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**CONFLICTS COUNSEL
TO THE DEBTORS**

**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)

**COVER SHEET FOR FINAL FEE APPLICATION OF NELIGAN LLP FOR
ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR
THE PERIOD APRIL 26, 2024 THROUGH SEPTEMBER 5, 2024**

First Interim Fee Application Of: Neligan LLP

Capacity: Conflicts Counsel to the Debtor

Application Period: April 26, 2024 through September 5, 2024

Bankruptcy Petition Filed On: April 1, 2024

Date of Entry of Retention Order: June 3, 2024 [ECF 311]

Amount of Fees Sought: \$139,505.00

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 Avenue, Dallas, Texas 75201.



248004024092700000000001

Amount of Expense Reimbursement Sought:	<u>\$93.52</u>
Total Payment Sought:	<u>\$139,598.52</u>
Retainer Received:	<u>n/a</u>
Draw Down Requested:	<u>n/a</u>
Prior Fees Requested/Approved:	<u>n/a</u>

Summary of Amounts Sought for Compensation Period

Amount Requested:

Fees:	<u>\$139,505</u>
Expenses:	<u>\$93.52</u>
TOTAL:	<u>\$139,598.52</u>

Expense Details

Courier Fees	\$44.72
Photocopies	\$13.80
Park/Toll/Mileage	\$35.00
<u>TOTAL</u>	<u>\$93.52</u>

Attorney Billing Rates:

<u>Attorney</u>	<u>Admitted to Bar</u>	<u>Hourly Rate</u>
Patrick J. Neligan, Jr.	1983	\$775/hour
Douglas J. Buncher	1989	\$625/hour
John D. Gaither	2006	\$625/hour

Blended Rates:

<u>Hourly Rate</u>	<u>Attorney</u>	<u>Paralegal</u>
Highest Billed Rate:	\$775/hour	\$150/hour
Total Hours Billed:	203.60	6.2
Blended Rate:	\$680	\$150/hour

Overall Blended Rate (Attorneys): \$680/hour
Overall Blended Rate (Paralegals): \$150/hour
Overall Blended Rate (All Timekeepers): \$665/hour

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CONFLICTS COUNSEL TO THE DEBTORS

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
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In re:

EIGER BIOPHARMACEUTICALS, INC., *et al.*²

Debtors.

Chapter 11

Case No. 24-80040 (SGJ)

(Jointly Administered)

**FINAL APPLICATION OF NELIGAN LLP FOR ALLOWANCE OF COMPENSATION
AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD
APRIL 26, 2024 THROUGH SEPTEMBER 5, 2024**

If you object to the relief requested, you must respond in writing. Unless otherwise directed by the Court, you must file your response electronically at <https://ecf.txnb.uscourts.gov> no more than twenty-four (24) days after the date this motion was filed. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk and filed on the docket no more than twenty-four (24) days after the date this motion was filed. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

A hearing will be conducted on the matters set forth in this motion on October 24, 2024 at 9:30 a.m. (prevailing Central Time) in Courtroom #1, 14th Floor, Earle Cabell Federal Building, 1100 Commerce Street, Suite 1254, Dallas, Texas 75242.

You may participate in the hearing either in person or by an audio and video connection. Audio communication will be by use of the Court's dial-in facility. You may access the facility at 650.479.3207. Video communication will be by the use of the Cisco WebEx platform. Connect via the Cisco WebEx application or click the link on Judge Jernigan's home page. The meeting code is 2304-154-2638. Click the settings icon in the upper right corner and enter your name under the personal information setting. WebEx hearing instructions may be obtained from Judge Jernigan's hearing/calendar site:

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

<https://www.txnb.uscourts.gov/judges-info/hearing-dates/chief-judge-jernigans-hearing-dates>.

Hearing appearances must be made electronically in advance of electronic hearings. To make your appearance, click the “Electronic Appearance” link on Judge Jernigan’s home page. Select the case name, complete the required fields and click “Submit” to complete your appearance.

Neligan LLP (“Neligan”), conflicts counsel to the above-captioned debtors (collectively, the “Debtors”), files this final fee application (the “Application”) seeking entry of an order, substantially in the form attached hereto as **Exhibit A**, allowing and awarding Neligan’s fees in the amount of \$139,505.00 and expenses in the amount of \$93.52 for the period April 26, 2024 through September 5, 2024 (the “Application Period”), for total compensation and reimbursement of expenses in the aggregate amount of \$139,598.52. In support, Neligan states as follows:

I. STATEMENT OF JURISDICTION

1. This Court has jurisdiction to hear this Application pursuant to the provisions of 28 U.S.C. §§ 157 and 1334. This proceeding involves the administration of the Debtors’ estates and is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B).

2. The predicates for the relief requested herein are: (a) 11 U.S.C. §§ 327 and 330; (b) Federal Rule of Bankruptcy Procedures 2016(a) and N.D. Tex. L.B.R. 2016-1; (c) Procedures for Complex Cases in the Northern District of Texas; (d) the *Guidelines for Compensation and Reimbursement of Professionals* (the “Local Guidelines”), as adopted by this Court; and (e) *Appendix B–Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed under 11 U.S.C. § 330 for Attorneys in Larger Chapter 11 Cases* (the “UST Guidelines”).

II. FACTUAL & PROCEDURAL BACKGROUND

3. April 1, 2024 (the “Petition Date”), the Debtors commenced these jointly administered chapter 11 case (the “Chapter 11 Case”) by filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code.

4. On June 3, 2024, the Court entered an order approving the Debtors' retention of Neligan as conflicts counsel to the Debtors in this proceeding, effective as of April 26, 2024. Docket No. 311. In accordance with the Court's order approving Neligan's retention, Neligan has acted as conflicts counsel to the Debtor with respect to any disputed or potentially disputed issues between the Debtors and Merck.

5. On September 5, 2024, the Court approved the Debtors' disclosure statement and confirmed the Debtors' Fifth Amended Joint Plan of Liquidation (the "Plan"). Docket No. 639.

