

MCKOOL SMITH, PC
 John J. Sparacino (TX Bar No. 18873700)
 S. Margie Venus (TX Bar No. 20545900)
 600 Travis Street, Suite 7000
 Houston, Texas 77002
 Telephone: (713) 485-7300
 Facsimile: (713) 485-7344
 Email: jsparacino@mckoolsmith.com
 Email: mvenus@mckoolsmith.com

Travis E. DeArman (TX Bar No. 24074117)
 300 Crescent Court, Suite 1200
 Houston, Texas 75201
 Telephone: (214) 978-4000
 Facsimile: (214) 978-4044
 Email: tdearman@mckoolsmith.com

PORZIO, BROMBERG & NEWMAN, P.C.
 Warren J. Martin Jr. (admitted *pro hac vice*)
 Rachel A. Parisi (admitted *pro hac vice*)
 David E. Sklar (admitted *pro hac vice*)
 Brett S. Moore (admitted *pro hac vice*)
 100 Southgate Parkway
 P.O. Box 1997
 Morristown, New Jersey 07962-1997
 Telephone: (973) 538-4006
 Facsimile: (973) 538-5146
 Email: WJMartin@pbnlaw.com
 Email: RAParisi@pbnlaw.com
 Email: DESklar@pbnlaw.com
 Email: BSMoore@pbnlaw.com

*Counsel for the Official Equity Security Holders’
 Committee*

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

In re: EIGER BIOPHARMACEUTICALS, INC., <i>et al.</i> , ¹ Debtors.	§ § § § § § § §	Chapter 11 Case No. 24-80040 (SGJ) (Jointly Administered)
---	--------------------------------------	---

**COVER SHEET
 FOR THE SECOND MONTHLY FEE STATEMENT OF
 MCKOOL SMITH, PC FOR ALLOWANCE OF COMPENSATION
 AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD FROM
AUGUST 1, 2024 THROUGH AND INCLUDING AUGUST 31, 2024**

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); EigerBio Europe Limited (N/A). The Debtors’ service address is 2100 Ross Ave., Dallas, Texas 75201.



Name of Applicant:	McKool Smith, PC
Authorized to Provide Professional Services to:	Co-Counsel to the Official Equity Security Holders' Committee
Date of Retention:	June 26, 2024, by order entered on August 26, 2024, at Docket No. 448
Period for which Compensation and Reimbursement is Sought:	August 1, 2024 through and including August 31, 2024
Amount of Compensation Sought as Actual, Reasonable and Necessary:	\$121,303.20 (80% of \$151,629.00)
Amount of Expense Reimbursement Sought as Actual, Reasonable and Necessary:	\$ 1,033.73
Total Compensation and Expenses Requested in this Fee Statement (exclusive of 20% holdback):	\$122,336.93

This is a: monthly interim final application.

This is McKool Smith's second monthly fee statement.

PRIOR MONTHLY FEE STATEMENTS

	Requested		Payments Received		Outstanding	
Period Covered	Fees (\$)	Expenses (\$)	Fees (\$)	Expenses (\$)	Fees (\$)	Expenses (\$)
06/26/2024 - 07/31/2024	\$110,810.80 (80% of \$138,513.50)	\$1,245.82	\$110,810.80	\$1,245.82	\$27,702.70	\$0.00

MCKOOL SMITH, PC

John J. Sparacino (TX Bar No. 18873700)
S. Margie Venus (TX Bar No. 20545900)
600 Travis Street, Suite 7000
Houston, Texas 77002
Telephone: (713) 485-7300
Facsimile: (713) 485-7344
Email: jsparacino@mckoolsmith.com
Email: mvenus@mckoolsmith.com

Travis E. DeArman (TX Bar No. 24074117)
300 Crescent Court, Suite 1200
Houston, Texas 75201
Telephone: (214) 978-4000
Facsimile: (214) 978-4044
Email: tdearman@mckoolsmith.com

PORZIO, BROMBERG & NEWMAN, P.C.

