

Michael S. Budwick (admitted *pro hac vice*)
 Daniel N. Gonzalez (admitted *pro hac vice*)
 Meaghan Murphy (admitted *pro hac vice*)
 Shira A. Baratz (admitted *pro hac vice*)
MELAND BUDWICK, P.A.
 3200 Southeast Financial Center
 200 South Biscayne Blvd.
 Miami, Florida 33131
 Telephone: (305) 358-6363
 Email: mbudwick@melandbudwick.com
 dgonzalez@melandbudwick.com
 mmurphy@melandbudwick.com
 sbaratz@melandbudwick.com

Davor Rukavina (TX Bar No. 24030781)
 Thomas D. Berghman (TX Bar No. 24082683)
 Garrick C. Smith (TX Bar No. 24088435)
MUNSCH HARDT KOPF & HARR, P.C.
 500 N. Akard Street, Suite 4000
 Dallas, Texas 75201
 Telephone: (214) 855-7500
 Email: drukavina@munsch.com
 tberghman@munsch.com
 gsmith@munsch.com

Co-Counsel for the Official Committee of Unsecured Creditors

**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE 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)
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FINAL FEE APPLICATION COVER SHEET

Fee Application:	First and Final
Applicant:	Munsch Hardt Kopf & Harr, P.C.
Capacity:	Counsel for the Official Committee of Unsecured Creditors
Application Period:	June 14, 2024 through September 30, 2024
Bankruptcy Petition Filed on:	April 1, 2024
Date of Entry of Retention Order	July 26, 2024 [Dkt. No. 451]
Status of Case:	Plan confirmed on September 5, 2024

Amount Requested:

Fees: \$95,370.50
 Expenses: \$400.00
Total: \$95,770.50

Reductions:

Voluntary fee reductions: \$0
 Expense reductions: \$0
Total: \$0

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors' service address is 2100 Ross Ave., Dallas, Texas 75201.



Draw Down Request:

Retainer Received: \$0
 Previous Draw Down(s): \$0
 Remaining Retainer (now): \$0
 Requested Draw Down: \$0
 Retainer Remaining (after): \$0

Expense Detail:

Filing fees: \$400.00

Hourly Rates

Attorneys

Paralegal

Highest Billed Rate:	\$ 600.00	\$ 215.00
Total Hours Billed:	179.4	7.9
Blended Rate:	\$ 522.14	\$ 215.00

PRIOR MONTHLY FEE STATEMENTS

Period Covered	Requested		Payments Received		Outstanding	
	Fees (\$)	Expenses (\$)	Fees (\$)	Expenses (\$)	Fees (\$)	Expenses (\$)
06/14/2024-06/30/2024	\$20,102.40 (80% of \$25,128.00)	\$400.00	\$20,102.40	\$400.00	\$5,025.60	\$0.00
07/01/2024-07/31/2024	\$18,166.80 (80% of \$22,708.50)	\$0.00	\$18,166.80	\$0.00	\$4,541.70	\$0.00
08/01/2024-08/31/2024	\$21,520.00 (80% of \$26,900.00)	\$0.00	\$21,520.00	\$0.00	\$5,380.00	\$0.00
Total	\$59,807.20	\$400.00	\$59,807.20	\$400.00	\$14,947.30	\$0.00

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Miami, Florida 33131
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sbaratz@melandbudwick.com

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Co-Counsel for the Official Committee of Unsecured Creditors

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

In re:

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

Debtors.

Chapter 11

Case No. 24-80040 (SGJ)

(Jointly Administered)

**FIRST AND FINAL APPLICATION OF MUNSCH HARDT KOPF & HARR, P.C.
FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES AS
COUNSEL FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

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.

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 Ave., Dallas, Texas 75201.

TO THE HONORABLE STACEY G.C. JERNIGAN, CHIEF U.S. BANKRUPTCY JUDGE:

Munsch Hardt Kopf & Harr, P.C. (“Munsch Hardt”), counsel for the Official Committee of Unsecured Creditors (the “Committee”), in the above chapter 11 cases, (collectively, the “Chapter 11 Cases”), files this its *First and Final Application of Munsch Hardt Kopf & Harr, P.C. for Allowance and Payment of Fees and Expenses as Co-Counsel to the Official Committee of Unsecured Creditors* (the “Application”). In support of the Application, Munsch Hardt respectfully states as follows:

SUMMARY

1. By this Application, Munsch Hardt seeks (i) on a first and final basis, the allowance of fees and expenses (the “Final Fees and Expenses”) incurred between June 14, 2024 through and including September 30, 2024 (the “Final Fee Period”) as co-counsel to the Committee, in the amount of \$95,370.50 in fees (the “Final Requested Fees”) and \$400.00 in expenses (the “Final Requested Expenses”) and (ii) an order directing the payment, on a final basis, of the balance of all allowed fees and expenses. True and correct copies of Munsch Hardt’s underlying monthly invoices for the Final Fee Period are attached hereto as **Exhibit A** and incorporated herein by reference for all purposes.

2. The following chart summarizes the requested fees and expenses in this Final Fee Period:

<u>Period</u>	<u>Dates</u>	<u>Fees</u>	<u>Expenses</u>
First and Final Application	6/14/2024 – 9/30/2024	\$95,370.50	\$400.00
Totals:		\$95,370.50	\$400.00

JURISDICTION AND VENUE

3. The Court has jurisdiction over this Application under 28 U.S.C. § 1334. Said jurisdiction is core under 28 U.S.C. § 157(b)(2). Venue of the Bankruptcy Case before this Court is proper under 28 U.S.C. §§ 1408 and 1409.

4. The statutory and other bases for the relief requested herein are Bankruptcy Code sections 105(a), 330, and 331; Bankruptcy Rule 2016; Local Rule 2016-1; Section F of the Complex Case Procedures; *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals*, entered on May 13, 2024 [Dkt. No. 259] (the “Interim Compensation Procedures Order”); and the *Order Authorizing and Approving the Employment of Munsch Hardt Kopf & Harr, P.C. as Co-Counsel for the Official Committee of Unsecured Creditors* [Dkt. No. 451] (the “Retention Order”) attached hereto as **Exhibit B**.

BACKGROUND

5. On April 1, 2024 (the “Petition Date”), each Debtor filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code. Since the Petition Date, the Debtors have been operating their business and managing their property as debtors in possession pursuant to 11 U.S.C. §§ 1107(a) and 1108, no trustee or examiner having been sought or appointed. These Chapter 11 Cases have been consolidated for procedural purposes only and are being jointly administered.

6. On June 10, 2024, the United States Trustee appointed the Committee [Dkt. No. 322]. The Committee’s members are: (1) Connor Group Global Services, LLC; (2) Biorasi, LLC; and (3) Monica Gangal. Brian Chaiken, Esq. of Biorasi, LLC was subsequently selected as Chairperson of the Committee.

7. On June 14, 2024, the Committee selected Meland Budwick, P.A. (“Meland Budwick”) to serve as its lead counsel, and Munsch Hardt to serve as its local counsel.

8. On May 13, 2024, this Court entered the Interim Compensation Procedures Order, authorizing certain professionals (“Professionals”) to submit monthly applications for interim compensation and reimbursement for expenses, pursuant to procedures specified therein. If no objections are filed 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.

9. The Committee retained Munsch Hardt as its local counsel effective as of June 14, 2024, pursuant to the Retention Order. The Retention Order authorizes the Debtors to compensate and reimburse Munsch Hardt subject to allowance of such compensation and reimbursement by the Court.

10. On September 5, 2024, the Court entered the *Order Approving the Debtors’ Amended Disclosure Statement and Confirming the Fifth Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and its Debtor Affiliates* [Dkt. No. 639] (the “Confirmation Order”), which approved the *Amended Disclosure Statement for Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Dkt. No. 476-1] on a final basis and confirmed the *Fifth Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Dkt. No. 635-1] (as may be altered, amended, modified, or supplemented from time to time, including all exhibits and schedules thereafter, the “Plan”). The Effective Date of the Plan occurred on September 30, 2024 [Dkt. No. 685].

PRIOR FEE APPLICATIONS

11. No interim fee applications have been filed by Munsch Hardt. This is Munsch Hardt’s first and final fee application.

12. Prior to this Application and pursuant to the procedures set forth in the Interim Compensation Procedures Order, Munsch Hardt filed with the Court and served upon the appropriate notice parties three monthly fee statements (the “Monthly Fee Statements”) together covering the period from June 14, 2024 to August 31, 2024. Munsch Hardt’s Monthly Fee Statements contain detailed time and expense records which relate to the period covered by the Monthly Fee Statements and are incorporated herein by reference. Additionally, the records of time expended providing professional services to the Committee during such period are attached hereto as Exhibit C. A detailed statement of Munsch Hardt’s out-of-pocket expenses incurred during such period is also attached hereto as Exhibit C.