III. SUMMARY FEES REQUESTED BY NELIGAN

6. By this Application, Neligan seeks approval and payment of fees in the amount of \$139,505.00. Itemized billing statements for the fees requested by Neligan are attached to this Application as **Exhibit B**. The following is summary of professional services provided by Neligan during the Application Period:

- a. **Asset Sales (Total Hours: 193.4; Total Fees: \$125,595.00)**. This category includes time spent by Neligan professionals in assisting in the negotiation and consummation of the sale of the Debtors' Zokinvy and Lonafarnib assets. Specifically, this category reflects time spent negotiating with Merck, as the licensor of the assets being sold, concerning various substantive and procedural aspects of the proposed sales and seeking relief from the Court related thereto. The negotiations between the Debtors, purchasers, and Merck were complex and time-intensive, and Neligan professionals dedicated substantial time and effort in facilitating these negotiations, which culminated in the remarkably successful sales of the Debtors' assets. Time in this category therefore benefitted the estates because it resulted in the consensual resolution of all issues with Merck and the realization of substantial value for the Debtors' estates.
- b. **Retention / Compensation of Professionals (Total Hours: 9.40; Total Fees: \$4,090.00)**. This category includes time spent drafting and presenting pleadings related to the Debtors' retention and employment of Neligan, addressing question or comments by the United States Trustee (the "UST") related to Neligan's employment, and preparing and presenting fee applications. Time spent in this category benefitted the Debtors' estate by ensuring that the Debtors were properly represented during this case on

matters for which the Debtors' lead bankruptcy counsel were conflicted or potentially conflicted.

- c. **Plan of Reorganization (Total Hours: 16.70; Total Fees: \$9,820.00).** Time spent in this category relates to Neligan's involvement in the negotiation and finalization of the Debtors' Plan and the rejection of the Debtors' license agreement with Merck in connection with confirmation of the Plan. Neligan's efforts in this category resulted in the consensual resolution of all issues with Merck prior to confirmation of the Plan, and facilitated the confirmation of the Plan on fully consensual basis.

IV. SUMMARY EXPENSES INCURRED BY NELIGAN

7. Neligan seeks reimbursement of expenses incurred in rendering services to the Debtor during the Application Period in the amount of \$93.52. An itemized statement of expenses for which reimbursement is sought is included with Neligan's billing statement, attached hereto as **Exhibit B**. The expenses generally include charges for computerized research, filing fees, and copying and mailing costs. Neligan maintains the following policies with respect to expenses for which reimbursement is sought:

- a. All computerized research (*i.e.*, Westlaw, Pacer) is invoiced at actual cost.
- b. Photocopies (internal) are charged at \$0.10 per page.
- c. Reimbursements sought at actual costs include filing fees, transcription, postage, and delivery charges.
- d. Items for which reimbursements are not sought include office overhead, word processing and secretarial overtime.

Neligan submits that the expenses requested in this Application were actual, reasonable and necessary in light of the services provided.

V. REQUEST FOR ALLOWANCE OF FEES AND EXPENSES

8. Section 330 of the Bankruptcy Code authorizes the Court to award professional persons employed pursuant to Section 327 for reasonable compensation for actual and necessary services rendered and reimbursement for actual and necessary expenses incurred. The Fifth Circuit

has established a set of guidelines for use by lower courts when ruling on attorneys' fee requests. *See Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1974). The *Johnson* court found the following factors necessary to consider:

- a. the time and labor required;
- b. the novelty and difficulty of the questions presented;
- c. the skill requisite to perform the legal services properly;
- d. the preclusion of other employment due to the acceptance of the case;
- e. the customary fee;
- f. whether the fee is fixed or contingent;
- g. time limitations imposed by the client with the circumstances of the case;
- h. the amount involved and the results obtained;
- i. the experience, reputation and ability of the attorney;
- j. the undesirability of the case;
- k. the nature and length of the professional relationship with the client; and
- l. awards in similar cases.

Id. In *In re First Colonial Corp. of America*, 544 F.2d 1291, 1298-99 (5th Cir. 1977), *cert. denied*, 421 U.S. 904 (1977), the Fifth Circuit applied the *Johnson* factors to the analysis of fee awards in bankruptcy cases.

9. Under an analysis utilizing the *Johnson* factors and the standards customarily applied to fee awards under Section 330 of the Bankruptcy Code, Neligan submits its request for compensation and reimbursement of expenses is reasonable and proper, and that such compensation and reimbursement of expenses should be allowed in the amount requested. The professional services rendered by Neligan during the Application Period required a high degree of

professional competence and expertise so that numerous restructuring and other issues that arose could be addressed with skill and efficiency. Neligan submits that the services rendered to the Debtors were performed efficiently and effectively, and that the results obtained have provided tangible, identifiable, and material benefits to the Debtors and their estates.

A. The Time and Labor Required

10. Neligan attorneys and paraprofessional have expended 219.50 hours during the Application Period in the representation of the Debtors on the matters for which Neligan was retained. Neligan was not retained until after the filing of these cases and shortly before the Zokinvy sale was set to close and was thus required to devote a substantial amount of time at the outset of its engagement familiarizing itself with the business and legal issues for which Neligan was retained. Neligan professionals devoted a substantial amount of time in a short period in preparing to litigate, and subsequently successfully resolving, any potential between the Debtors and Merck related to the Zokinvy sale. Thereafter, Neligan professionals devoted time in assisting the Debtors in resolving any issues with Merck in connection with the negotiation and consummation of the Lonafarnib sale transaction. Neligan submits that all of the time spent during the Application Period was reasonable and necessary for the representation of the Debtor in these cases.

B. Novelty and Difficulty of Questions Presented

11. The Debtors' businesses, and the matters for which Neligan was retained, were both sophisticated and complex. For example, Neligan was required to assess issues involving the interplay of intellectual property, biotechnology law, and bankruptcy law in connection with the sale of assets licensed from Merck. Especially with respect to the Zokinvy sale, those issues were raised and resolved on an extremely expedited time frame, adding to the difficulty of Neligan's

task. Accordingly, Neligan submits that the issues raised in this case were both novel and difficult to resolve and that the time spent was reasonable when viewed against the nature of the issues Neligan was required to address.

C. Skill Requisite to Perform the Legal Services Properly

12. The Debtors required restructuring counsel with both skill and experience in addressing the various issues that have arisen in the case. Neligan believes that its attorneys have been used effectively and efficiently and have enabled the Debtors to perform their fiduciary duties, which in turn has provided substantial benefits to its estate during the Application Period. Neligan submits that the knowledge, experience, and creativity of its professionals was integral to the Debtors' ability to reach a consensual resolution of all issues between the Debtors and Merck.

D. Preclusion of Other Employment

13. Although Neligan's representation of the Debtor often involved matters that were time-critical and required substantial efforts, Neligan's representation of the Debtor did not materially preclude Neligan from accepting other engagements. However, certain Neligan professionals and paraprofessionals were required to devote substantially all of their time during certain weeks of the Application Period to these cases to the exclusion of other matters.