Warren J. Martin Jr. (admitted *pro hac vice*)
Rachel A. Parisi (admitted *pro hac vice*)
David E. Sklar (admitted *pro hac vice*)
100 Southgate Parkway
P.O. Box 1997
Morristown, New Jersey 07962-1997
Telephone: (973) 538-4006
Facsimile: (973) 538-5146
Email: WJMartin@pbnlaw.com
Email: RAParisi@pbnlaw.com
Email: DESklar@pbnlaw.com

*Counsel for the Official Equity Security Holders’
Committee*

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

In re:	§	Chapter 11
	§	
EIGER BIOPHARMACEUTICALS, INC.,	§	Case No. 24-80040 (SGJ)
<i>et al.</i> , ²	§	(Jointly Administered)
Debtors.	§	
	§	

**SECOND MONTHLY FEE STATEMENT
OF MCKOOL SMITH, PC FOR ALLOWANCE OF COMPENSATION
AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD FROM
AUGUST 1, 2024 THROUGH AND INCLUDING AUGUST 31, 2024**

Pursuant to sections 330 and 331 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), Rule 2016-1 of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas (the “**Local Rules**”), and this Court’s *Order Establishing Procedures for Interim*

² 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); EigerBio Europe Limited (N/A). The Debtors’ service address is 2100 Ross Ave., Dallas, Texas 75201.

Compensation and Reimbursement of Expenses for Retained Professionals, entered on May 13, 2024 [Docket No. 259] (the “**Interim Compensation Procedures Order**”), McKool Smith, PC (“**McKool Smith**”), attorneys for the Official Equity Security Holders’ Committee (the “**Equity Committee**”) in the above-captioned chapter 11 cases, hereby submits its second monthly fee statement (this “**Monthly Fee Statement**”) for interim allowance and (a) payment of compensation for professional services to the Equity Committee during the period from August 1, 2024 through and including August 31, 2024 (the “**Fee Period**”) in the amount of \$121,303.20 representing 80% of the \$151,629.00 of fees owed to McKool Smith for professional services to the Equity Committee during the Fee Period and (b) reimbursement of 100% of the actual and necessary expenses incurred by McKool Smith during the Fee Period in connection with such services in the amount of \$1,033.73. In support of this Application, McKool Smith respectfully represents as follows:

BACKGROUND

1. On April 1, 2024 (the “**Petition Date**”), each of the Debtors filed a voluntary petition with this Court under chapter 11 of the Bankruptcy Code. The Debtors are operating their business and managing their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. On June 25, 2024, the United States Trustee appointed the Equity Committee [Docket No. 359]. The members appointed at that time were: (1) Adam Gui, individually; (3) Gary C. Ribe, individually; and (3) Foxhill Capital Management For Foxhill Family Partnership, LP (“**Foxhill**”). On July 23, 2024, the United States Trustee filed an Amended Appointment of the Official Equity Security Holders’ Committee, adding Kenneth S. Grossman as the replacement Equity Committee member for Foxhill [Docket No. 438].

3. The Equity Committee selected Porzio, Bromberg & Newman, P.C. (“**Porzio**”) as its lead counsel and McKool Smith as co-counsel, subject to Court approval. McKool Smith was retained on June 26, 2024. Both have since been actively advising the Equity Committee.

4. On May 13, 2024, this Court entered the Interim Compensation Procedures Order [Docket No. 259], authorizing certain estate professionals (“**Professionals**”) to submit monthly applications for interim compensation and reimbursement for expenses, pursuant to procedures specified therein. If no objections are made within ten (10) days after service of a monthly fee statement (the “**Objection Deadline**”), the Debtors are authorized to pay the Professional eighty percent (80%) of the requested fees and one hundred percent (100%) of the requested expenses. All fees and expenses paid are on an interim basis until final allowance by the Court.

5. The Equity Committee retained McKool Smith as its co-counsel effective as of the June 26, 2024, pursuant to the *Order Authorizing and Approving the Employment of McKool Smith, PC as Co-Counsel for the Official Committee of Equity Security Holders Effective as of June 26, 2024* [Docket No. 448] (the “**Retention Order**”). The Retention Order authorizes the Debtors’ estates to compensate and reimburse McKool Smith subject to allowance of such compensation and reimbursement by the Court.

6. In support of the Monthly Fee Statement, McKool Smith submits the following exhibits which are attached hereto:

a) **Exhibit A** is a schedule of hours billed by McKool Smith attorneys and paraprofessionals during the Fee Period. McKool Smith attorneys expended a total of 127.30 hours in connection with these chapter 11 cases during the Fee Period. All services for which McKool Smith is requesting compensation were performed for or on behalf of the Equity Committee.

b) **Exhibit B** is a schedule of the number of hours expended and fees incurred (on an aggregate basis) by McKool Smith attorneys during the Fee Period with respect to each of the subject matter categories McKool Smith established in accordance with its internal billing procedures.

c) **Exhibit C** is a detailed statement of the time expended and compensation earned as well as McKool Smith's out-of-pocket expenses during the Fee Period.