13. A summary of the Monthly Fee Statements previously filed by Munsch Hardt in these Chapter 11 Cases is set forth in the chart below:

Date Filed / Docket No.	Period Covered	Requested		Payments Received		Outstanding	
		Fees	Expenses	Fees	Expenses	Fees	Exp
1 st Monthly Fee Stmt 7/31/2024 Dkt. No. 479	06/14/2024 to 06/30/2024	\$25,128.00	\$400.00	\$20,102.40	\$400.00	\$5,025.60	0
2 nd Monthly Fee Stmt 8/12/2024 Dkt. No. 504	7/1/2024 to 7/31/2024	\$22,708.50	\$0.00	\$18,166.80	\$0.00	\$4,541.70	0
3 rd Monthly Fee Stmt 9/10/2024 Dkt. No. 652	8/1/2024 to 8/31/2024	\$26,900.00	\$0.00	\$21,520.00	\$0.00	\$5,380.00	0

BASIS FOR RELIEF REQUESTED

A. STANDARDS FOR ALLOWANCE OF FEES AND EXPENSES

14. Section 330(a) of the Bankruptcy Code provides:

(1) After notice to the parties in interest and the United States Trustee and a hearing, and subject to sections 326, 328, and 329, the court may award to a . . . professional person employed under section 327 or 1103—

(A) reasonable compensation for actual, necessary services rendered by the . . . professional person, or attorney and by any paraprofessional person employed by any such person; and

(B) reimbursement for actual, necessary expenses. . . .

(3) In determining the amount of reasonable compensation to be awarded . . . , the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—

(A) the time spent on such services;

(B) the rates charged for such services;

(C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under [the Bankruptcy Code];

(D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed; . . . and

(F) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under [the Bankruptcy Code].

11 U.S.C. § 330(a).

15. In evaluating the reasonableness of fees requested under section 330, bankruptcy courts use the lodestar method, computed by multiplying the number of hours reasonably spent on the work by the prevailing hourly rate and then adjusted upward or downward based on certain factors, including those contained in section 330(a)(3). *Asarco, L.L.C. v. Jordan Hyden Womble Culbreth & Holzer, P.C. (In re Asarco, L.L.C.)*, 751 F.3d 291, 295 (5th Cir. 2014) (citations omitted). The Fifth Circuit has held that “if a fee applicant establishes that its services were ‘necessary to the administration’ of a bankruptcy case or ‘reasonably likely to benefit’ the bankruptcy estate ‘at the time at which [they were] rendered,’ then the services are compensable.” *Edwards Family P’ship v. Johnson (In re Cmty. Home Fin. Servs.)*, 990 F.3d 422, 427 (5th Cir.

2021) (quoting *Barron & Newburger, P.C. v. Tex. Skyline, Ltd. (In re Woerner)*, 783 F.3d 266, 276 (5th Cir. 2015)).

16. Munsch Hardt requests final allowance of the Final Requested Fees and Final Requested Expenses. The same are reasonable and supported under the factors set forth in section 330(a)(3) of the Bankruptcy Code and in *Johnson*.

17. Munsch Hardt respectfully submits that the services for which it seeks compensation in this Application were, at the time rendered, necessary for and beneficial to the Committee and were rendered to assist the Committee in discharging its statutory duties during the pendency of these Chapter 11 Cases. Munsch Hardt further believes that its services to the Committee during the Final Fee Period were performed efficiently and in an expert manner and ultimately benefitted the Committee and the estate. Munsch Hardt submits that the compensation requested herein is reasonable in light of the nature, extent, and value of Munsch Hardt's services to the Committee. Accordingly, the Application should be approved.

18. By this Application, Munsch Hardt respectfully requests entry of an order (i) granting final allowance and approval of (a) compensation for Munsch Hardt's services to the Committee for the Final Fee Period in the amount of \$95,370.50 and (b) reimbursement of expenses that Munsch Hardt incurred during the Final Fee Period in the amount of \$400.00, (ii) authorizing and directing payment of all the foregoing fees and expenses, less any amounts the Debtors previously paid to Munsch Hardt pursuant to the Interim Compensation Procedures Order, and (iii) granting such other and further relief this Court may deem just and proper.

FEES EARNED DURING THE FINAL FEE PERIOD

I. Customary Billing Disclosures

19. Munsch Hardt's hourly rates are set at a level designed to compensate Munsch Hardt fairly for the work of its attorneys and paraprofessionals and to cover fixed and routine

expenses. The hourly rates charged by Munsch Hardt in these Chapter 11 Cases were billed in accordance with Munsch Hardt's rates and procedures in effect during the Final Fee Period and in accordance with the Retention Order. As described in the Retention Order, the rates Munsch Hardt charges for the services of its attorneys and paraprofessionals in these Chapter 11 Cases are consistent with the rates Munsch Hardt charges other comparable chapter 11 clients, regardless of the location of the case. Moreover, Munsch Hardt's rate structure is appropriate and not significantly different from the rates that Munsch Hardt charges for non-bankruptcy representations or the rates that other comparable counsel would charge to perform substantially similar services.

20. Munsch Hardt has received no payment or promises of payment from any source other than the Debtors for services rendered in these Chapter 11 Cases. There is no agreement or understanding between Munsch Hardt and any other entity or person, other than members of the firm, for the sharing of compensation to be received for services rendered in or in connection with these Chapter 11 Cases. All professional and paraprofessional services for which Munsch Hardt is requesting compensation were rendered solely on behalf of the Committee.

21. In compliance with paragraph C.5 of the Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses by Attorneys in Large Chapter 11 Cases, effective November 1, 2013:

- a) Munsch Hardt did not agree to any variations from, or alternatives to, its standard or customary billing rates for services pertaining to this engagement that were provided during the Final Fee Period.
- b) There was no budget required in this proceeding for this retention.
- c) None of the professionals included in the Application varied their hourly rate based on the geographic location of these Chapter 11 Cases.
- d) The Application does not include any fees dedicated to revising time records or preparing and revising invoices that would not normally be compensable outside of

bankruptcy. Any invoice preparations done in the ordinary course are handled by billing specialists for which the firm does not charge any time. The only fees incurred in connection with such matters is conforming the invoices for U.S. Trustee compliance purposes and in connection with preparing exhibits to fee applications filed with the Court. In those instances, the fees are mostly generated by lower paralegal hourly rates and are a small percentage of the total fees in the case.

e) The time entries covered by the Application for the Final Fee Period includes approximately 0.00 hours with a value of \$0.00 spent by Munsch Hardt to ensure that the time entries subject to the Final Fee Period do not disclose privileged or confidential information. This review and any revisions associated therewith are a necessary component of Munsch Hardt's preparation of each fee application.

f) The Application includes the rates (with no increases) disclosed in Paragraph 10 of the Retention Application.

II. Supporting Documentation

22. For the convenience of the Court and parties in interest, the following exhibits are attached to this Application:

- a) **Exhibit A** are Munsch Hardt's invoices for the Final Fee Period.
- b) **Exhibit B** is the Retention Order.
- c) **Exhibit C** is a schedule identifying all Munsch Hardt attorneys and para-professionals who provided services to the Committee during the Final Fee Period, including, with respect to each attorney and paraprofessional, as applicable, his or her position and area of expertise, date of admission or years of experience, hourly rate, hours billed, and total fees charged and a detailed statement of Munsch Hardt's out-of-pocket expenses incurred during the Final Fee Period.
- d) **Exhibit D** is a summary of Munsch Hardt's compensation by project matter category for services provided to the Committee during the Final Fee Period.
- e) **Exhibit E** is the Declaration of Garrick C. Smith (the "Smith Declaration").
- f) **Exhibit F** is the proposed *Order Granting the First and Final Fee Application of Munsch Hardt Kopf & Harr, P.C. for Allowance and Payment of Fees and Expenses as Co-Counsel for the Official Committee of Unsecured Creditors.*

SUMMARY OF SERVICES AND ACTUAL AND NECESSARY EXPENSES

23. Attached hereto as **Exhibit C** is a detailed statement of Munsch Hardt's hours expended and fees incurred during the Final Fee Period. Detailed time entries for the Final Fee Period are attached hereto and to the applicable and Monthly Fee Statements filed on the docket of this case, and Munsch Hardt's out-of-pocket expenses incurred during the Final Fee Period. These expenses include filings fees, which are incorporated by reference. Munsch Hardt attorneys and paraprofessionals expended a total of 187.30 hours in connection with these Chapter 11 Cases during the Final Fee Period. All services for which Munsch Hardt is requesting compensation were performed for or on behalf of the Committee.

24. Attached hereto as **Exhibit D** is detailed statement of the services rendered by Munsch Hardt during the Final Fee Period, grouped into the categories set forth below. Munsch Hardt attempted to place the services provided in the category that best relates to such services. However, because certain services may relate to one or more categories, services pertaining to one category may in fact be included in another category. Categories with less than one hour of services are not listed below.

- a) **Asset Analysis, Disposition, Recovery (Task Code 01)**. Munsch Hardt devoted 12.70 hours for a total of \$6,604.00 towards reviewing, analyzing, and participating in the sale process and auctions for certain assets of the estates, including the Avexitide, Lonafarnib, and Lambda molecule assets.
- b) **Assumption/Rejection of Leases and Contracts (Task Code 02)**. Munsch Hardt devoted 2.80 hours for a total of \$1,456.00 towards reviewing and monitoring proposed assumption and cure of certain executory contracts and unexpired leases on behalf of the Committee.
- c) **Case Administration and General Strategy (Task Code 04)**. Munsch Hardt devoted 23.10 hours for a total of \$12,231.00 towards meetings, conferences, research, and analysis toward general case strategy, deadlines, and updates in order to consider strategic options and administer the case in these Chapter 11 Cases for the benefit of the Committee.