E. Customary Fee

14. The hourly rates of the Neligan attorneys performing legal services on behalf of the Debtors range from \$625 per hour to \$775 per hour and \$150 per hour for paraprofessionals. The blended billable rate for the fees requested is approximately \$665 per hour (for all timekeepers). The rates charged by Neligan in this case are Neligan's standard and customary rates, and Neligan submits that these hourly rates are at or below-market for similarly experienced and qualified

restructuring counsel in Dallas and similar legal markets, including the rates of other professionals retained in this case.

F. Whether Fee is Fixed or Contingent

15. The fees requested in this Application represent fees incurred based upon a fixed hourly rate basis. However, as is true for debtor counsel in every bankruptcy case, Neligan's compensation is subject to the Court's review of its fees and expenses and approval of this Application.

G. Time Limitations

16. Neligan provided capable legal representation within the time limitations imposed under the circumstances of these cases. However, other than at the outset of Neligan's retention, time limitations were generally not a substantial factor in these cases.

H. Amount Involved and Results Obtained

17. The amount of compensation and expenses incurred during the Application Period is reasonable and consistent with the results obtained. Neligan represented the Debtors in arduous, high-stakes negotiations with the licensor of valuable assets being sold to pay creditors. Neligan's efforts directly contributed to the resolution of any disputes with Merck and the ultimate consummation of highly successful sales in an amount sufficient to fund a return to equity. Neligan submits that its relatively low fees, in light of the results in the case, are eminently reasonable.

I. Experience, Reputation and Ability of Counsel

18. Each of the Neligan attorneys who performed services for the Debtors in these cases enjoys an excellent reputation as an experienced restructuring professional. The experience and skill of Neligan attorneys substantially contributed to the effective and efficient representation of the Debtors.

J. Undesirability of the Case

19. Representing the Debtors in these cases was not undesirable to Neligan.

K. Nature and Length of the Professional Relationship

20. Neligan has represented the Debtors from April 2024 to present. Neligan had no preexisting relationship with the Debtors and does not expect to have any continuing professional relationship after the conclusion of the Debtors' reorganization proceeding.

L. Awards in Similar Cases

21. The fees and expenses for which Neligan seeks compensation and reimbursement are not excessive and are substantially similar to, or below, the amounts awarded in similar cases in this district for similar services rendered and similar results obtained. After taking into consideration the time and labor involved in the representation, and the nature and extent of the representation and results achieved, Neligan believes the fees and expenses prayed for herein are reasonable and should be approved.

VI. INFORMATION REQUIRED BY UST GUIDELINES

22. In support of this Application, Neligan makes the following disclosures as required by the UST Guidelines:

Question: Did you agree to any variations from, or alternatives to, your standard or customary billing rates, fees or terms for services pertaining to this engagement that were provided during the application period? If so, please explain.

Answer: No.

Question: If the fees sought in this fee application as compared to the fees budgeted for the time period covered by this fee application are higher by 10% or more, did you discuss the reasons for the variation with the client?

Answer: n/a

Question: Have any of the professionals included in this fee application varied their hourly rate based on the geographic location of the bankruptcy case?

Answer: No.

Question: Does the fee application include time or fees related to reviewing or revising time records or preparing, reviewing, or revising invoices? (This is limited to work involved in preparing and editing billing records that would not be compensable outside of bankruptcy and does not include reasonable fees for preparing a fee application.). If so, please quantify by hours and fees.

Answer: No.

Question: Does this fee application include time or fees for reviewing time records to redact any privileged or other confidential information? If so, please quantify by hours and fees.

Answer: No.

Question: If the fee application includes any rate increases since retention: (i) Did your client review and approve those rate increases in advance? (ii) Did your client agree when retaining the law firm to accept all future rate increases? If not, did you inform your client that they need not agree to modified rates or terms in order to have you continue the representation, consistent with ABA Formal Ethics Opinion 11-458?

Answer: n/a

VII. CERTIFICATION UNDER LOCAL GUIDELINES

23. In accordance with Paragraph I(G) of the Court's Local Guidelines, the undersigned hereby certifies as follows:

24. I have read and was involved in the preparation of the foregoing Application. To the best of my knowledge, and belief, formed after reasonable inquiry, the compensation and expense reimbursement sought in the Application is in conformity with the Local Guidelines.

25. All services for which compensation is requested hereunder were rendered at the request of and solely on behalf of the Debtors and not on behalf of any other entity.

26. The compensation and expense reimbursement requested are billed at rates and in accordance with practices no less favorable than those customarily employed by Neligan and generally accepted by Neligan's clients.

27. No agreement or understanding exists between Neligan and any third person for sharing of compensation, excepted allowed by 11 U.S.C. § 504(b) and Bankruptcy Rule 2016 with respect to sharing of compensation between and among the partners of Neligan.

VIII. CONCLUSION

28. Neligan respectfully requests that the Court (a) approve and allow, on a final basis, Neligan's fees in the amount of \$139,505.00 and reimbursement of Neligan's expenses in the amount of \$93.52; (b) authorize and direct the Debtors or Reorganized Debtors, as applicable, to pay to Neligan the total amount of \$139,598.52; and (c) grant Neligan any further relief the Court deems appropriate.

Dated: September 27, 2024

Respectfully submitted,

/s/ John D. Gaither

Patrick J. Neligan, Jr.

State Bar No. 14866000

John D. Gaither

State Bar No. 24055516

NELIGAN LLP

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Dallas, Texas 75244

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jgaither@neliganlaw.com

**CONFLICTS COUNSEL
TO THE DEBTORS**

EXHIBIT "A"

**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)

**ORDER APPROVING FINAL APPLICATION OF NELIGAN LLP FOR ALLOWANCE
OF COMPENATION AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD APRIL 26, 2024 THROUGH SEPTEMBER 5, 2024**

The Court has considered the application (the “Application”) [Docket No. ____] of Neligan LLP (“Neligan”), conflicts counsel to the above-captioned debtors (collectively, the “Debtors”), for final approval, allowance and payment of professional fees and expenses pursuant to sections 330 and 331 of title 11 of the United States Code, Rule 2016 of the Federal Rules of Bankruptcy Procedure, and Rule 2016-1 of the Local Rules of Bankruptcy Practice and

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 Avenue, Dallas, Texas 75201.