FEES AND EXPENSES

7. McKool Smith has continuously rendered services to the Equity Committee during the Fee Period, totaling 127.30 hours of professional services. The services of McKool Smith are necessary to enable the Equity Committee to execute faithfully its duties. McKool Smith has provided, and will continue to provide, to the extent necessary, services to the Equity Committee including the following:

a) To give advice to the Equity Committee with respect to its rights, powers and duties as the Equity Committee in these Cases;

b) To assist and advise the Equity Committee in its consultations with the Debtors relative to the administration of these Cases;

c) To assist with the Equity Committee's investigation of the acts, conduct, assets, liabilities, and financial condition of the Debtors and of the operation of the Debtors' business and any other matters relevant to these Cases;

d) To assist the Equity Committee in its analysis of and negotiations with the Debtors or any third-party concerning matters related to, among other things, the terms of sales, a plan of reorganization or liquidation, or other conclusion of these Cases;

e) To assist the Equity Committee in requesting the appointment of a trustee or examiner, should such action become necessary;

f) To represent the Equity Committee at all hearings and other proceedings;

g) To review and analyze all applications, orders, statements of operations and schedules filed with the Court and advise the Equity Committee accordingly;

h) To assist the Equity Committee in preparing agreements, motions, applications, orders, complaints, answers, briefs and pleadings as may be necessary in furtherance of the Equity Committee's interests and objectives; and

i) To perform such other legal services as may be required under the circumstances of these Cases and are deemed to be in the interests of the Equity Committee in accordance with the Equity Committee's powers and duties as set forth in the Bankruptcy Code.

8. The total sum due to McKool Smith for professional services rendered on behalf of the Equity Committee for the Fee Period is \$151,629.00, of which 80% will be due and payable immediately upon expiration of the Objection Deadline. McKool Smith submits that the professional services it rendered on behalf of the Equity Committee during this time were reasonable and necessary under the circumstances.

9. McKool Smith also expended costs on behalf of the Equity Committee during the Fee Period in the sum of \$1,033.73, of which 100% will be due and payable immediately upon expiration of the Objection Deadline.

10. Although McKool Smith has made every effort to include all fees and expenses incurred during the Fee Period in this Monthly Fee Statement, some fees and expenses might have been omitted from this Monthly Fee Statement due to delays caused by accounting and processing during the Fee Period. McKool Smith reserves the right to submit further applications to the Court for allowance of such fees and expenses not included herein. Subsequent monthly fee statements and/or fee applications will be filed in accordance with the requirements of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, and the Interim Compensation Procedures Order.

WHEREFORE, McKool Smith requests (a) interim allowance and payment of compensation for professional services to the Equity Committee during the Fee Period in the amount of \$121,303.20, representing 80% of the \$151,629.00 of fees owed to McKool Smith for professional services to the Equity Committee during the Fee Period, and (b) reimbursement of 100% of the actual and necessary expenses incurred by McKool Smith during the Fee Period in connection with such services in the amount of \$1,033.73, for a total interim award amount of \$122,336.93.

Dated: September 16, 2024

Respectfully submitted,

/s/ S. Margie Venus

MCKOOL SMITH, PC

John J. Sparacino (SBN 18873700)
S. Margie Venus (SBN 20545900)
600 Travis Street, Suite 7000
Houston, Texas 77002
Telephone: (713) 485-7300
Facsimile (713) 485-7344
jsparacino@mckoolsmith.com
mvenus@mckoolsmith.com

Travis E. DeArman (SBN 24074117)
300 Crescent Court, Suite 1200
Dallas, Texas 75201
Telephone (214) 978-4000
Facsimile (214) 978-4044
tdearman@mckoolsmith.com

-and-

PORZIO, BROMBERG & NEWMAN, P.C.

Warren J. Martin Jr. (admitted *pro hac vice*)
Rachel A. Parisi (admitted *pro hac vice*)
David E. Sklar (admitted *pro hac vice*)
Brett S. Moore (admitted *pro hac vice*)
100 Southgate Parkway
P.O. Box 1997
Morristown, NJ 07962-1997
Telephone: (973) 538-4006
Facsimile: (973) 538-5146
WJMartin@pbnlaw.com
RAParisi@pbnlaw.com
DEsklar@pbnlaw.com
BSMoore@pbnlaw.com

*Counsel to the Official Committee of Equity
Security Holders of Eiger BioPharmaceuticals,
Inc., et al.*

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2024, a true and correct copy of the above and foregoing has been served on all parties that are registered to receive electronic transmission through this Court's CM/ECF filing system in these cases, and on the following Application Recipients via electronic mail.