- d) **Court Hearings (Task Code 06).** Munsch Hardt devoted 8.00 hours for a total of \$4,160.00 towards preparing for, attending, and participating in hearings before the Court in these Chapter 11 Cases.
- e) **Employment/Fee Applications (Task Code 07).** Munsch Hardt devoted 38.90 hours for a total of \$17,943.50 towards preparing, revising, reviewing, and filing monthly fee statements and the final fee application for Munsch Hardt as well as reviewing and filing Meland Budwick's monthly fee statements and final fee application to comply with local rules and procedures.
- f) **Innovatus Investigation and Litigation (Task Code 09).** Munsch Hardt devoted 14.00 hours for a total of \$7,280.00 towards reviewing and analyzing potential claims against Innovatus under its loans documents early in the Chapter 11 Cases as well as working with counsel to the Debtors and counsel to the Equity Committee regarding extending the challenge period for bringing potential claims against Innovatus.
- g) **Litigation/Avoidance Actions: Contested Matters and Adversary Proceedings (Task Code 10).** Munsch Hardt devoted 0.50 hours for a total of \$300.00 towards correspondence with the counsel to the Debtors and the Equity Committee regarding the motion for standing to bring certain claims against Innovatus.
- h) **Meetings and Communications with Debtors (Task Code 11).** Munsch Hardt devoted 2.30 hours for a total of \$1,196.00 towards conferences, meetings, and communications with counsel to the Debtors regarding case updates, deadlines, and strategy.
- i) **Meetings and Communications with Committee (Task Code 12).** Munsch Hardt devoted 4.80 hours for a total of \$2,496.00 towards conferences, meetings, and communications with the members of the Committee regarding case updates, strategic considerations, potential recoveries and issues under the proposed chapter 11 plan.
- j) **Meetings and Communications with Creditors (Task Code 13).** Munsch Hardt devoted 0.80 hours for a total of \$416.00 towards telephone calls with unsecured creditors regarding procedures and deadlines for filing proofs of claim.
- k) **Plan and Disclosure Statement (Task Code 15).** Munsch Hardt devoted 78.60 hours for a total of \$40,872.00 towards analyzing, revising, and negotiating the Plan and the Plan's treatment for general unsecured creditors. Specifically, Munsch Hardt researched issues regarding the application of the contract rate of interest in a solvent debtor case through the time of distribution and payment of an allowed unsecured claim, negotiated terms related to Plan treatment and distribution mechanics for allowed claims, reviewed and analyzed the liquidating trust agreement and the claims administration process, analyzed objections to the Plan, and attended conferences, meetings, and depositions with counsel to the Debtors and the Equity Committee regarding the Plan and objections related thereto.

- 1) **Schedules/Statements (Task Code 16)**. Munsch Hardt devoted 0.80 hours for a total of \$416.00 towards analyzing and reviewing the schedules of assets and liabilities and the statements of financial affairs filed by the Debtors in the Chapter 11 Cases.

RESERVATION OF RIGHTS

25. Munsch Hardt reserves the right to modify, amend, or supplement this Application at any time before the hearing on this Application.

NOTICE

26. Pursuant to the Interim Compensation Procedures Order, the Application is being served upon the Application Recipients (as defined in the Interim Compensation Procedures Order) and any notice of the hearing on this Application will be served upon all other parties that have filed a notice of appearance with the clerk of this Court and requested notice of pleadings in these Chapter 11 Cases. Munsch Hardt submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, Munsch Hardt respectfully requests that the Court enter the Proposed Order (i) granting final allowance and approval of (a) compensation for Munsch Hardt's services to the Committee for the Final Fee Period in the amount of \$95,370.50 and (b) reimbursement of expenses that Munsch Hardt incurred during the Final Fee Period in the amount of \$400.00, (ii) authorizing and directing payment of all the foregoing fees and expenses, less any amounts the Debtors previously paid to Munsch Hardt pursuant to the Interim Compensation Procedures Order, and (iii) granting such other and further relief which this Court may deem just and proper.

Dated: October 4, 2024

Respectfully submitted,

By: /s/ Garrick C. Smith

Davor Rukavina (TX Bar No. 24030781)
Thomas D. Berghman (TX Bar No. 24082683)
Garrick C. Smith (TX Bar No. 24088435)
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-and-

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sbaratz@melandbudwick.com

***Co-Counsel for the Official Committee of
Unsecured Creditors***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on October 4, 2024, a true and correct copy of the foregoing document was served via ECF notification on all parties entitled to ECF notification in these Chapter 11 Cases.

/s/ Garrick C. Smith

Garrick C. Smith

EXHIBIT A



DALLAS / HOUSTON / AUSTIN

Ross Tower
500 N. Akard Street, Suite 4000
Dallas, Texas 75201-6605
Main 214.855.7500
Fax 214.855.7584
munsch.com

Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.



Invoice Date: July 31, 2024
Invoice Number: 10534364
Matter Number: 023024.00001

For Professional Services through June 30, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	25,128.00
Total Costs	\$	<u>400.00</u>
Grand Total Due	\$	25,528.00



Remittance Address:
Accounting
Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

Include Client or Matter Number and Invoice Number with remittance.

Payments by credit card or eCheck: <https://www.munsch.com/payment>. A 2.5% service fee will be added to credit card payments.

MH Federal ID Number: 75-2096964

For billing inquiries, please contact accounting@munsch.com or (214) 740-5198.

Munsch Hardt Kopf & Harr, P.C.
Matter Number: 023024.00001
Invoice Number: 10534364
Matter Description: Eiger BioPharmaceuticals

2 of 9
July 31, 2024

Fee Detail

Task Code: 01 Asset Analysis, Disposition, Recovery

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/14/24	GCS	Analyze and research issues specific to the sale of the Zokinvy assets and the proposed Avexitide asset sale for the benefit of unsecured creditors and other stakeholders (1.1); analyze sale bidding procedures and proposed stalking horse for Avexitide drug (.7); conference with Meland Budwick attorneys related to asset sales and recovery for the unsecured creditors (.4).	2.20	1,144.00
06/17/24	GCS	Review and execute NDA for Avexitide auction and sale process (.3); conference with co-counsel and professionals regarding auction and sale process (.4); attend auction to sell Avexitide assets (2.6); conference with debtors' professionals regarding sale process and procedures (.4).	3.70	1,924.00
06/18/24	GCS	Conference and email correspondence regarding results of the auction and second asset sale (.4); review asset disclosures and analysis of value for the estate (.3); review email correspondence from the debtors' professionals related to same (.1).	0.80	416.00
06/20/24	GCS	Conference with co-counsel regarding asset sale and analysis of estate value (.6); analyze issues related to asset sales and remaining assets of the estate (.2).	0.80	416.00
06/26/24	GCS	Review and analyze proposed sale order for Avexitide asset sale (.9); review motion and declarations for Avexitide asset sale for conference with Dan Gonzalez prior to the sale hearing (.8); review asset purchase agreement and proposed cure amounts for contracts as part of the asset sale (.4); analyze assets sold and remaining assets for recovery for unsecured creditors in the bankruptcy case (.7).	2.80	1,456.00
Total for 01			10.30	5,356.00

Task Code: 04 Case Administration and General Strategy

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/14/24	GCS	Conference calls with Meland Budwick as proposed counsel to the unsecured creditors committee (.7); review case docket and filings related to the debtors' case strategy, asset sales, liquidity, and upcoming hearings (1.4); draft engagement letter for retention as co-counsel and local counsel to the creditors committee (.5); email correspondence with Dan Gonzalez related to case administration and next steps for representing the committee (.2).	2.80	1,456.00
06/14/24	TDB	Strategy conference with Meland Budwick team, G. Smith regarding new case, engagement matters, matters requiring immediate attention, and other file and matter setup and administration (1.7).	1.70	1,020.00
06/17/24	GCS	Conference call with co-counsel and professionals team regarding case strategy, latest developments, and division of labor for case administration (.8); email correspondence with committee professionals regarding next steps for administration of the case moving forward (.5); conference call with potential financial advisor for the committee (.4); draft and file notice of appearance on behalf of the committee's professionals (.5).	2.20	1,144.00
06/17/24	TDB	Confer with G. Smith regarding case setup, auction process, conflicts, and engagement and related correspondence with committee counsel team (.3).	0.30	180.00
06/18/24	TDB	Confer with G. Smith, H. Valentine regarding ECF notifications, notice of appearance (.2).	0.20	120.00
06/18/24	GCS	Review creditor matrix provided by the Debtors' counsel for parties in interest in the bankruptcy case (.4); review notices of appearance filed on the court docket (.3).	0.70	364.00
06/19/24	TDB	Correspondence with Meland Budwick, G. Smith regarding retention application and related issues (0.2).	0.20	120.00
06/19/24	GCS	Email correspondence with co-counsel to the Committee regarding pro hac vice filings, case strategy, and administrative next steps for representing the creditors committee (.7); review and analyze complex case order and procedures for filing motions, providing notice, and setting hearings in the case (.8); review docket updates and deadlines for discussion with the committee (.3).	1.80	936.00
06/20/24	GCS	Review docket updates and filings for conference with the Committee (.3); email correspondence with co-counsel regarding pro hac vice orders and upcoming hearings (.4).	0.70	364.00
06/21/24	GCS	Calls with Meland Budwick regarding case strategy and next steps in the bankruptcy case (.6); review case updates and filings; conference call with Meland Budwick team regarding upcoming hearings, filings, investigations, and next steps (.8); analyze case filings and upcoming administrative issues in the bankruptcy case (.8).	2.20	1,144.00