Procedure of the United States Bankruptcy Court for the Northern District of Texas, for compensation for services rendered totaling \$139,505.00 and reimbursement of expenses in the amount of \$93.52 for the period April 1, 2024 through September 5, 2024 (the “Application Period”), for total compensation and reimbursement of expenses in the aggregate amount of \$139,598.52. The Court finds that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) consideration of the Application and the relief requested therein are a core proceeding pursuant to 28 U.S.C. § 157(b); (iii) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; (iv) due and proper notice of the Application has been provided to the necessary parties; (v) the services described in the Application provided a benefit to the Debtors’ estates; (vi) the relief sought in the Application is in the best interests of the Debtors, creditors and all parties in interest; and (vii) the legal and factual bases set forth in the Application establish just cause for the relief granted herein. Accordingly, **IT IS HEREBY ORDERED**

THAT:

1. The Application is granted, and the compensation requested therein is approved.
2. Neligan is awarded, on final basis, \$139,505.00 for services rendered and reimbursement of expenses in the amount of \$93.52, for total compensation and reimbursement of expenses in the aggregate amount of \$139,598.52 during the Application Period.
3. The Debtors or Reorganized Debtors, as applicable, are authorized and directed to pay Neligan the amount of \$139,598.52.
4. The Debtors, Reorganized Debtors, and Neligan are authorized to take all actions necessary to effectuate the relief granted in this order in accordance with the Application.
5. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this order.

END OF ORDER

Submitted By:

NELIGAN LLP

Patrick J. Neligan, Jr.

State Bar. No. 14866000

John D. Gaither

State Bar No. 24055516

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CONFLICTS COUNSEL TO THE DEBTORS

EXHIBIT “B”

NELIGAN LLP

4851 LBJ Freeway
Suite 700
Dallas, TX 75244

Telephone: 214.840.5300

September 25, 2024

Eiger BioPharmaceuticals Inc.
Attn: David Apelian, CEO
2155 Park Boulevard
Palo Alto, CA 94305

In Reference To: Eiger BioPharmaceuticals, Inc.
Merck Sharp & Dohme LLC Dispute
CM # 10883-001

Invoice Number: 24880

Legal Services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>Asset Sale</u>		
4/26/2024 PJN Emails with Mr. Curtin regarding sale and potential representation (.3); emails with Mr. Califano regarding representation and background information (.2); telephone call with Mr. Califano regarding representation due to potential conflict with Merck (.8); emails with Ms. Perkins regarding docket, relevant pleadings and background information on debtor and its business operations in Eiger chapter 11 (.1); two telephone calls with Ms. Perkins regarding follow on requested information and documentation (.3); review Mr. Embry's email and attached Zipfile with various first day pleadings, relevant information and background in addition to other documentation/pleadings (4.6); telephone call with Mr. Embry regarding documents related to post sale transfer of license agreement and other information (.1); two telephone calls with Mr. Gaither regarding Eiger and issues to address in connection with sale and role as conflicts counsel (.4); Review Mr. Califano's email and email trail from Merck's counsel regarding transfer and license agreement (.2); telephone call with Mr. Califano regarding issues, documentation and background on license transfer and upcoming hearing (.5); emails with Messrs. Buncher and Gaither regarding issues and information related to upcoming hearing and license transfer (.4); conferences with Mr. Gaither regarding license, Merck's rights and position (.9) review	9.40 775.00/hr	7,285.00

Eiger BioPharmaceuticals Inc.

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
	follow up emails from Mr. Gaither and Mr. Embry regarding license agreement etc. and follow up regarding same (.6)		
4/26/2024	DJB Review background documentation and pleadings and correspondence with Mr. Neligan and Mr. Gaither regarding issues with Merck and potential means of resolution (2.5).	2.50 625.00/hr	1,562.50
	JDG Review sale documents and related pleadings (4.0); listen to audio transcript of sale hearing to identify issues related to Merck (1.7); review Merck license agreements and related background documents (3.1); correspondence and meeting with Doug Buncher to discuss research issues and potential for request for relief related to Merck side letter (2.6).	11.40 625.00/hr	7,125.00
4/27/2024	PJN Review Merck license agreement, and other pleadings/documents in connection with addressing strategy on license transfer (5.5); telephone call with Mr. Califano regarding issues raised by Merck (.1); follow up review of provisions related to confidentiality in license agreement (.3) review email communications regarding confidentiality/motion to seal (.4); review Eiger's emergency motion for declaratory relief regarding Debtor's rights under licensing agreement and follow up regarding same(.8) two telephone call with Mr. Curtin regarding confidentiality etc. (.6); email communications with Ms. Wallace regarding issues related to Merck license and post-sale Side Letter(.2); two telephone calls with Mr. Embry regarding questions and issues related to transfer of license and Merck's response to Eiger's proposed sale (.3); review various drafts of motion to seal and redacted version of Debtor's Emergency Motion for Entry of An Order Determining Debtor's Rights Under Licensing Agreement (.6); two telephone calls with Mr. Gaither regarding outstanding issues, confidentiality, and related issues (.3); review email and email trail from Mr. Califano regarding Merck's position on licensing agreement and follow up on attached litigation affecting transfer of Eiger licensing agreement (.7)	9.80 775.00/hr	7,595.00
	JDG Draft, revise, finalize and file Merck licensing motion and motion to seal Merck license and sublicense (12.2).	12.20 625.00/hr	7,625.00
4/28/2024	PJN Email communications with Neligan and Sidley team regarding Motion to Seal etc. (.2); review Califano email and email trail with Mr. Baxter regarding allocation of responsibility and communications on Eiger's motion for declaratory relief and assignment of license(.1); review draft of Debtor's Emergency Motion to Determine Rights Under License Agreement and various follow up edits etc. (.6); emails with Mr. Baxter regarding Debtor's Emergency Motion and Merck's position on emergency relief etc. (.2); telephone call with Mr. Baxter regarding	7.80 775.00/hr	6,045.00

Eiger BioPharmaceuticals Inc.

