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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)

**AGENDA FOR HEARING SCHEDULED FOR
SEPTEMBER 5, 2024 AT 9:30 A.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 **September 5, 2024 at 9:30 a.m.** (prevailing Central Time), before the Honorable Stacey G. C. Jernigan at the United States Bankruptcy Court

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.



for the Northern District of Texas, at Courtroom #1, Earle Cabell Federal Building, 1100 Commerce Street, Dallas, Texas 75242-1496.

AGENDA MATTERS

1. *Innovatus Life Sciences Lending Fund I, LP's Emergency Motion for Stay Pending Appeal*
[Docket No. 595]

Related Documents:

- a. *Debtors' Motion for Entry of an Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 488]
- b. *Declaration of Douglas Staut in Support of the Debtors' Motion for Entry of an Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 499]
- c. *Supplemental Declaration of Douglas Staut in Support of the Debtors' Motion for Entry of an Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 518]
- d. *Notice of Filing of Revised Proposed Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 519]
- e. *Innovatus Life Sciences Lending Fund I, LP's Objection to Debtors' Motion for Entry of an Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 526]

- f. *Declaration of James Webb George, Jr., in Support of Innovatus Life Sciences Lending Fund I, LP's Objection to Debtors' Motion for Entry of an Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 527]
- g. *Amended Declaration of James Webb George, Jr., In Support of Innovatus Life Sciences Lending Fund I, LP's Objection to Debtors' Motion for Entry of an Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 533]
- h. *Debtors' Reply in Support of Entry of the Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 535]
- i. *Debtors' Emergency Motion in Limine to Exclude the Expert Report and Testimony of David E. Keltner* [Docket No. 539]
- j. *Order Approving Debtors' Emergency Motion in Limine to Exclude the Expert Report and Testimony of David E. Keltner* [Docket No. 557]
- k. *Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 561]
- l. *Notice of Appeal of Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Umimpair Claim* [Docket No. 594]
- m. *Declaration of P. Bradley O'Neill in Support of Innovatus Life Sciences Lending Fund I, LP's Emergency Motion for Stay Pending Appeal* [Docket No. 596]
- n. *Debtors' Witness and Exhibit List* [Docket No. 599]

- o. *Innovatus Life Sciences Lending Fund I, LP's Witness and Exhibit List* [Docket No. 602]
- p. *Debtors' Response in Opposition to Innovatus Life Sciences Lending Fund I, LP's Emergency Motion for Stay Pending Appeal* [TO BE FILED]

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

- 2. *Amended Disclosure Statement for Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 476-1]

Related Documents:

- a. *Disclosure Statement for Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 425]
- b. *Debtors' Motion for Entry of an Order (I) Scheduling a Combined Disclosure Statement Approval and Confirmation Hearing; (II) Conditionally Approving the Disclosure Statement; (III) Establishing Objection Deadlines and Related Procedures; (IV) Approving the Notice Materials; and (V) Granting Related Relief* [Docket No. 426]
- c. *Notice of Filing of Amended Disclosure Statement* [Docket No. 456]
- d. *Notice of Filing of Amended Disclosure Statement Order* [Docket No. 457]
- e. *Order (I) Scheduling a Combined Disclosure Statement Approval and Confirmation Hearing; (II) Conditionally Approving the Disclosure Statement; (III) Establishing Objection Deadlines and Related Procedures; (IV) Approving the Notice Materials; and (V) Granting Related Relief* [Docket No. 473]

- f. *Notice of Filing of Solicitation Version of Further Amended Disclosure Statement*
[Docket No. 476]
- g. *Debtors' Memorandum of Law in Support of Confirmation of the Third Amended
Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor
Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 573]
- h. *Declaration of Douglas Staut, Chief Restructuring Officer, in Support of the Third
Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its
Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 574]
- i. *United States Trustee's Objection to Confirmation of Amended Joint Plan of
Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to
Chapter 11 of the Bankruptcy Code* [Docket No. 587]
- j. *Innovatus Life Sciences Lending Fund I, LP's Objection to (A) Final Approval of
the Disclosure Statement and (B) Confirmation of the Debtors' Joint Plan of
Liquidation* [Docket No. 588]
- k. *The Official Equity Security Holders' Committee's Objection to the Third Amended
Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor
Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 589]
- l. *Debtors' Witness and Exhibit List* [Docket No. 599]
- m. *The Official Committee of Equity Security Holders' Witness and Exhibit List for
September 5, 2024 Hearing* [Docket No. 601]
- n. *Innovatus Life Sciences Lending Fund I, LP's Witness and Exhibit List* [Docket No.
602]