Eiger BioPharmaceuticals, Inc
Attn: Douglass Staut
dstaut@alvarezandmarsal.com

Sidley Austin LLP
Attn: William E. Curtain
wcurtain@sidley.com
Attn: Anne G. Wallace
anne.wallace@sidley.com

Innovatus Life Sciences Lending Fund I, LP
Attn: Claes Eckstrom
ceckstrom@innovatuscp.com

Bradley Arant Boult Cummings LLP
Attn: Roger G. Jones
rjones@bradley.com

U.S. Trustee
Attn: Elizabeth A. Young
elizabeth.a.young@usdoj.gov

Meland Budwick, P.A.
Attn: Michael S. Budwick
mbudwick@melandbudwick.com

Munsch Hardt Kopf & Harr, P.C.
Attn: Garrick C. Smith
gsmith@munsch.com

/s/ S. Margie Venus
S. Margie Venus

EXHIBIT A

Summary of Hours Billed by McKool Smith Attorneys and Paraprofessionals for the Fee Period

Name	Position	Year of Bar Admission	Hourly Rate	Hours	Total Compensation
John J. Sparacino	Principal	1990	\$1,275.00	28.20	\$ 35,955.00
S. Margie Venus	Principal	1983	\$1,200.00	93.70	\$112,440.00
Sean W. O'Leary	Associate	2023	\$ 605.00	5.20	\$ 3,146.00
Amanda K. Johns	Paralegal	N/A	\$ 400.00	0.20	\$ 88.00
Total				127.30	\$151,629.00
Total Attorney Blended Rate			\$1,192.99		
Total All Timekeepers Blended Rate			\$1,191.12		

EXHIBIT B

Summary of Legal Fees and Expenses by Category for the Fee Period.

Task Description (Matter No.)		Total Hours	Total Fees Requested
B110	Case Administration	4.30	\$ 5,167.50
B120	Asset Analysis and Recovery	0.20	\$ 255.00
B130	Asset Disposition	1.80	\$ 2,197.50
B155	Meetings of and Communications with Client	1.00	\$ 1,200.00
B160	Fee/Employment Application	8.60	\$ 10,372.50
B195	Non-Working Travel	6.00	\$ 7,200.00
B230	Financing/Cash Collateral	2.10	\$ 2,527.50
B310	Claims Administration and Objections	15.70	\$ 19,162.50
B320	Plan and Disclosure Statement	87.60	\$103,546.50
Total		127.30	\$151,629.00

Category (Expense)	Total Fees Requested
Filing Fee	\$ 100.00
Travel Expense	\$ 904.82
Meals	\$ 28.91
Total	\$1,033.73

EXHIBIT C

McKool Smith Invoice

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee
1100 Commerce St.
Rm. 1254
mvenus@mckoolsmith.com
Dallas, TX 75242

September 12, 2024
Bill Number 120584
File Number 05305-00001

FOR PROFESSIONAL SERVICES

RE: Eiger BioPharmaceuticals

LEGAL SERVICES

Through August 31, 2024

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
B110 Case Administration					
B110	08/05/24	SMV	Review emails regarding financial advisor.	0.20	\$240.00
B110	08/06/24	SMV	Review emails in response to financial advisor.	0.10	\$120.00
B110	08/14/24	SMV	Review notice of hearing.	0.10	\$120.00
B110	08/16/24	SMV	Review witness and exhibit lists.	0.50	\$600.00
B110	08/17/24	SMV	Email regarding hearing.	0.10	\$120.00
B110	08/17/24	SMV	Review motion to file under seal.	0.20	\$240.00
B110	08/18/24	SMV	Review agenda for hearings.	0.20	\$240.00
B110	08/18/24	SMV	Prepare for hearings.	1.40	\$1,680.00
B110	08/19/24	JJS	Review agenda for 8/20 hearing.	0.10	\$127.50
B110	08/19/24	SMV	Review and respond to Porzio's emails regarding court appearance.	0.30	\$360.00
B110	08/19/24	SMV	Review emails regarding bank account.	0.20	\$240.00
B110	08/20/24	SMV	Review further emails regarding bank account.	0.20	\$240.00
B110	08/21/24	SMV	Review emails regarding bank account.	0.20	\$240.00
B110	08/31/24	SMV	Review monthly operating reports.	0.50	\$600.00
Task Total				4.30	\$5,167.50
B120 Asset Analysis and Recovery					
B120	08/17/24	JJS	Attention to exhibit lists for 8/20 hearing.	0.20	\$255.00