Page 3

		<u>Hrs/Rate</u>	<u>Amount</u>
	Merck's objections, issues on confidentiality and related matters (.4); analyze Merck's likely objections and related issues in connection with emergency motion, including arbitration requirement raised by Mr. Baxter (2.9); email communications with Mr. Curtin regarding questions and various issues to address with Mr. Baxter (.5); follow up email with Mr. Gaither and Mr. Buncher regarding issues/objections raised by Mr. Baxter (.2); various follow up emails with Mr. Bucher and Mr. Gaither regarding issues related to potential discovery from Merck etc. (.3); telephone call with Mr. Embry regarding issues related to motion to seal, notice and related matters (.1); review various pleadings and transcripts regarding evidence in support of emergency motion etc. and preparation for upcoming conference call with Merck et.al. regarding requested relief (.9); two calls with Mr. Gaither regarding follow up on issues raised by Mr. Baxter, Merck's counsel (.3); continued review of various relevant documents and initial preparation for upcoming hearing (1.1).		
4/28/2024 JDG	Correspondence with counsel for Merck regarding Merck licensing motion and sealing issues (.8); review licensing agreement and sublicense and began outlining presentation on licensing issues (6.8); telephone conference with Pat Neligan to discuss issues raised in Merck licensing motion (.6); follow up telephone conference with Pat Neligan to discuss strategy relating to Merck licensing motion and corresponding discussions with Merck (.3); reviewed information related to sealing motion and corresponded with Parker Embry regarding same (1.2); additional email correspondence with counsel for Merck regarding issues raised in licensing and sealing motions (.9).	10.60 625.00/hr	6,625.00
4/29/2024 DJB	Review of draft Motion and Order and confer with Mr. Gaither and Mr. Neligan regarding issues related to Motion and ability of court to grant relief requested (1.2).	1.20 625.00/hr	750.00
PJN	Prepare for conference call with IP/Bio lawyers from Sidley and others, Merck and Sentynl (.4); Participate in conference call with various IP lawyers for Merck, Sentynl, and Eiger together with bankruptcy lawyers for each party and multiple emails with Mr. Gaither regarding issues raised on conference call (1.6); review various documents including current Side Letter, license agreement with Merck and proposed sublicense agreement and current draft of proposed order on Merck license motion, including multiple communications with Mr. Gaither and Mr. Buncher regarding Sentynl's position and issues to address based on Merck's objections (2.6); multiple telephone calls and emails with Mr. Baxter, Merck bankruptcy counsel, regarding Merck's objections, proposed springing license agreement, and suggested resolution (.6); emails with Mr. Baxter regarding motion to seal and treatment of Merck license agreement (.3); follow up emails and telephone call with Mr. Van Horn regarding Merck license and issues	7.50 775.00/hr	5,812.50

Eiger BioPharmaceuticals Inc.

Page 4

		<u>Hrs/Rate</u>	<u>Amount</u>
	related to Merck's concern about FOIA (.3); draft follow up email to Ms. Young regarding motion to seal and issues on sale (.1); emails with Ms. Ellison regarding motion to seal, upcoming hearing and status conference (.3); Telephone calls with Mr. Curtin regarding issues raised by Merck's counsel and Side Letter/hearings (.8); emails and telephone call with Mr. Embry regarding upcoming status conference motion to seal etc.(.1); conference with Mr. Gaither regarding issues raised by Mr. Van Horn and Mr. Baxter related to sale/sublicense etc. (.3); communications with Mr. Curtin regarding follow up with group to resolve Side Letter issues (.1)		
4/29/2024 JDG	Research and draft memorandum related to legal issues raised in Merck licensing motion (2.5); conference with Pat Neligan to discuss same (.5); telephone conference with Sentyln, Merck, and Eiger teams to discuss side letter issues (1.5); begin preparing outline of issues and arguments for licensing motion (5.6); revise notice of hearing and coordinate with Parker Embry regarding filing and service of same (.4); email correspondence with the court regarding hearing dates (.1); review sealed documents and coordinate with Carolyn Perkins assembly and delivery of exhibits to court in anticipation of hearing (1.3).	11.90 625.00/hr	7,437.50
4/30/2024 PJN	Multiple emails with Mr. Baxter regarding hearing and related issues(.2); emails with Ms. Young regarding follow up on hearing on motion to seal, confidentiality issues and conference call with Merck's counsel(.1); multiple emails with Mr. Curtin and Mr. Baxter regarding follow up on Side Letter and license transfer(.3); participate in conference call with professionals for Merck, Sentyln, and Eiger team regarding revisions to Side Letter and Merck License Agreement (1.1); multiple emails with Mr. Gaither regarding issues to address in contested hearing on Side Letter and transfer to Sentyln (.5); review emails from Mr. Baxter regarding outstanding issues and follow up email communications regarding same(.4); telephone calls with Mr. Baxter regarding outstanding issues and upcoming hearing.(3); telephone calls with Mr. Curtin regarding issues raised by Mr. Baxter and resolving various Merck issues, including request to delay hearing (.6); emails with Mr. Van Horn and Ms. Young regarding impact of Freedom of Information Act on Merck License Agreement (.3); telephone conference with Mr. Van Horn, Ms. Young and Mr. Gaither regarding Merck's issues on confidentiality provision in License Agreement and upcoming hearing and multiple follow up telephone calls with Mr. Van Horn regarding motion to seal and related issues (.7); Telephone call with Mr. Califano regarding Merck's request on delaying hearing and related issues(.4); numerous emails with Mr. Van Horn, Mr. Curtin, Mr. Baxter et.al. regarding proposed order on motion to seal, 11 USC 107 and other protections for Merck, including logistics for disseminating License to Court and US Trustee's office	7.40 775.00/hr	5,735.00

Eiger BioPharmaceuticals Inc.

Page 5

		<u>Hrs/Rate</u>	<u>Amount</u>
	(1.3) review emails between Merck and Sidley IP/Biotech lawyers regarding additional revisions to Side Letter etc. (.4); multiple emails with Ms. Perkins regarding follow up on delivery of Merck License etc. and upcoming hearing (.2); address issues raised by Mr. Van Horn regarding Merck's objection to transmittal of License Agreement to Court and US Trustee (.6)		
4/30/2024 CP	Draft witness and exhibit list and forward to Mr. Gaither for review (.3). Draft letter to Judge's clerk regarding delivery of sealed document and exhibits; coordinate copying and delivery of exhibits with; follow-up correspondence with Mr. Gaither regarding same (1.3).	1.60 150.00/hr	240.00
JDG	Telephone conference with Sentynl, Merck, and Eiger teams to discuss side letter issues (1.0); follow up telephone conference with Pat Neligan to discuss hearing and presentation (.3); telephone conference with Pat Neligan, Liz Young, and Eric Van Horn (.5) regarding motion to seal; email correspondence with counsel for Merck regarding issues related to motion to seal (.5); research related to confidentiality provisions and pending motion to seal (.6); continue negotiating confidentiality issues with counsel for Merck and the US Trustee (3.3); begin preparing for status conference and hearing on motion to file licenses under seal (1.2); continue researching issues and preparing for evidentiary hearing on licensing motion (3.7).	11.10 625.00/hr	6,937.50
5/1/2024 JDG	Email correspondence between Debtor, Sentynyl, and Merck teams regarding sale terms and side letter (1.1).	1.10 625.00/hr	687.50
PJN	Multiple email communications with Mr. Curtin, Mr. Gaither, et.al. regarding issues related to hearing and finalizing agreement on sublicense transfer (.3); telephone call with Mr. Dunn regarding issues for upcoming hearing (.5); prepare for upcoming hearing (.6) follow up telephone calls and email communications with Mr. Baxter, Mr. Dunn and Mr. Curtin regarding issues on supplemental sale order and related matters in connection with upcoming hearing(.7); participate in prehearing conference call with Eiger team(.3); telephone calls with Mr. Van Horn regarding sealing of documents, upcoming hearing and related issues and follow up emails regarding same (.6); review proposed changes to order and other related matters from Mr. Van Horn (.3);follow up emails with Mr. Curtin and Eiger team regarding same(.2); telephone calls with Mr. Curtin regarding various outstanding issues and Mr. Van Horn's request to delay hearing. (.3); draft email to Ms. Young setting out changes from Mr. Van Horn to order on motion to seal and follow up telephone call with Ms. Young and Mr. Van Horn regarding same(.6); multiple email communications with Ms. Hoagland, Mr. Curtin, Mr. Stirling, Mr. Baxter, Mr. Dunn, Mr. Morse, et.al. regarding agreement between Merck, Sentynl and Eiger over Side Letter and proposed order (.8) review additional follow up revision	9.00 775.00/hr	6,975.00