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06/24/24	GCS	Conference call with co-counsel to the committee regarding case strategy, next steps, sale hearing, litigation, and equity committee appointment (.7); review docket updates and case filings for updating the committee members (.4); email correspondence with co-counsel to the committee regarding case strategy (.3); conference call with counsel to the U.S. Trustee regarding appointment of equity committee and case updates and issues (.5).	1.90	988.00
06/24/24	TDB	Correspondence with L. Lambert, Meland Budwick, G. Smith regarding conference (.2).	0.20	120.00
06/25/24	GCS	Conference call with Meland Budwick regarding equity committee appointment and next steps (.6); review case filings and updates on the docket (.2).	0.80	416.00
06/28/24	GCS	Review and analyze filings related to the appointment of the equity committee and related professionals (.4); review and analyze case updates and deadlines for filing claims and administering the case (.5); review email correspondence with professionals for the Committee regarding case administration and strategy (.3).	1.20	624.00
Total for 04			16.90	8,996.00

Task Code: 06 Court Hearings

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/26/24	GCS	Attend Avexitide sale and bar date motion hearing at the bankruptcy court (.9); conference with Dan Gonzalez related to hearing and statements to court on behalf of the creditors committee (.3); confer with debtors' counsel regarding hearing issues and next steps (.3); prepare materials for hearing (.7).	2.20	1,144.00
Total for 06			2.20	1,144.00

Task Code: 07 Employment/Fee Applications

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/15/24	TDB	Confer with G. Smith regarding engagement issues (.2).	0.20	120.00
06/18/24	GCS	Review initial draft of Meland Budwick's retention application based on complex case procedures and orders (.5); coordinate additional conflicts check for Munsch Hardt based on creditor matrix and parties of interest in the bankruptcy case (.6).	1.10	572.00
06/18/24	TDB	Correspondence with Meland Budwick, G. Smith regarding retention issues (.2).	0.20	120.00

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06/19/24	GCS	Review and revise Meland Budwick's application for employment based on local rules and procedural orders in the bankruptcy case (.9); research related to U.S. Trustee Guidelines, local rules, and complex case standards for retention and employment in Eiger's chapter 11 case (.7); finalize and file Meland Budwick's retention application with supporting declarations, exhibits, and proposed order (.5).	2.10	1,092.00
06/20/24	TDB	Correspondence with Meland Budwick team, G. Smith regarding employment, PHV issues (.2).	0.20	120.00
06/20/24	GCS	Review updated conflicts for disclosure as part of employment application (.4); revise employment and retention application for filing with the bankruptcy court (.5).	0.90	468.00
06/21/24	TDB	Strategy correspondence with Meland Budwick, G. Smith and correspondence with US Trustee's office (.2).	0.20	120.00
06/21/24	GCS	Draft Munsch Hardt employment and retention application and related exhibits in support (.8); draft declaration and proposed order (.2); review email and conflicts related to same (.1).	1.10	572.00
06/24/24	GCS	Revise employment application and related declarations and exhibits (.8); review initial conflicts report and necessary disclosures as part of employment and retention application for Munsch Hardt (.4).	1.20	624.00
06/25/24	GCS	Review supplemental conflicts for appropriate disclosures in the employment application (.8); revise employment application for additional disclosures and updates in the bankruptcy case (.9); draft and revise proposed order and declarations in support of the employment application (.4); email correspondence with Munsch Hardt team related to any potential conflicts and disclosures (.2).	2.30	1,196.00
06/27/24	GCS	Revise employment application and related declarations in support of Munsch Hardt's retention as counsel to the Committee (.9); coordinate execution of application and declaration with Brian Chaiken as chairperson (.3); review final conflicts and disclosures related to the employment application (.7).	1.90	988.00
06/28/24	GCS	Email correspondence with Brian Chaiken regarding execution of employment application and supporting declaration (.2); review final conflicts and disclosures as part of the Smith Declaration (.7); finalize and file employment application (.4).	1.30	676.00
Total for 07			12.70	6,668.00

Task Code: 09 Innovatus Investigation and Litigation

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/15/24	GCS	Review and analyze the debtors' rule 2004 motion for document production as well as allegations against Innovatus justifying discovery (.9); research related to potential claims and litigation timeline for discussion with the creditors committee and its professionals (.4).	1.30	676.00
06/21/24	GCS	Review Innovatus issues and potential claims for recovery for stakeholders and unsecured creditors (.7); review standing motions related to same to share with Meland Budwick (.2).	0.90	468.00
Total for 09			2.20	1,144.00

Task Code: 11 Meetings and Communications with Debtors

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/20/24	GCS	Conference call with counsel to the Debtors regarding asset sale, plan, and case updates (.6); email correspondence with counsel to the Debtors related to same (.1).	0.70	364.00
06/24/24	GCS	Conference call with counsel to the Debtors and the creditors committee (.6); prepare for conference call with counsel to the Debtors (.3).	0.90	468.00
Total for 11			1.60	832.00

Task Code: 12 Meetings and Communications with Committee

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/27/24	GCS	Conference call with the members of the Committee and counsel regarding case updates, strategic considerations, asset sale hearing, and next steps in Eiger's chapter 11 process (.6).	0.60	312.00
Total for 12			0.60	312.00

Task Code: 15 Plan and Disclosure Statement

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/27/24	GCS	Research related to potential plan issues and analysis related to distributions and timing for administration of plan (.5).	0.50	260.00
Total for 15			0.50	260.00

Task Code: 16 Schedules/Statements

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
06/14/24	GCS	Review and analyze the debtors' schedules and statement of financial affairs filed in the bankruptcy case for conference with proposed co-counsel to the unsecured creditors committee (.8).	0.80	416.00
Total for 16			0.80	416.00
Total			47.80	\$25,128.00

Timekeeper Summary

<u>Timekeeper Title</u>	<u>Name</u>	<u>Initials</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Shareholder	Thomas D. Berghman	TDB	600.00	3.40	2,040.00
Shareholder	Garrick C. Smith	GCS	520.00	44.40	23,088.00
Total				47.80	\$25,128.00

Cost Detail

<u>Date</u>	<u>Description</u>	<u>Amount</u>
06/19/24	Garrick C. Smith - Filing Fees: G Smith; US Bankruptcy Court Northern District of Texas: Filing fees for pro hac vice applications. #A31520584	400.00
Total		\$400.00

Cost Summary

<u>Description</u>	<u>Amount</u>
Filing Fee	400.00
Total	\$400.00

Task Summary

<u>Task Code</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
01	Asset Analysis, Disposition, Recovery	10.30	5,356.00
04	Case Administration and General Strategy	16.90	8,996.00
06	Court Hearings	2.20	1,144.00
07	Employment/Fee Applications	12.70	6,668.00
09	Innovatus Investigation and Litigation	2.20	1,144.00

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<u>Task Code</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
11	Meetings and Communications with Debtors	1.60	832.00
12	Meetings and Communications with Committee	0.60	312.00
15	Plan and Disclosure Statement	0.50	260.00
16	Schedules/Statements	0.80	416.00
	Total	47.80	\$25,128.00



Ross Tower
500 N. Akard Street, Suite 4000
Dallas, Texas 75201-6605
Main 214.855.7500
Fax 214.855.7584
munsch.com

Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.



Invoice Date: July 31, 2024
Invoice Number: 10534364
Matter Number: 023024.00001

For Professional Services through June 30, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	25,128.00
Total Costs	\$	<u>400.00</u>
Grand Total Due	\$	25,528.00



Remittance Address:
Accounting
Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

Include Client or Matter Number and Invoice Number with remittance.

Payments by credit card or eCheck: <https://www.munsch.com/payment>. A 2.5% service fee will be added to credit card payments.

MH Federal ID Number: 75-2096964

For billing inquiries, please contact accounting@munsch.com or (214) 740-5198.



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Ross Tower
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Dallas, Texas 75201-6605
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Fax 214.855.7584
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Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.
c/o Brian Chaiken



Invoice Date: August 7, 2024
Invoice Number: 10534763
Matter Number: 023024.00001

For Professional Services through July 31, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	<u>22,708.50</u>
Total Amount Due	\$	22,708.50



Remittance Address:
Accounting
Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

Include Client or Matter Number and Invoice Number with remittance.