McKool Smith
 A PROFESSIONAL CORPORATION - ATTORNEYS
 300 Crescent Court, Suite 1200
 Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Task Total				0.20	\$255.00
B130 Asset Disposition					
B130	08/02/24	SMV	Review notice of cancellation of auction.	0.20	\$240.00
B130	08/05/24	JJS	Attention to Debtors' sale motion and declaration in support.	0.30	\$382.50
B130	08/05/24	SMV	Review motion to sell and declaration.	0.50	\$600.00
B130	08/08/24	SMV	Review objection to motion to sell.	0.20	\$240.00
B130	08/14/24	SMV	Review objections to sale.	0.20	\$240.00
B130	08/19/24	JJS	Attention to Lambda sale order.	0.10	\$127.50
B130	08/19/24	JJS	Attention to Thermo objection to sale.	0.10	\$127.50
B130	08/21/24	SMV	Review order entered regarding sale.	0.20	\$240.00
Task Total				1.80	\$2,197.50
B155 Meetings of and Communications with Client					
B155	08/20/24	SMV	Preparation of memo to Equity Committee regarding hearings.	1.00	\$1,200.00
Task Total				1.00	\$1,200.00
B160 Fee/Employment Applications					
B160	08/05/24	SMV	Review emails regarding Kramer Levin fees.	0.10	\$120.00
B160	08/06/24	SMV	Review emails from Kramer Levin.	0.10	\$120.00
B160	08/13/24	JJS	Attention to Dundon employment application and filing.	0.30	\$382.50
B160	08/13/24	SMV	Review and comment on amended declaration and retention application for FA and finalize for filing.	1.50	\$1,800.00
B160	08/19/24	SMV	Review and revise certificates of no objections for McKool and Porzio regarding retention applications and forward same.	0.50	\$600.00
B160	08/20/24	SMV	Review comments on certificates of no objections.	0.20	\$240.00
B160	08/21/24	SMV	Review and edit certificates of no objections after comments received and finalize for filing.	0.50	\$600.00
B160	08/22/24	SMV	Review notice of ordinary course professionals report.	0.20	\$240.00

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
B160	08/26/24	SMV	Review orders entered approving retention of Equity Committee counsel.	0.20	\$240.00
B160	08/28/24	SMV	Review and revise draft of first monthly fee statement for Equity Committee professionals.	2.00	\$2,400.00
B160	08/28/24	SMV	Review and finalize fee invoice for first monthly fee statement.	0.30	\$360.00
B160	08/29/24	JJS	Review and revise draft McKool fee statement and email M. Venus regarding same.	0.40	\$510.00
B160	08/29/24	SMV	Review and revise first monthly fee statements and attachments.	1.30	\$1,560.00
B160	08/30/24	SMV	Review and finalize for filing professionals' first monthly fee statements.	1.00	\$1,200.00
Task Total				8.60	\$10,372.50
B195 Non-Working Travel					
B195	08/19/24	SMV	Travel to Dallas.	3.00	\$3,600.00
B195	08/20/24	SMV	Return travel to Houston.	3.00	\$3,600.00
Task Total				6.00	\$7,200.00
B230 Financing/Cash Collateral					
B230	08/05/24	SMV	Review and revise withdrawal of standing motion and circulate to parties and finalize for filing.	1.00	\$1,200.00
B230	08/06/24	SMV	Review emails regarding authority to execute withdrawal and finalize filing.	0.30	\$360.00
B230	08/07/24	SMV	Review email and documents related to protective order, and research same and respond.	0.60	\$720.00
B230	08/08/24	JJS	Attention to district court notice regarding cash collateral appeal.	0.10	\$127.50
B230	08/08/24	SMV	Review entry of dismissal order.	0.10	\$120.00
Task Total				2.10	\$2,527.50
B310 Claims Administration and Objections					
B310	08/02/24	JJS	Initial review of Debtors' Innovatus estimation motion.	0.30	\$382.50