Eiger BioPharmaceuticals Inc.

Page 6

		<u>Hrs/Rate</u>	<u>Amount</u>
	from Mr. Van Horn to proposed order on motion to seal (.2); follow up with Mr. Gaither et.al. regarding same (.1); emails with Mr. Morse, Sentyln counsel, regarding revised order on motion to seal(.2); Telephone calls with Mr. Van Horn regarding delaying hearing and follow up telephone calls and emails with Ms. Ellison and Mr. Van Horn regarding delay commencement of hearing (.6); multiple email communications with Sentyln, Eiger and Merck counsel regarding issues on side letter and order (1.1); participate in hearing on motion to seal and update for court on status of transfer (.4); review additional changes to order and final version of order on motion to seal and follow up communications with Ms. Young, Mr. Morse, et.al. (.3); review numerous follow up email communications from counsel for Sentyln, Merck and Eiger regarding finalizing Side Letter etc. (.6); Emails with Mr. Curtin and Mr. Califano regarding follow up on outstanding matters (.3)		
5/1/2024 CP	Follow-up correspondence with Court regarding delivery of exhibits to Judge for hearing (.3). Finalize and file Witness and Exhibit list (.4).	0.70 150.00/hr	105.00
JDG	Review license agreements and prepare witness for hearing on motion to seal (1.5); telephone conference with Eric Van Horn regarding motion to seal (.4); prepare outline for hearing on motion to seal (1.0); coordinate delivery of unredacted documents to Judge Jernigan's chambers (.2); email correspondence with Liz Young to discuss issues related to sealing motion (.5); telephone conference with Sidley team to discuss hearing on motion to seal (.3); telephone conferences with Doug Staut and David Apelian regarding hearing on motion to seal (.6); prepare for and attend hearing on motion to seal (3.0); continue participating in post-hearing negotiations regarding agreed form of sealing order (1.2); finalize agreed form of order (.4); follow up telephone conference with Eric Van Horn concerning issues addressed at hearing (.4).	9.50 625.00/hr	5,937.50
5/2/2024 JDG	Email correspondence between Debtor, Sentyln, and Merck teams regarding sale terms and side letter (1.1).	1.10 625.00/hr	687.50
PJN	Review numerous email communications from various counsel for Sentyln, Merck and Sidley Biotech team (Messrs. Beeler, Abreau, Landreth, Curtin, Stirling, and Ms. Hoagland and Ms. Sauter) regarding revisions to Side Letter and form of Supplemental Sale Order including redacted version(.9).	0.90 775.00/hr	697.50
5/3/2024 JDG	Email correspondence with Parker Embry concerning withdrawal of certain pleadings related to Zokinvy sale (.4); review, finalize and file notices of withdrawal (1.0).	1.40 625.00/hr	875.00

Eiger BioPharmaceuticals Inc.

Page 7

		<u>Hrs/Rate</u>	<u>Amount</u>
5/3/2024	PJN Emails with Mr. Dunn and Mr. Van Horn regarding withdrawal of witnesses in connection with May 7 hearing(.1); multiple emails with Mr. Embry regarding Notice of Withdrawal of Motion (.2); emails with Ms. Perkins regarding Notice of Withdrawal of Motion and review final version to be filed with Court (.2); review emails from Mr. Curtin and Mr. Landreath regarding closing of sale and uploading of Supplemental Sale Order(.1)	0.60 775.00/hr	465.00
5/7/2024	PJN Attend Hearing telephonically (3.0) [Not Billed]	3.00 775.00/hr	NO CHARGE
	JDG Attended hearing on motion to transfer [no charge].	3.00 625.00/hr	NO CHARGE
8/13/2024	PJN Telephone call with Mr. Curtin regarding Ionafarnib sale and potential conflict with Merck (.2); telephone call with Mr. Gaither regarding Ionafarnib sale and discussion with Mr. Curtin (.5); review pleadings related to Ionafarnib sale and chapter 11 bankruptcy (.7);emails with Ms. Wallice regarding follow up on sale and background information. (.2)	1.60 775.00/hr	1,240.00
	JDG Reviewed Ionafarnib sale pleadings and underlying documents in connection with Merck negotiations.	4.00 625.00/hr	2,500.00
8/14/2024	JDG Reviewed Merck objection and related license agreement and began preparing outline of issues and potential response.	3.50 625.00/hr	2,187.50
8/15/2024	JDG Telephone conference with co-counsel to discuss sale issues and related proceedings (.4); reviewed licensing agreements, APAs, and sale pleadings (1.5); began preparing for sale hearing (1.1).	2.50 625.00/hr	1,562.50
	PJN Telephone call with Ms. Wallice and Mr. Gaither regarding background on sale(.4);review communications with Messrs. Baxter and Beeler regarding follow up on Ionafarnib sale. (.1)	0.50 775.00/hr	387.50
8/16/2024	PJN Review Ionafarnib sale motion, order, current APA, license, and Merck objection) prior to call with Merck's counsel (1.1); participate in conference call with Mr. Gaither, Mr. Beeler, et.al. regarding Merck's position on sale and outstanding issues(.4); Review Mr. Gaither's lengthy email and follow up conference with Mr. Gaither regarding sale related issues (.3); review email communication with Mr. Curtin and Ms. Wallice regarding resolving Merck's issues.(.1)	1.90 775.00/hr	1,472.50

Eiger BioPharmaceuticals Inc.