Payments by credit card or eCheck: <https://www.munsch.com/payment>. A 2.5% service fee will be added to credit card payments.

MH Federal ID Number: 75-2096964

For billing inquiries, please contact accounting@munsch.com or (214) 740-5198.

Munsch Hardt Kopf & Harr, P.C.
Matter Number: 023024.00001
Invoice Number: 10534763
Matter Description: Eiger BioPharmaceuticals

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August 7, 2024

Fee Detail

Task Code: 04 Case Administration and General Strategy

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/03/24	TDB	Correspondence with all counsel regarding cash collateral, professional fee issues (.4).	0.40	240.00
07/05/24	GCS	Email correspondence with co-counsel related to email communications with equity holders who reached out to the creditors committee (.3); review docket updates and filings regarding next steps in the bankruptcy case (.5).	0.80	416.00
07/08/24	GCS	Review email correspondence regarding members of the equity committee and general strategy for next steps on standing, cash position, and plan negotiations (0.5); review case docket for deadlines and appearances by parties in interest on the docket (0.2).	0.70	364.00
07/18/24	GCS	Conference with creditors trying to access claims filed on the claims agent's website (.3); review claims agent's website and claims filed without access to the public (.2); email correspondence and conference call with counsel to the debtors regarding claim issues (.2).	0.70	364.00
07/23/24	TDB	Correspondence with all counsel regarding cash collateral stipulation.	0.30	180.00
07/23/24	GCS	Review and analyze case docket and updated filings regarding dates and deadlines (.2); analyze case strategy issues and topics for discussion prior to the next hearing (.2).	0.40	208.00
07/25/24	GCS	Review notices, agenda, and case filings related to the hearing on July 29 (.2); review docket related to dates and deadlines for the creditors committee (.2).	0.40	208.00
07/30/24	HJV	Emails with Lisa Tannenbaum regarding 30 largest unsecured creditors.	0.20	43.00
Total for 04			3.90	2,023.00

Task Code: 06 Court Hearings

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/29/24	GCS	Attend disclosure statement conditional approval hearing (1.3); prepare materials and latest redlines for all proposed changes for the hearing (.4); review additional changes related to resolving hearing objections (.2); attend meetings with counsel to the debtors and stakeholders before and after the hearing related to potential resolutions and solutions to resolve potential objections (.4).	2.30	1,196.00
Total for 06			2.30	1,196.00

Task Code: 07 Employment/Fee Applications

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/16/24	GCS	Draft and finalize certificate of no objection for Meland Budwick employment application (.4); review docket and emails regarding any potential objections to same (.2).	0.60	312.00
07/22/24	GCS	Draft and revise certificate of no objection for Munsch Hardt employment application (.5); review docket and email regarding any potential objection and response related to Munsch Hardt's employment as counsel to the unsecured creditors committee (.3).	0.80	416.00
07/24/24	GCS	Review interim compensation order and procedures regarding monthly fee statements and fee applications (.6); email correspondence with Meland Budwick team regarding compensation procedures and statements (.2).	0.80	416.00
07/26/24	GCS	Review interim monthly fee statement of Meland Budwick based on local rules and procedures (.3); coordinate and review invoice of Munsch Hardt for monthly fee statement (.4).	0.70	364.00
07/30/24	GCS	Conference call with Dan Gonzalez regarding monthly fee statements and the necessity for interim fee applications (.3); email correspondence with the debtors and the U.S. Trustee regarding fee statements and compliance with the interim compensation order (.2); revise Munsch Hardt invoice for June based on any typos or task code errors (.3).	0.80	416.00
07/31/24	GCS	Revise and finalize the Meland Budwick monthly fee statement for June (.3); revise and finalize the Munsch Hardt fee statement for June (.6); conference call with Meland Budwick team regarding fee statement comments and filing for review (.4); file Meland Budwick and Munsch Hardt fee statements for June (.3).	1.60	832.00
07/31/24	HJV	Telephone conference with G. Smith regarding fee statement (0.3); prepare first fee statement (1.3); email to G. Smith regarding same (0.1).	1.70	365.50
Total for 07			7.00	3,121.50

Task Code: 09 Innovatus Investigation and Litigation

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/03/24	GCS	Conference call with counsel to equity committee and counsel to the debtors regarding Innovatus negotiations and potential litigation (.2); research and analysis related to Innovatus claims and standing issues (.3).	0.50	260.00
07/10/24	GCS	Email correspondence and discussion with counsel to the debtors, equity committee, and creditors committee regarding derivative standing issues for challenges and claims against Innovatus (.4); review draft standing motion and proposed comments from the stakeholders (.5); analyze and review proposed order, cash collateral order, and other filings related to standing to bring claims against Innovatus and the value of the estate as the fulcrum security (.3).	1.20	624.00
07/15/24	GCS	Review comments and revisions to motion for standing to pursue challenges and litigation against Innovatus (.6); review modifications to proposed order from the equity committee and the debtors (.3); email correspondence with the equity committee and the debtors regarding proposed modifications and sign off for affixing signatures for filing (.3).	1.20	624.00
07/21/24	GCS	Review and analysis draft stipulation for standing to contest or challenge Innovatus liens or related issues under the cash collateral order (.4); review email correspondence with counsel to Innovatus and counsel to the creditor committee and equity committee regarding potential stipulation for standing (.1).	0.50	260.00
07/23/24	GCS	Review and analyze revisions to proposed stipulation regarding standing to bring claims and causes of action against Innovatus on behalf of the estates (.7); review email correspondence related to additional changes and comments between the debtors, equity committee, creditors committee, and Innovatus (.4); conference regarding same with Meland Budwick team (.2).	1.30	676.00
07/24/24	GCS	Review and analyze stipulation for standing for pursuing claims and challenges against Innovatus (.8); email correspondence with counsel to the debtors, equity committee, and creditors committee related to same (.4); email regarding consent to affix my signature to the stipulation (.1).	1.30	676.00
07/26/24	GCS	Review and analyze issues raised with the Meland Budwick team regarding standing issues for investigation of Innovatus and stipulation for standing related to same (.3).	0.30	156.00
Total for 09			6.30	3,276.00

Task Code: 10 Litigation/Avoidance Actions: Contested Matters and Adversary Pr

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/24/24	TDB	Correspondence throughout day with debtors, equity committee, committee counsel regarding standing motion.	0.50	300.00
Total for 10			0.50	300.00

Task Code: 11 Meetings and Communications with Debtors

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/01/24	GCS	Conference with counsel to the debtors regarding case strategy, updates, and next steps for creditors and equity holders (.4).	0.40	208.00
07/23/24	GCS	Email correspondence with counsel to the debtors and the Meland Budwick team regarding various plan, claims, and status issue in the bankruptcy case (.3).	0.30	156.00
Total for 11			0.70	364.00

Task Code: 12 Meetings and Communications with Committee

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/16/24	GCS	Review email correspondence with the members of the creditors committee regarding updates and questions (.3); review docket related to same (.2).	0.50	260.00
07/19/24	GCS	Email correspondence regarding plan and case updates with members of the Committee (.1); review and analyze plan related to committee member questions (.4).	0.50	260.00
07/30/24	GCS	Conference call and meeting with the creditors committee members regarding plan issues, case updates, and next steps in the chapter 11 case (.8).	0.80	416.00
Total for 12			1.80	936.00

Task Code: 13 Meetings and Communications with Creditors

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/08/24	GCS	Conference calls with unsecured creditors and equity holders reaching out for information on the bankruptcy case, proof of claim bar date, and general updates.	0.80	416.00
Total for 13			0.80	416.00

Task Code: 15 Plan and Disclosure Statement

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<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
07/01/24	GCS	Conference call with counsel to the debtors and the equity committee regarding the proposed plan structure and treatment of claims in the chapter 11 case (.4); review and analysis related to same (.2).	0.60	312.00
07/03/24	GCS	Conference call with counsel to equity committee and the debtors regarding plan treatment and structure (.4); review potential plan structures and issues related to same for discussion with the creditors committee (.3).	0.70	364.00
07/12/24	GCS	Review draft plan questions and issues for additional analysis with the Meland Budwick team (1.3); email correspondence with the Meland Budwick team regarding plan and disclosure statement questions (.2); review plan dates and deadlines proposed by counsel to the debtors (.2).	1.70	884.00
07/15/24	GCS	Review and analyze plan issues and potential comments (.6); email correspondence with the Meland Budwick team regarding the plan and disclosure statement and potential issues related to same (.3).	0.90	468.00
07/22/24	GCS	Review and analyze distribution mechanics and timing questions for discussion with the debtors' counsel this week (.5); review correspondence and issues raised by Meland Budwick team regarding plan and distribution issues for further discussion with debtors (.3).	0.80	416.00
07/23/24	GCS	Conference call with Meland Budwick team regarding the Plan's mechanics for calculating contract rate on claims for proposed treatment (.4); review and analyze summaries of filed and scheduled claims to understand the scope of plan treatment and timing for payment in full under the Plan (.9); email correspondence and analysis with Meland Budwick team regarding Plan treatment, comments, and distribution procedures (.4).	1.70	884.00
07/24/24	GCS	Review plan and disclosure statement for potential comments and objections to discuss with Meland Budwick team and the debtors (.8); research related to release and plan treatment issues (1.1); review disclosure questions and issues regarding timing on distributions on unsecured claims (.3).	2.20	1,144.00
07/25/24	GCS	Conference call with counsel to the debtors regarding plan changes and issues for the disclosure statement hearing (.7); research and analysis regarding post-Effective Date interest and other issues related to plan treatment for the general unsecured creditors in Class 4 (2.2); conference calls with Dan Gonzalez and Meaghan Murphy regarding plan and disclosure statement comments for resolution with the debtors or potential objections (.9); email correspondence with the Meland Budwick team regarding preparation for the disclosure statement hearing, comments to the plan, and research regarding objections (.4); review additional plan redlines for comments from the various stakeholders (.5).	4.70	2,444.00