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
B310	08/07/24	JJS	Attention to stipulated confidentiality agreement and notice of filing.	0.50	\$637.50
B310	08/07/24	SMV	Review confidentiality agreement.	0.20	\$240.00
B310	08/09/24	JJS	Review Staut declaration regarding Innovatus.	0.30	\$382.50
B310	08/09/24	SMV	Review documents related to motion for estimation and declaration regarding Innovatus claim.	1.00	\$1,200.00
B310	08/13/24	JJS	Attention to draft Innovatus objection.	0.30	\$382.50
B310	08/13/24	SMV	Review draft objection to claim.	0.40	\$480.00
B310	08/14/24	JJS	Attention to motion for protective order.	0.20	\$255.00
B310	08/14/24	JJS	Review draft Innovatus objection from Sidley.	0.20	\$255.00
B310	08/14/24	SMV	Review motion for protective order filed by Debtors.	0.30	\$360.00
B310	08/16/24	JJS	Attention to new filings relating to Innovatus claim estimation.	0.30	\$382.50
B310	08/16/24	JJS	Review Innovatus claim objection.	0.30	\$382.50
B310	08/16/24	JJS	Attention to order to restrict.	0.10	\$127.50
B310	08/16/24	SMV	Review declarations and expert report filed.	1.00	\$1,200.00
B310	08/16/24	SMV	Review notice and revised proposed order.	0.30	\$360.00
B310	08/16/24	SMV	Review objection filed by Innovatus.	0.40	\$480.00
B310	08/17/24	JJS	Attention to Webb declaration.	0.20	\$255.00
B310	08/17/24	JJS	Attention to Innovatus objection to estimation.	0.30	\$382.50
B310	08/17/24	JJS	Attention to Keltner report.	0.20	\$255.00
B310	08/17/24	SMV	Review objection to claim.	0.50	\$600.00
B310	08/19/24	JJS	Attention to Innovatus objection.	0.20	\$255.00
B310	08/19/24	JJS	Attention to Debtor's reply in support.	0.20	\$255.00
B310	08/19/24	JJS	Attention to Debtors' limine motion.	0.20	\$255.00
B310	08/19/24	SMV	Review pleadings filed for hearing.	3.00	\$3,600.00
B310	08/20/24	SMV	Conference with Porzio regarding hearings.	0.50	\$600.00
B310	08/20/24	SMV	Preparation for and attendance at hearings.	3.50	\$4,200.00
B310	08/23/24	JJS	Attention to Innovatus claim order.	0.10	\$127.50
B310	08/23/24	SMV	Review order granting estimation of claim.	0.20	\$240.00
B310	08/30/24	SMV	Review assignment of claim filed.	0.10	\$120.00
B310	08/31/24	JJS	Attention to Innovatus motions to stay pending appeal.	0.40	\$510.00
Task Total				15.70	\$19,162.50

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
B320 Plan and Disclosure Statement (including Business Plan)					
B320	08/05/24	SMV	Research regarding releases and exculpation in 5th Circuit.	2.50	\$3,000.00
B320	08/06/24	SMV	Conclude research and prepare summary of applicable 5th Circuit rulings regarding exculpation and releases.	2.50	\$3,000.00
B320	08/08/24	JJS	Teleconference with M. Venus regarding Plan issues and status issues.	0.40	\$510.00
B320	08/08/24	SMV	Conference with J. Sparacino regarding plan issues presented.	0.40	\$480.00
B320	08/14/24	SMV	Review draft plan documents.	2.50	\$3,000.00
B320	08/15/24	JJS	Initial attention to second amended plan filing by Debtors.	0.30	\$382.50
B320	08/15/24	SMV	Review draft amended plan.	1.50	\$1,800.00
B320	08/16/24	JJS	Initial attention to Plan Supplement.	0.30	\$382.50
B320	08/16/24	SMV	Review numerous communications regarding plan documents including revised documents.	3.20	\$3,840.00
B320	08/23/24	JJS	Teleconference with M. Venus regarding confirmation issues and needs	0.30	\$382.50
B320	08/23/24	JJS	Review certain pleadings and general preparation in advance of meeting with Porzio regarding confirmation objection issues and needs and production from Innovatus.	1.60	\$2,040.00
B320	08/23/24	JJS	Meeting with Porzio team regarding confirmation objection and document production.	0.70	\$892.50
B320	08/23/24	JJS	Attention to issues outline for document analysis.	0.20	\$255.00
B320	08/23/24	JJS	Begin review of production documents in connection with potential confirmation issues.	3.10	\$3,952.50
B320	08/23/24	SMV	Conference with Porzio regarding discovery.	0.70	\$840.00
B320	08/23/24	SMV	Conference with team regarding review of documents.	0.50	\$600.00
B320	08/23/24	SMV	Review and respond to various emails regarding document review.	0.50	\$600.00
B320	08/23/24	SMV	Begin review of Debtors' documents.	1.50	\$1,800.00
B320	08/23/24	SMV	Conference with J. Sparacino regarding assistance	0.30	\$360.00

