before the Bankruptcy Court.

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A. Parisi, David E. Sklar, Email: WJMartin@pbnlaw.com, RAParisi@pbnlaw.com, DESklar@ pbnlaw.com -and- McKool Smith, PC, 600 Travis Street, Suite 7000, Houston, Texas 77002 . Telephone: (713) 485-7300, Facsimile (713) 485-7344, Attn: John J. Sparacino, Esq., Email UNLESS AN OBJECTION IS TIMELY SERVED AND FILED IN ACCORDANCE WITH THIS YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE SUMMARY OF CLASSES AND TREATMENT OF CLAIMS OR INTERESTS IN ARTICLE III OF THE PLAN, AS YOUR RIGHTS MIGHT BE AFFECTED.

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