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07/26/24	GCS	Conference call with counsel to the debtors regarding plan negotiations and proposed treatment (.5); research related to post-Effective Date interest for unsecured creditors and other solvent-debtor issues under the proposed plan and disclosure statement (1.4); conference calls with Dan Gonzales and Meaghan Murphy regarding plan comments and negotiations (.7); email correspondence with Meland Budwick team regarding proposed plan comments and potential objections (.5).	3.10	1,612.00
07/27/24	GCS	Conference call with Daniel Gonzalez regarding plan treatment for the unsecured creditors, interest payments, releases, and other plan issues (.3); analyze redline of plan changes circulated by debtors' counsel (.8); review email from debtors' counsel related to same (.2).	1.30	676.00
07/28/24	GCS	Review and analyze filed versions of the amended plan and disclosure statement and redlines against prior drafts (1.2); review amended agenda for hearing to approve the disclosure statement on a conditional basis (.2); review email correspondence with Daniel Gonzalez regarding plan comments and issues for potential objection or resolution (.3).	1.70	884.00
07/29/24	GCS	Research related to potential plan objection issues and solutions after conditional approval of the disclosure statement (.3); email correspondence with Meland Budwick team related to same (.1).	0.40	208.00
07/30/24	GCS	Conference call with Daniel Gonzalez regarding plan issues and questions regarding interest and distribution mechanics after the Committee member conference (.3); email correspondence with Meland Budwick team on additional plan voting and treatment analysis (.4); review potential voting class creditors and claims receiving a ballot as impaired creditors under the amended plan for solicitation (.4).	1.10	572.00
07/31/24	GCS	Conference call with Meland Budwick regarding plan issues and questions raised by the members of the Committee (.3); review amended plan related to same (.1).	0.40	208.00
Total for 15			21.30	11,076.00
Total			44.60	\$22,708.50

Munsch Hardt Kopf & Harr, P.C.
 Matter Number: 023024.00001
 Invoice Number: 10534763
 Matter Description: Eiger BioPharmaceuticals

8 of 9
 August 7, 2024

Timekeeper Summary

<u>Timekeeper Title</u>	<u>Name</u>	<u>Initials</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Shareholder	Thomas D. Berghman	TDB	600.00	1.20	720.00
Shareholder	Garrick C. Smith	GCS	520.00	41.50	21,580.00
Paralegal	Heather J. Valentine	HJV	215.00	1.90	408.50
Total				44.60	\$22,708.50

Task Summary

<u>Task Code</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
04	Case Administration and General Strategy	3.90	2,023.00
06	Court Hearings	2.30	1,196.00
07	Employment/Fee Applications	7.00	3,121.50
09	Innovatus Investigation and Litigation	6.30	3,276.00
10	Litigation/Avoidance Actions: Contested Matters and Adversary Pr	0.50	300.00
11	Meetings and Communications with Debtors	0.70	364.00
12	Meetings and Communications with Committee	1.80	936.00
13	Meetings and Communications with Creditors	0.80	416.00
15	Plan and Disclosure Statement	21.30	11,076.00
Total		44.60	\$22,708.50



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Dallas, Texas 75201-6605
Main 214.855.7500
Fax 214.855.7584
munsch.com

Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.
c/o Brian Chaiken

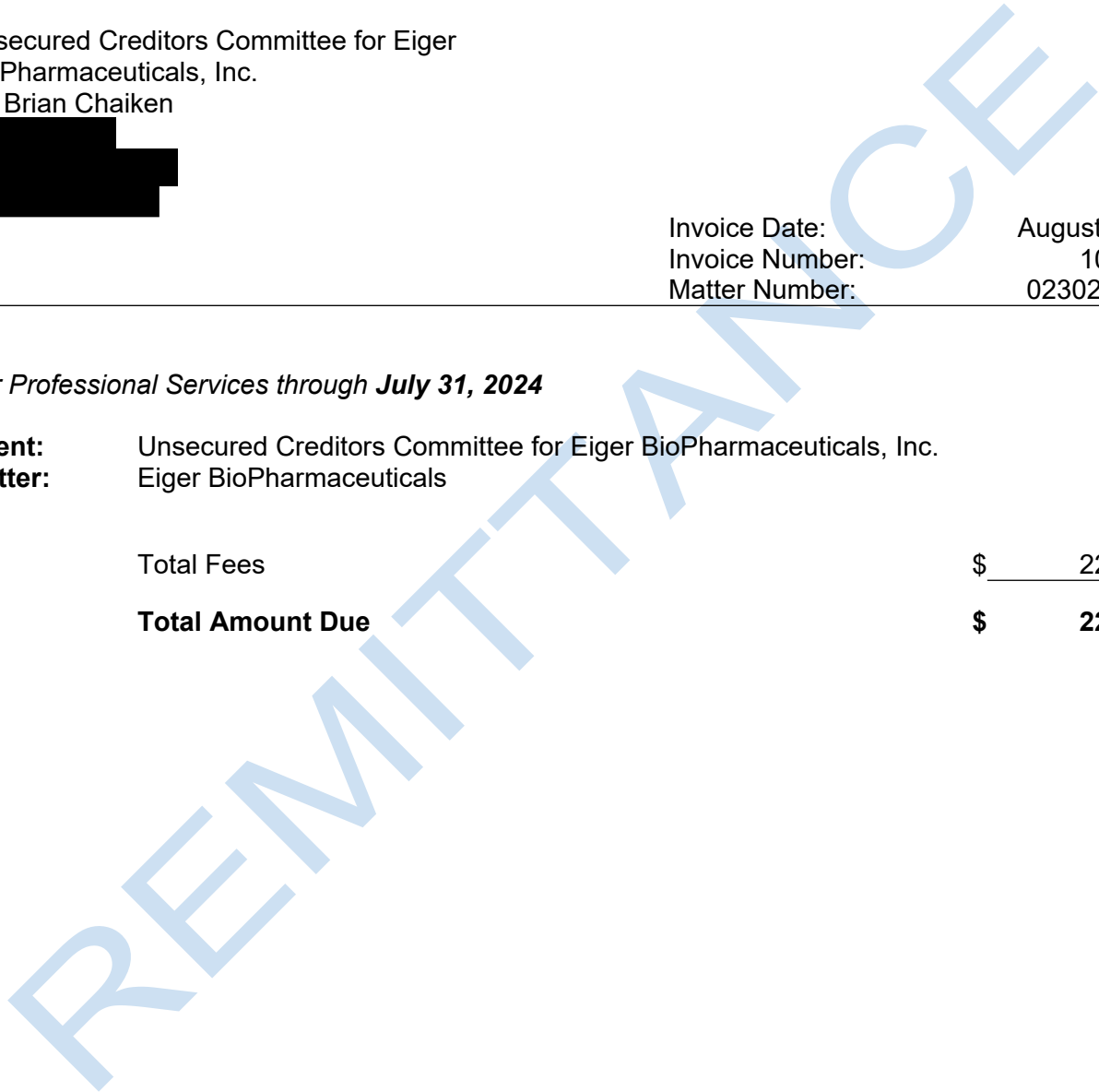


Invoice Date: August 7, 2024
Invoice Number: 10534763
Matter Number: 023024.00001

For Professional Services through July 31, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	<u>22,708.50</u>
Total Amount Due	\$	22,708.50



Remittance Address:
Accounting
Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

Include Client or Matter Number and Invoice Number with remittance.

Payments by credit card or eCheck: <https://www.munsch.com/payment>. A 2.5% service fee will be added to credit card payments.

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Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.