McKool Smith
 A PROFESSIONAL CORPORATION - ATTORNEYS
 300 Crescent Court, Suite 1200
 Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
			with discovery.		
B320	08/23/24	SWO	Attend Teams call to discuss assist with document review over the weekend.	0.30	\$181.50
B320	08/23/24	AKJ	Confer with M. Venus regarding document review.	0.20	\$88.00
B320	08/24/24	JJS	Review documents in connection with potential confirmation issues.	2.90	\$3,697.50
B320	08/25/24	JJS	Review documents in connection with possible confirmation issues.	3.40	\$4,335.00
B320	08/25/24	SMV	Review Debtors' documents produced.	10.00	\$12,000.00
B320	08/25/24	SWO	Review relevant documents.	3.50	\$2,117.50
B320	08/26/24	JJS	Exchange emails with Porzio team regarding document analysis issues.	0.30	\$382.50
B320	08/26/24	SMV	Numerous emails regarding review of documents and findings.	0.50	\$600.00
B320	08/26/24	SWO	Review relevant documents.	1.40	\$847.00
B320	08/27/24	SMV	Review emails regarding witnesses and availability.	0.30	\$360.00
B320	08/27/24	SMV	Review documents received for inclusion on exhibit list.	1.00	\$1,200.00
B320	08/27/24	SMV	Emails regarding document review.	0.20	\$240.00
B320	08/28/24	JJS	Attention to third amended plan redline and memo in support of confirmation.	0.80	\$1,020.00
B320	08/28/24	JJS	Attention to Staut declaration.	0.30	\$382.50
B320	08/28/24	SMV	Conference with Equity Committee professionals in preparation for evidentiary hearing.	0.50	\$600.00
B320	08/28/24	SMV	Review third amended plan filed.	1.00	\$1,200.00
B320	08/28/24	SMV	Review debtors' brief filed.	1.50	\$1,800.00
B320	08/28/24	SMV	Review Staut's declaration.	0.40	\$480.00
B320	08/28/24	SMV	Review drafted portion of objection to confirmation and research Fifth Circuit cases.	2.50	\$3,000.00
B320	08/28/24	SMV	Review New York decision received regarding standard for approval of releases.	0.40	\$480.00
B320	08/28/24	SMV	Review Debtors' counsel's correspondence regarding objection to releases.	0.20	\$240.00
B320	08/29/24	JJS	Exchange several emails with M. Venus regarding confirmation objection drafting and precedent needs.	0.40	\$510.00
B320	08/29/24	JJS	Review prior precedent plans as to D&O release	1.80	\$2,295.00

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
			issues.		
B320	08/29/24	SMV	Conference with UST regarding plan releases and exculpation provisions.	0.20	\$240.00
B320	08/29/24	SMV	Prepare email regarding UST call.	0.20	\$240.00
B320	08/29/24	SMV	Review protective order and summarize and circulate pertinent portions.	0.70	\$840.00
B320	08/29/24	SMV	Research NDTX and SDTX cases and email findings.	3.00	\$3,600.00
B320	08/29/24	SMV	Emails with J. Sparacino regarding SDTX precedent in which he was involved.	0.40	\$480.00
B320	08/30/24	JJS	Teleconference with M. Venus regarding confirmation objection and filing issues.	0.30	\$382.50
B320	08/30/24	JJS	Attention to and exchange multiple emails among Equity Committee counsel team regarding objection drafting and filing issues and status.	0.50	\$637.50
B320	08/30/24	JJS	Further research regarding precedent on D&O release issues and exchange emails with M. Venus regarding same.	2.40	\$3,060.00
B320	08/30/24	SMV	Research NDTX and SDTX cases continued.	3.50	\$4,200.00
B320	08/30/24	SMV	Numerous communications with Porzio regarding objection to plan, certification and exhibits.	1.80	\$2,160.00
B320	08/30/24	SMV	Review and respond to emails regarding possible settlement proposals.	0.30	\$360.00
B320	08/30/24	SMV	Review and attention to redacted and sealed exhibits accompanying Certification and redacted and sealed objection to plan and preparation for filing, and filing issues.	3.00	\$3,600.00
B320	08/30/24	SMV	Numerous emails with Porzio regarding difficulties with filing under seal and possible alternatives being pursued.	1.00	\$1,200.00
B320	08/30/24	SMV	Review recipients of sealed documents under protective order and draft transmittal of unfiled/sealed documents to recipients.	0.70	\$840.00
B320	08/30/24	SMV	Review docketing of protective order and revise pleadings with new docket number.	0.40	\$480.00
B320	08/30/24	SMV	Revise transmittal of filed/sealed documents to	0.30	\$360.00

McKool Smith
 A PROFESSIONAL CORPORATION - ATTORNEYS
 300 Crescent Court, Suite 1200
 Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