Page 8

		<u>Hrs/Rate</u>	<u>Amount</u>
8/16/2024	JDG Review APA and sale pleadings and draft email to Pat Neligan outlining issues for sale hearing (2.0); telephone conference with counsel for Merck regarding sale hearing (.5); draft reservation language for revised sale order (1.6).	4.10 625.00/hr	2,562.50
8/17/2024	JDG Revised proposed sale order and discuss revisions with counsel for Merck.	2.50 625.00/hr	1,562.50
	PJN Review proposed sale order and revisions including new paragraph 2a regarding reservation of rights for Merck and Side Letter.(.4)	0.40 775.00/hr	310.00
8/18/2024	PJN Review agenda for upcoming hearing.(.2)[Not Billed]	0.20 775.00/hr	NO CHARGE
8/19/2024	JDG Continued coordinating revised sale order language to address reservation of rights filed by Merck (3.6); email correspondence with Eric Van Horn concerning same (.2); telephone conference with Eric Van Horn regarding same (.4); email correspondence with Debtor's counsel sale regarding hearing and Merck issues (.5)	4.70 625.00/hr	2,937.50
	PJN Review Mr. Beeler's changes to sale order and additional edits from Mr. Gaither (.4); email communications with Mr. Beeler, Mr. Gaither and Mr. Curtin regarding upcoming hearing and resolution of Merck objection.(.3)	0.70 775.00/hr	542.50
8/20/2024	JDG Prepared for and attended lonafarnib sale hearing.	3.80 625.00/hr	2,375.00
	PJN Attend hearing on sale/resolved Merck objection and related issues for plan.(.5).	0.50 775.00/hr	387.50
	PJN Attend remainder of hearing on other motions.(2.5)[Not Billed].	2.50 775.00/hr	NO CHARGE
8/26/2024	PJN Emails with Ms. Wallice regarding issues raised by Mr. Beeler (Merck) with respect to plan and rejection order (.3); additional orders communication with Ms. Wallice regarding sublicense agreement and calculation of fee, including review of sublicense agreement provision relating to the calculation of the sublicense fee and deduction of R&D costs into formula (.6).	0.90 775.00/hr	697.50
8/27/2024	PJN Review Mr. Van Horn's email and attached revisions to plan and rejection order.(.6); telephone call with Mr. Beeler regarding Merck's objections to plan and rejection order as well as related issues (.3); email communications with Ms. Wallice regarding issues raised by Merck's counsel.(.4); telephone call with Ms. Wallice regarding sublicense fee and related issues (.1); multiple email communications	2.80 775.00/hr	2,170.00

Eiger BioPharmaceuticals Inc.

Page 9

		<u>Hrs/Rate</u>	<u>Amount</u>
	with Mr. Beeler regarding plan, rejection order and other outstanding matters (.5); emails with Mr. Landreth regarding calculation of sublicense fee including R&D costs and analyze the calculation in connection with sublicense formula fee in License Agreement (.4); emails with Mr. Beeler regarding sublicense fee calculation and follow up with Merck.(.2); email update with Eiger team regarding discussions with Mr. Beeler regarding Merck's position on various issues and resolution.(.3)		
8/28/2024 PJN	Communication with Mr. Beeler regarding Merck's position on Eiger's calculation of sublicense fee (.2); review Mr. Beeler's email regarding rejection order and Merck's revisions to Eiger plan(.3); review Eiger's modifications to Eiger plan in response to Merck's issues and edits to Merck's proposed plan language (.4); follow up email communications with Mr. Beeler regarding resolving outstanding issues (.4); emails with Ms. Wallace regarding Side Letter for Lonafarnib transaction and update on Merck's response on rejection order, plan and sublicense fee calculation (.4); emails with Ms. Wallace regarding anticipated date for closing and follow up with Mr. Beeler regarding same.(.2) review current draft of Side Letter for Lonafarnib sale.(.7); email communications between Mr. Beeler and Mr. Stirling regarding plan changes and current draft of rejection order(.2).	2.80 775.00/hr	2,170.00
8/29/2024 PJN	Emails and telephone calls with Mr. Beeler regarding update on Merck's response to Eiger calculation of sublicense fee (.3); draft update email to Sidley team on Merck's agreement on sublicense fee calculation and plan language(.4); additional email communications with Mr. Beeler regarding Sentyln's position on rejection order and plan language.(.2).	0.90 775.00/hr	697.50
8/30/2024 PJN	Review Sentyln's proposed changes to rejection order and numerous follow up emails from Mr. Beeler, Mr. Morse, Mr. Stirling and Ms. Hoagland regarding same and issues related to prior Side Letter executed in connection with Sentyln transaction (1.4); multiple emails with Ms. Wallace and Mr. Curtin regarding update on dispute between Merck and Sentyln over rejection order and related issues (.6); emails with Ms. Wallace regarding status of closing on Lonafarnib sale and follow up communications with Mr. Beeler regarding same (.4)	2.40 775.00/hr	1,860.00
8/31/2024 PJN	Review Ms. Hoagland's email regarding Merck's position on rejection order and issues related to prior Side Letter executed in connection with sale to Sentyln (.1)	0.10 775.00/hr	77.50

Eiger BioPharmaceuticals Inc.

Page 10

		<u>Hrs/Rate</u>	<u>Amount</u>
9/2/2024	PJN Review Mr. Stirling's (Sentyln counsel) email to Merck addressing Side Letter and form of Eiger's proposed Order Rejecting Merck License (.2); emails with Mr. Curtin and Ms. Wallice regarding update on Sentyln (.3).	0.50 775.00/hr	387.50
9/3/2024	JDG Reviewed and commented on documentation related to Merck side letter agreements, including rejection order, in connection with closing of Lonafarnib transaction and facilitated closing issues with Pat Neligan, counsel for purchaser, and counsel for Merck.	4.40 625.00/hr	2,750.00
	PJN Numerous emails regarding Sentyln's agreement on rejection order and plan language from Mr. Stirling and Ms. Hoagland (.2); work on sale including review of attachments for Side Letter and numerous emails and telephone calls with Mr. Beeler, Mr. Landreath, Ms Wallice and Mr. Zhuang regarding closing and Merck's agreement on various documents in connection with closing on Lonafarnib sale (2.2); telephone call with Mr. Beeler regarding upcoming hearing. (.1); review objections to plan filed by Innovatus, Equity Committee and the US Trustee and impact on agreed revisions with Merck.(1.1)	3.60 775.00/hr	2,790.00
9/4/2024	JDG Reviewed confirmation materials in connection with Merck issues, including issues related to rejection of Merck license agreement and in preparation for confirmation hearing (3.0); correspondence with court, counsel for Merck, and Pat Neligan regarding entry of standalone rejection order (.9).	3.90 625.00/hr	2,437.50
	PJN Telephone call with Ms. Ellison regarding order rejecting Merck license and timing for entry of order (.1);multiple emails and telephone calls with Mr. Beeler regarding rejection order, timing for entry and upcoming hearing (1.1); telephone call with Ms. Perkins regarding follow up with Ms. Ellison regarding order rejecting Merck license (.3); two telephone calls regarding hearing and rejection order/Merck's position on timing of entry of rejection order and confirmation order (.2); draft email to Ms. Ellison regarding Merck license Agreement (.3); emails with Mr. Beeler and Mr. Gaither regarding hearing and issues related to implementing agreement on Side Letter, rejection order etc. and draft lengthy response (.4); review Eiger's Supplemental Brief responding to objections from Innovatus, Equity Committee and US Trustee's office (.5); follow up communications with Mr. Beeler and Ms. Wallice regarding upcoming hearing.(.1)	3.00 775.00/hr	2,325.00
SUBTOTAL:		[193.40	125,595.00]

Eiger BioPharmaceuticals Inc.