Invoice Date: September 10, 2024
Invoice Number: 10537279
Matter Number: 023024.00001

For Professional Services through August 31, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	<u>26,900.00</u>
TOTAL THIS INVOICE	\$	26,900.00
Previous Balance	\$	<u>9,567.30</u>
Total Balance Due	\$	36,467.30



Remittance Address:
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Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

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Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10537279

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

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September 10, 2024

Fee Detail

Task Code: 01 Asset Analysis, Disposition, Recovery

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/06/24	GCS	Review and analyze motion and proposed order for sale of the Lonafarnib and Lambda assets (.9); email correspondence with the Meland Budwick team regarding asset proceeds and recoveries from any remaining asset sales by the Debtors (.3).	1.20	624.00
08/14/24	GCS	Review disclosures, updates, and issues related to the sale of the Lonafarnib and Lambda (.4); review objection filed against the sale of assets (.5); review docket related to filings in support of the asset sale (.3).	1.20	624.00
Total for 01			2.40	1,248.00

Task Code: 02 Assumption/Rejection of Leases and Contracts

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/08/24	GCS	Review objections filed regarding assumption and cure of executory contracts and unexpired leases (.6); review schedule of proposed cure amounts for unsecured creditors (.2).	0.80	416.00
08/16/24	GCS	Review list of assumed executory contracts and unexpired leases and associated cure amounts (.5); email correspondence with Meland Budwick team related to same (.7).	1.20	624.00
Total for 02			2.00	1,040.00

Task Code: 04 Case Administration and General Strategy

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/05/24	GCS	Review notice of withdrawal of standing motion for affixing my signature (.5); email correspondence with counsel to debtors and equity committee regarding standing motion and related filings in the bankruptcy case (.2).	0.70	364.00
08/07/24	GCS	Review proposed protective order between the debtors and the equity committee for exchange of confidential information (.4); review case docket and updates for deadlines and issues for discussion with the Committee members (.3).	0.70	364.00
08/19/24	TDB	Correspondence with all counsel regarding SVB, cash collateral issues	0.20	120.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10537279

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

3 of 8

September 10, 2024

08/26/24	GCS	Review docket and case filings regarding updates for upcoming hearings (.4); review correspondence with co-counsel and creditors related to same (.3).	0.70	364.00
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Total for 04 2.30 1,212.00

Task Code: 06 Court Hearings

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/20/24	GCS	Attend hearing and hearing meetings regarding the sale of certain additional assets of the debtor as well as estimation of Innovatus's claim for escrow and reserve of potential amounts owed to Innovatus (2.4).	2.40	1,248.00

Total for 06 2.40 1,248.00

Task Code: 07 Employment/Fee Applications

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/07/24	GCS	Review draft invoice issues and coordinate for filing monthly fee statements pursuant to the interim compensation order (.5).	0.50	260.00
08/12/24	GCS	Draft Munsch Hardt monthly fee statement for July (.3); review Munsch Hardt invoice and final changes for preparing fee statement (.3); review and finalize Meland Budwick fee statement for June (.4); email correspondence with Meland Budwick team regarding filing monthly fee statement for June (.2); file Meland Budwick monthly fee statement (.3); file Munsch Hardt monthly fee statement in final form with exhibit (.3).	1.80	936.00
08/16/24	GCS	Email correspondence regarding confirmation of wire and bank information for coordinating payment of monthly invoices pursuant to interim compensation procedures (.3); email correspondence with Meland Budwick regarding same (.4).	0.70	364.00
08/19/24	GCS	Email correspondence with counsel to the Debtors regarding monthly fee statements and invoice payment (.4); review monthly fee statements for June and the docket for any potential objections to same for Meland Budwick and Munsch Hardt (.3).	0.70	364.00
08/22/24	GCS	Review any potential objections to July monthly fee statement (.2); confirm amounts and obligations for payment for July fees and expenses for Munsch Hardt and Meland Budwick (.6).	0.80	416.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10537279

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

4 of 8

September 10, 2024

08/26/24	GCS	Email correspondence with Meland Budwick regarding July monthly fee statements (.3); review monthly fee statements and calculations of amounts owed for July (.4); email correspondence with counsel to the Debtors related to payment of same (.2).	0.90	468.00
Total for 07			5.40	2,808.00

Task Code: 09 Innovatus Investigation and Litigation

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/12/24	GCS	Email with Dan Gonzalez regarding conference call with debtors' counsel related to Innovatus litigation and claim objection (.1); review Innovatus claim issues related to potential objections and investigation (.4).	0.50	260.00
08/15/24	GCS	Review and analyze draft objection to the Innovatus claim and precedent related thereto (1.2); email correspondence with the Meland Budwick team related to same (.2).	1.40	728.00
08/19/24	GCS	Email correspondence with Meland Budwick regarding hearing for estimation of Innovatus claim and related filings for estimation of Innovatus claim (.3); review objection, pleadings, and exhibits related to Innovatus claim and litigation disputes (.8); analyze expert report in support of estimation of Innovatus claim (.6); review docket and agenda related to Innovatus claim estimation and determination (.2).	1.90	988.00
08/20/24	GCS	Review and analyze case filings regarding Innovatus's claim and objections related thereto for estimation of the claim (.6); conference with Dan Gonzalez related to same (.2).	0.80	416.00
08/23/24	GCS	Review order entered regarding estimation of the Innovatus claim for purposes of claim administration and litigation (.3); review issues raised by Meland Budwick team related to Innovatus claim (.6).	0.90	468.00
Total for 09			5.50	2,860.00

Task Code: 12 Meetings and Communications with Committee

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/05/24	GCS	Email correspondence with the members of the creditors committee regarding case updates and strategy, including the claim estimation for Innovatus, voting on the plan, and next steps prior to confirmation (.4).	0.40	208.00
08/23/24	GCS	Email correspondence with Meland Budwick and the members of the creditors committee regarding case updates, plan confirmation, and strategic considerations (.4).	0.40	208.00
Total for 12			0.80	416.00

Task Code: 15 Plan and Disclosure Statement

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10537279

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

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September 10, 2024

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
08/05/24	GCS	Analyze third party release issues and opt out structure in the Plan based on recent Fifth Circuit precedent (.8); review voting updates for schedule of unsecured creditor class (.3); email correspondence and analysis with Meland Budwick team regarding potential plan issues and objections for the unsecured creditors (.4); review plan administrator and liquidating trustee options under the plan (.1).	1.60	832.00
08/09/24	GCS	Review and analyze declaration and other filings in support of estimation of the Innovatus claim for reserve to make distributions to unsecured creditors under the proposed plan (.5); review docket and updates related to plan proposal (.6); analyze email correspondence with the debtors' counsel and Meland Budwick team related to liquidation analysis and plan administrator updates for the proposed plan (.3).	1.40	728.00
08/12/24	GCS	Conference call with Meland Budwick team regarding plan confirmation issues and updates from the debtors and equity committee (.6); research related to plan distribution and interest issues for unsecured creditors in the plan (1.5).	2.10	1,092.00
08/14/24	GCS	Review draft liquidating trust agreement shared by counsel to the debtors (1.1); email correspondence with Meland Budwick team and Debtor's counsel related to same (.2); conference call with counsel to the debtors, equity committee, and the creditors committee related to the proposed plan (.7); conference call with Dan Gonzalez related to Innovatus claim issues and strategy as it relates to payment and distributions to unsecured creditors (.3); review Innovatus claim issues and potential objections prior to conference call (.6).	2.90	1,508.00
08/15/24	GCS	Review and analyze draft liquidating trust agreement issues for payments to unsecured creditors as part of the plan supplement (1.3); review plan administrator agreement for potential comments to the draft (.5); research related to plan issues and potential objections if not resolved (1.0).	2.80	1,456.00
08/16/24	GCS	Revise Liquidation Trust Agreement in coordination with Meland Budwick team (.8); conference with Dan Gonzalez regarding proposed comments to the Liquidation Trust Agreement (.5); Analyze expert report and objections filed by Innovatus regarding estimation and reserve for claim for purposes of Plan confirmation and distributions (.8); analyze case filings in support of Innovatus claim estimation for purposes of plan treatment and distributions (.6); email correspondence with Meland Budwick regarding same (.4); review declarations filed in support of plan treatment and estimation of claims for Innovatus (.4).	3.50	1,820.00
08/17/24	GCS	Email correspondence with Meland Budwick team and the committee regarding objecting to the liquidation trust agreement (.2); review additional issues and questions regarding the liquidating trust agreement, costs of liquidating professionals, and timing for distributions to unsecured creditors under the proposed plan and trust agreement (.9).	1.10	572.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10537279

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

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September 10, 2024

08/19/24	GCS	Research related to plan and distribution to general unsecured creditors (.6); review email correspondence with Meland Budwick related to plan issues and distribution mechanics (.2).	0.80	416.00
08/20/24	GCS	Conference with Dan Gonzalez related to plan and confirmation issues for the creditors committee (.4); review plan issues and research related to same (.5).	0.90	468.00
08/21/24	GCS	Review plan issues and updates regarding payment in full for unsecured creditors (.8); review email correspondence related to same (.4).	1.20	624.00
08/23/24	GCS	Email correspondence with Meland Budwick team and Debtors' counsel regarding the plan administrator and liquidation analysis associated with plan confirmation (.2); research and review related to potential plan objections and liquidation analysis and plan administrator issues (1.1).	1.30	676.00
08/26/24	GCS	Review correspondence with Meland Budwick related to plan confirmation updates and issues (.3); analyze plan issues and updates for the confirmation hearing (.5).	0.80	416.00
08/27/24	GCS	Conference call with Dan Gonzalez regarding plan confirmation and potential questions related to same for counsel to the Debtors (.4); review and analyze plan issues for discussion with counsel to the Debtors (1.0); review docket updates related to plan deadlines and potential plan treatment issues (.4).	1.80	936.00
08/28/24	GCS	Analyze confirmation brief in support of plan confirmation and releases (.9); research related to potential objections regarding impairment, releases, and claim allowance (1.2); review docket filings and updates for plan confirmation issues (.5).	2.60	1,352.00
08/29/24	GCS	Review and analyze confirmation brief and plan confirmation issues (.6); review email correspondence with Meland Budwick regarding plan issues and confirmation hearing (.2).	0.80	416.00
08/30/24	GCS	Review and analyze objection filed by Innovatus related to confirmation of the Plan (.8); review and analyze objection filed by the equity committee (.9); review and analyze objection filed by the U.S. Trustee (.5); research related to confirmation objections and issues for impairment and releases (.7); correspondence with Meland Budwick team regarding plan and confirmation hearing issues (.4); review redline of plan related to same (.1).	3.40	1,768.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10537279