<u>Task</u>	<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
			recipients.		
B320	08/30/24	SMV	Prepare instructions for delivery to Chambers.	0.40	\$480.00
B320	08/30/24	SMV	Circulate filed redacted and sealed documents to Equity Committee team.	0.50	\$600.00
B320	08/30/24	SMV	Emails regarding next steps.	0.30	\$360.00
B320	08/31/24	JJS	Exchange emails with Equity Committee counsel team regarding depositions and hearing 9/4 and 9/5.	0.30	\$382.50
B320	08/31/24	JJS	Attention to final filed [sealed] version of Equity Committee objection and consider deposition and trial issues.	0.60	\$765.00
B320	08/31/24	JJS	Initial assessment of research and strategy regarding remote and distant trial witness, Rule 45 and compulsion as to webex, and process strategy.	1.40	\$1,785.00
B320	08/31/24	SMV	Conference with Porzio regarding subpoena of third party witness.	0.40	\$480.00
B320	08/31/24	SMV	Review filed Innovatus notice of appeal, motion to stay pending appeal, declaration, and objection to plan and UST's objection to plan.	4.50	\$5,400.00
B320	08/31/24	SMV	Review draft subpoena.	0.30	\$360.00
B320	08/31/24	SMV	Review and respond to communications regarding logistics/preparation for depositions planned.	0.40	\$480.00
B320	08/31/24	SMV	Research related to subpoena of third party witness, and testimony via WebEx in NDTX.	1.00	\$1,200.00
B320	08/31/24	SMV	Prepare witness and exhibit list draft.	2.00	\$2,400.00
Task Total				87.60	\$103,546.50
TOTAL LEGAL SERVICES					\$151,629.00

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee
RE: Eiger BioPharmaceuticals

September 12, 2024
Bill Number 120584
File Number 05305-00001

LEGAL SERVICES SUMMARY

JJS	JOHN J. SPARACINO	28.20 Hrs	1,275.00/hr	\$35,955.00
SMV	S. MARGIE VENUS	93.70 Hrs	1,200.00/hr	\$112,440.00
SWO	SEAN W. O'LEARY	5.20 Hrs	605.00/hr	\$3,146.00
AKJ	AMANDA K. JOHNS	0.20 Hrs	440.00/hr	\$88.00
		127.30 Hrs		\$151,629.00

SUMMARY OF PROJECT CATEGORY

<u>Task</u>	<u>Hours</u>	<u>Amount</u>
B110 Case Administration	4.30	5,167.50
B120 Asset Analysis and Recovery	0.20	255.00
B130 Asset Disposition	1.80	2,197.50
B155 Meetings of and Communications with Client	1.00	1,200.00
B160 Fee/Employment Applications	8.60	10,372.50
B195 Non-Working Travel	6.00	7,200.00
B230 Financing/Cash Collateral	2.10	2,527.50
B310 Claims Administration and Objections	15.70	19,162.50
B320 Plan and Disclosure Statement (including Business Plan)	87.60	103,546.50
	127.30	\$151,629.00

DISBURSEMENTS

Through August 31, 2024

No Task Code Defined

Filing Fee

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

September 12, 2024

RE: Eiger BioPharmaceuticals

Bill Number 120584

File Number 05305-00001

	Vendor 1006247-01: S. Margie Venus; Invoice # 6892791609042008;	100.00
	Filing Fees and Related; Filing fee for Brett S. Moore's motion to appear pro hac vice in bankruptcy case.	
	Check #: 10035999	
Filing Fee Total		\$100.00
<u>Travel Expense</u>		
08/19/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	32.07
	Taxi; Airport to Hotel; Uber ride from airport to hotel.	
08/20/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	184.27
	Lodging; Hotel stay in Dallas for hearing.	
	Check #: 10035877	
08/20/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	31.55
	Taxi; Hotel to Airport; Uber ride from hotel to airport.	
08/20/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	36.96
	Taxi; Airport to home.; Uber ride from airport to home.	
08/20/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	619.97
	Airfare Houston/Dallas 08/19/2024 - 08/20/2024 Airfare to Dallas to attend hearing.	
Travel Expense Total		\$904.82
<u>Meals</u>		
08/19/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	9.00
	Hotel - Dinner; Dinner at hotel during stay for hearing. (S. Venus)	
08/20/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	5.50
	Hotel - Lunch; Lunch at hotel during stay for hearing. (S. Venus)	
08/20/2024	Vendor 1006247-01: S. Margie Venus; Invoice # 6877776908262029;	14.41
	Hotel - Breakfast; Breakfast at hotel during stay for hearing. (S. Venus)	
Meals Total		\$28.91
Task Total		\$1,033.73
TOTAL DISBURSEMENTS		\$1,033.73

McKool Smith

A PROFESSIONAL CORPORATION - ATTORNEYS
300 Crescent Court, Suite 1200
Dallas, Texas 75201

Tax I.D. #75-2388013

Official Equity Security Holders' Committee

RE: Eiger BioPharmaceuticals

September 12, 2024

Bill Number 120584

File Number 05305-00001

TOTAL - THIS BILL DUE UPON RECEIPT

\$152,662.73