- o. *Witness and Exhibit List on the United States Trustee's Objection to Confirmation of Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 604]
- p. *Debtors' Supplemental Memorandum of Law in Support of Confirmation of the Fourth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [TO BE FILED]

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

- 3. *Fourth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 606-1]

Related Documents:

- a. *Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 424]
- b. *Debtors' Motion for Entry of an Order (I) Scheduling a Combined Disclosure Statement Approval and Confirmation Hearing; (II) Conditionally Approving the Disclosure Statement; (III) Establishing Objection Deadlines and Related Procedures; (IV) Approving the Notice Materials; and (V) Granting Related Relief* [Docket No. 426]
- c. *Notice of Filing of Amended Plan* [Docket No. 455]
- d. *Order (I) Scheduling a Combined Disclosure Statement Approval and Confirmation Hearing; (II) Conditionally Approving the Disclosure Statement; (III) Establishing Objection Deadlines and Related Procedures; (IV) Approving the Notice Materials; and (V) Granting Related Relief* [Docket No. 473]

- e. *Notice of Filing of Solicitation Version of Amended Plan* [Docket No. 475]
- f. *Notice of Filing of Second Amended Plan* [Docket No. 517]
- g. *Notice of Filing of Plan Supplement* [Docket No. 525]
- h. *Order Estimating Claim of Innovatus Life Sciences Lending Fund I, LP for the Purposes of Establishing Sufficient Reserves to Unimpair Claim* [Docket No. 561]
- i. *Notice of Filing of Third Amended Plan* [Docket No. 571]
- j. *Debtors' Memorandum of Law in Support of Confirmation of the Third Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 573]
- k. *Declaration of Douglas Staut, Chief Restructuring Officer, in Support of the Third Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 574]
- l. *United States Trustee's Objection to Confirmation of Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 587]
- m. *United States Trustee's Objection to Confirmation of Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 587]
- n. *Innovatus Life Sciences Lending Fund I, LP's Objection to (A) Final Approval of the Disclosure Statement and (B) Confirmation of the Debtors' Joint Plan of Liquidation* [Docket No. 588]

- o. *The Official Equity Security Holders' Committee's Objection to the Third Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 589]
- p. *Notice of Filing Second Plan Supplement* [Docket No. 598]
- q. *Debtors' Witness and Exhibit List* [Docket No. 599]
- r. *The Official Committee of Equity Security Holders' Witness and Exhibit List for September 5, 2024 Hearing* [Docket No. 601]
- s. *Innovatus Life Sciences Lending Fund I, LP's Witness and Exhibit List* [Docket No. 602]
- t. *Witness and Exhibit List on the United States Trustee's Objection to Confirmation of Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 604]
- u. *Declaration of Adam J. Gorman in Support of Confirmation of the Fourth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 607]
- v. *Declaration of Jon Muenz in Support of Confirmation of the Fourth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 608]
- w. *Declaration of Michael Shanahan in Support of Confirmation of the Fourth Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 609]
- x. *Notice of Filing of Proposed Confirmation Order* [Docket No. 610]

y. *Debtors' Supplemental Memorandum of Law in Support of Confirmation of the Fourth Amended Joint Plan of Liquidation of Eiger Biopharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [TO BE FILED]

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

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Dated: September 4, 2024
Dallas, Texas

SIDLEY AUSTIN LLP

/s/ Thomas R. Califano

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*Attorneys for the Debtors and Debtors in
Possession*

Certificate of Service

I certify that on September 4, 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