Page 11

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>Plan of Reorganization</u>			
8/26/2024	JDG Email correspondence with Anne Wallice concerning proposed rejection order (.4); email correspondence with Pat Neligan regarding same (.4).	0.80 625.00/hr	500.00
8/27/2024	JDG Negotiations and multiple email correspondence with counsel for Merck concerning plan revisions and proposed rejection order (2.2).	2.20 625.00/hr	1,375.00
8/28/2024	JDG Reviewed email correspondence between Debtors and Merck concerning plan revisions and Merck rejection order (.6); review plan revisions and revisions to proposed Merck rejection order (1.2); discuss same with counsel for Merck (.7).	2.50 625.00/hr	1,562.50
8/29/2024	JDG Reviewed email correspondence between Debtors, Merck, and Sentynyl concerning plan revisions and Merck rejection order (.6); update Sidley team concerning same (.4); participate in ongoing email correspondence and negotiations between Debtors, Merck, and Sentynyl concerning plan revisions and Merck rejection order (1.2).	2.20 625.00/hr	1,375.00
8/30/2024	JDG Participate in ongoing email correspondence and negotiations between Debtors, Merck, and Sentynyl concerning plan revisions and Merck rejection order (2.0).	2.00 625.00/hr	1,250.00
9/4/2024	CP Confer with Mr. Neligan regarding submission of Order to Reject Merck Agreement in conjunction with entry of Order confirming plan; follow-up correspondence with Ms. Ellison regarding same.	0.60 150.00/hr	90.00
9/5/2024	JDG Prepared for and attended confirmation hearing (5.0); revised proposed order rejecting Merck license and coordinated submission to court (.5); email correspondence to counsel for Merck regarding same (.2).	5.70 625.00/hr	3,562.50
	CP Correspondence and calls with Messrs. Neligan and Gaither regarding confirmation hearing, and timing of uploading Order Rejecting Merck Agreement (.3); call with Judge's Clerk (John) to explain relating of Order to Plan and previous information relayed to the Judge (.2); finalize and upload Order (.2).	0.70 150.00/hr	105.00
SUBTOTAL:		[16.70	9,820.00]
<u>Professional Compensation/Retention</u>			
4/26/2024	JDG Begin drafting Neligan retention application (.5).	0.50 625.00/hr	312.50

Eiger BioPharmaceuticals Inc.

Page 12

		<u>Hrs/Rate</u>	<u>Amount</u>
4/26/2024	PJN Telephone call with Mr. Embry regarding engagement letter etc. (.1)[Not Billed]; conference with Ms. Perkins regarding engagement letter (.4)[Not Billed]; review and revise draft engagement letter (.3)[Not billed]	0.80 775.00/hr	NO CHARGE
4/28/2024	PJN Emails with Mr. Embry and Mr. Gaither regarding executed engagement letter (.2) [Not billed]	0.20 775.00/hr	NO CHARGE
4/29/2024	JDG Continue revising Neligan retention application.	3.00 625.00/hr	1,875.00
5/2/2024	PJN Review Neligan Employment Application/Declaration and follow up email and conference with Mr. Gaither regarding same (.5)	0.50 775.00/hr	387.50
	JDG Finalize Neligan Retention Application.	0.80 625.00/hr	500.00
	CP Email correspondence with Mr. Gaither regarding finalizing Application to Employ Neligan LLP as counsel; correspondence with Ms. Britton regarding same (.4).	0.40 150.00/hr	60.00
5/3/2024	CP Finalize and File Application to Employ Neligan LLP as Conflicts counsel (.5). Correspondence with Mr. Gaither and Mr. Embry regarding setting and notice of hearing on Application to Employ; finalize and file Notice of Hearing (.6).	1.10 150.00/hr	165.00
5/14/2024	CP Draft, finalize and file Amended Notice of Hearing on Application to Employ Neligan LLP (.5).	0.50 150.00/hr	75.00
5/28/2024	CP Draft, finalize and File Notice of No Objection to Application Employ Neligan LLP; upload order for same (.6).	0.60 150.00/hr	90.00
	JDG Email correspondence with Parker Embry regarding May 29 hearing (.2); review proposed agenda (.1); telephone conference with Carolyn Perkins regarding May 29 hearing (.2); review local rules and revised certificate of no objection (.2); revise proposed order on special counsel application (.2); correspondence with Carolyn Perkins regarding proposed order (.1).	1.00 625.00/hr	625.00
	SUBTOTAL:	<u>9.40</u>	<u>4,090.00</u>
	For Legal Services Rendered	<u>219.50</u>	<u>\$139,505.00</u>

Eiger BioPharmaceuticals Inc.

Page 13

Additional charges:

		<u>Amount</u>
6/30/2024	EXP Monthly Photocopies Photocopy Charges June 2024	13.80
8/20/2024	JDG \$Park/Toll/Mile Parking for 8/20/24 hearing	15.00
9/5/2024	JDG \$Park/Toll/Mile Parking for 9/5/24 hearing	20.00
SUBTOTAL:		[48.80]
<u>Asset Sale</u>		
5/1/2024	JDG \$Courier Courier delivery to US Bankruptcy court to Judge Jernigan for 1:30 hearing	44.72
SUBTOTAL:		[44.72]
Total costs		<u>\$93.52</u>
Total amount of this bill		<u>\$139,598.52</u>
Balance Due		<u><u>\$139,598.52</u></u>

Attorney Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Douglas J. Buncher	3.70	625.00	\$2,312.50
Patrick J. Neligan, Jr.	75.50	775.00	\$58,512.50
John D. Gaither	124.40	625.00	\$77,750.00
Carolyn Perkins	6.20	150.00	\$930.00