

BTXN 049 (rev. 03/15)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

In Re:  
Eiger BioPharmaceuticals, Inc.  
  
Innovatus Life Sciences Lending Fund I, LP  
  
vs.  
Eiger Biopharmaceuticals, Inc., et al.

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Case No.: 24-80040-sgj11  
Chapter No.: 11

**NOTICE OF TRANSMITTAL**

I am transmitting:

- 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
- Copies of: Notice of appeal, appealed order [561] and supporting documents order

**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: 9/4/24

FOR THE COURT:  
Stephen J Manz, Clerk of Court  
  
by: /s/Sheniqua Whitaker, Deputy Clerk



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**APPEAL SERVICE LIST**

**Transmission of the Record**

BK Case No.: 24-80040-sgj11

Received in District Court by: \_\_\_\_\_

Date: \_\_\_\_\_

Volume Number(s): \_\_\_\_\_

cc: Stacey G Jernigan  
Courtney Lauer  
Emily Chang  
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 O'Neill (admitted Pro Hac Vice)  
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-and-

FORSHEY & PROSTOK, LLP  
Jeff P. Prostok  
Emily S. Chou  
TX State Bar No. 24006997  
777 Main Street, Suite 1550  
Fort Worth, TX 76012  
Tel: 817-877-8855

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

Thomas R. Califano (TX State Bar No. 24122825)  
William E. Curtin (admitted Pro Hac Vice)  
Anne G. Wallace (admitted Pro Hac Vice)  
787 Seventh Avenue  
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Telephone: (212) 839-5300

-and-

Charles M. Persons (TX State Bar No. 24060413)  
2021 McKinney Avenue, Suite 2000

Dallas, Texas 75201  
Telephone: (214) 981-3300

BTXN 150 (rev. 11/10)

In Re:  
 Eiger BioPharmaceuticals, Inc.

Debtor(s)

§  
 §  
 §

Case No.: 24-80040-sgj11  
 Chapter No.: 11

**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)  
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 Tel: 817-877-8855

**APPELLEE**

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

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

Attorney's (If Known)  
 Thomas R. Califano (TX State Bar No. 24122825)  
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 Dallas, Texas 75201  
 Telephone: (214) 981-3300

**II. BASIS OF JURISDICTION**

- 1 U.S. Government Plaintiff       2 U.S. Government Defendant       3 Federal Question (U.S. Government Not a Party)       4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

- |   |                         |                         |  |                         |                         |
|---|-------------------------|-------------------------|--|-------------------------|-------------------------|
| Citizen of This State                   | <input type="radio"/> 1 | <input type="radio"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State     | <input type="radio"/> 4 | <input type="radio"/> 4 |
| Citizen of Another State                | <input type="radio"/> 2 | <input type="radio"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="radio"/> 5 | <input type="radio"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="radio"/> 3 | <input type="radio"/> 3 | Foreign Nation   | <input type="radio"/> 6 | <input type="radio"/> 6 |

**IV. NATURE OF SUIT**

- 422 Appeal 28 USC 158       423 Withdrawal 28 USC 157       890 Other Statutory Actions

**V. ORIGIN**

- 1 Original Proceeding       2 Removed from State Court       3 Remanded from Appellate Court       4 Reinstated or Reopened
- 5 Transferred from another district       6 Multidistrict Litigation       7 Appeal to District Judge from Magistrate Judgment

**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. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$

CHECK YES only if demanded in complaint:  
 JURY DEMAND:  Yes  No

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**VIII. RELATED CASE(S) IF ANY**

Judge:

Docket Number: 3:24-cv-01309-K

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DATED: 9/4/24

FOR THE COURT:  
Stephen J Manz, Clerk of Court  
by: /s/Sheniqua Whitaker, Deputy Clerk