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

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September 10, 2024

08/31/24	GCS	Review and analyze issues regarding the objection of the equity committee and director and officer releases and related investigation (.7); review motion to stay Innovatus claim estimation order and estimated claim under the proposed plan pending appeal (.7); research and analyze additional issues raised by the Innovatus objection to the plan (.5).	1.90	988.00
Total for 15			30.90	16,068.00
Total			51.70	\$26,900.00

Timekeeper Summary

<u>Timekeeper Title</u>	<u>Name</u>	<u>Initials</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Shareholder	Thomas D. Berghman	TDB	600.00	0.20	120.00
Shareholder	Garrick C. Smith	GCS	520.00	51.50	26,780.00
Total				51.70	\$26,900.00

Task Summary

<u>Task Code</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
01	Asset Analysis, Disposition, Recovery	2.40	1,248.00
02	Assumption/Rejection of Leases and Contracts	2.00	1,040.00
04	Case Administration and General Strategy	2.30	1,212.00
06	Court Hearings	2.40	1,248.00
07	Employment/Fee Applications	5.40	2,808.00
09	Innovatus Investigation and Litigation	5.50	2,860.00
12	Meetings and Communications with Committee	0.80	416.00
15	Plan and Disclosure Statement	30.90	16,068.00
Total		51.70	\$26,900.00

Outstanding Invoices

<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Invoice Total</u>	<u>Payments</u>	<u>Total Balance</u>
07/31/24	10534364	25,528.00	20,502.40	5,025.60
08/07/24	10534763	22,708.50	18,166.80	4,541.70
Total				\$9,567.30



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Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.



Invoice Date: September 10, 2024
Invoice Number: 10537279
Matter Number: 023024.00001

For Professional Services through August 31, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	<u>26,900.00</u>
TOTAL THIS INVOICE	\$	26,900.00
Previous Balance	\$	<u>9,567.30</u>
Total Balance Due	\$	36,467.30



Remittance Address:
Accounting
Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

Include Client or Matter Number and Invoice Number with remittance.

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Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.



Invoice Date: October 3, 2024
Invoice Number: 10539644
Matter Number: 023024.00001

*For Professional Services through **September 30, 2024***

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	<u>20,634.00</u>
TOTAL THIS INVOICE	\$	20,634.00
Previous Balance	\$	<u>14,947.30</u>
Total Balance Due	\$	35,581.30



Remittance Address:
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MH Federal ID Number: 75-2096964

For billing inquiries, please contact accounting@munsch.com or (214) 740-5198.

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10539644

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

2 of 6

October 3, 2024

Fee Detail

Task Code: 02 Assumption/Rejection of Leases and Contracts

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/30/24	GCS	Review updated and revised schedule of assumed executory contracts and unexpired lease (.4); review related issue for contract counterparties for assumed lease (.3); review email correspondence related to same (.1).	0.80	416.00
Total for 02			0.80	416.00

Task Code: 06 Court Hearings

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/05/24	GCS	Attend hearing virtually for plan confirmation and settlements related to same (1.1).	1.10	572.00
Total for 06			1.10	572.00

Task Code: 07 Employment/Fee Applications

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/09/24	GCS	Review invoice for August and timekeeper entries (.5); draft monthly fee statement for August for finalizing and filing in the bankruptcy court (.6); review Meland Budwick monthly fee statement to prepare for filing in the bankruptcy court (.3).	1.40	728.00
09/10/24	GCS	Draft and revise monthly fee statement for Munsch Hardt for August (.8); review August invoice for Munsch Hardt (.3); review and prepare Meland Budwick fee statement for filing with the bankruptcy court (.4); file Munsch Hardt fee statement (.2); file Meland Budwick fee statement (.2).	1.90	988.00
09/11/24	GCS	Conference with Meland Budwick team regarding fee statement and application issues (.3); review compensation procedures and coordinate fee applications upon the occurrence of the Effective Date of the Plan (.6).	0.90	468.00
09/23/24	GCS	Email correspondence and conference with Meland Budwick regarding fee statements and objections (.3); review docket and email regarding any objections to August fee statements (.2); review fee statement for payment and processing with counsel to the Debtors (.6); email correspondence with counsel to the Debtors regarding fee statements (.3).	1.40	728.00
09/30/24	GCS	Prepare final fee application and related documents (1.2); review invoices and fee statements for preparing final fee application (.7); coordinate fee application preparation and documents for finalizing and filing fee application (.3).	2.20	1,144.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10539644

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

3 of 6

October 3, 2024

09/30/24	HJV	Preparation of final fee application.	6.00	1,290.00
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Total for 07	13.80	5,346.00
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Task Code: 12 Meetings and Communications with Committee

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/06/24	GCS	Review email correspondence and updates with the creditors committee regarding plan confirmation, settlement, and next steps after confirmation of the plan (0.3); review issues related to reserve funds for claims raised by members of the creditors committee (0.5).	0.80	416.00
09/25/24	GCS	Email communications with the creditors committee members regarding status of the effective date of the plan and liquidating trust (.3); review and analyze dates and deadlines related to same and updates regarding conditions precedent to effective date (.5).	0.80	416.00

Total for 12	1.60	832.00
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Task Code: 15 Plan and Disclosure Statement

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/01/24	GCS	Research and additional analysis regarding the objection filed by Innovatus to confirmation of the plan and the treatment of class 3 (.8); research and additional analysis of issues raised by the equity committee to confirmation of the plan and releases for directors and officers (1.0); review and analyze U.S. Trustee's objection to third-party releases and the opt out form (.7).	2.50	1,300.00
09/02/24	GCS	Review and analyze issues related to equity committee objection and D&O releases (.4); review proposals for resolution and settlement with Innovatus for support of the plan (.7); review docket updates and filings regarding the plan confirmation hearing (.2).	1.30	676.00
09/03/24	GCS	Conference call with counsel the debtors and Dan Gonzalez regarding plan objections and settlement proposals (.8); research related to potential settlement proposals and resolutions with Innovatus and the Equity Committee under the plan (1.4); email correspondence with Meland Budwick team regarding plan negotiations and discovery related to plan confirmation (.7); review witness and exhibit lists filed by the debtors, equity committee, and Innovatus related to plan confirmation hearing (.3); email correspondence with Dan Gonzalez and counsel to the equity committee regarding depositions for the plan confirmation hearing (.2); review voting and impairment issues under the plan (.3).	3.70	1,924.00
09/04/24	GCS	Attend depositions of multiple individuals throughout the day as part of the plan confirmation hearing (3.5); review and analyze response brief regarding plan objections filed by the debtors (.9); email correspondence with Meland Budwick	6.30	3,276.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10539644

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

4 of 6

October 3, 2024

		team regarding confirmation hearing, depositions, and settlement negotiations (.6); review witness and exhibit lists filed by the debtors, equity committee and Innovatus (.5); review supplemental declarations filed for confirmation hearing (.3); review and analyze motion for stay pending appeal by Innovatus related to confirmation and objection filed by the debtors to same (.5).		
09/05/24	GCS	Research issues related to plan objections and open issues for confirmation (.9); review docket filings and updates for confirmation hearing (.5); review plan amendments and revisions for confirmation (.8); review and analyze email correspondence with Meland Budwick related to plan confirmation and settlements related to same (.5).	2.70	1,404.00
09/06/24	GCS	Review revised confirmation order and redlines of changes to same for entry by the bankruptcy court (.5); email correspondence with Meland Budwick team regarding proposed confirmation and plan changes (.1); review docket updates regarding filing amended plan and confirmation (.1).	0.70	364.00
09/11/24	GCS	Conference with Meland Budwick team regarding plan issues for the effective date and plan administrator (.4); review Plan regarding conditions to the effective date and claims administration for unsecured creditors (.5); review email correspondence with Meland Budwick related to next steps under the Plan (.3).	1.20	624.00
09/12/24	GCS	Review email correspondence with co-counsel and Debtors' counsel related to the plan administrator and liquidation trustee (.2); review and analyze issues regarding timing for administering claims and making distributions pursuant to the plan (.6).	0.80	416.00
09/18/24	GCS	Review updates related to the plan effective date and administration of claims under the plan (0.8); email correspondence with Dan Gonzalez regarding plan effective date updates, plan administrator issues, and next steps for payment of allowed claims (0.1); analyze plan regarding conditions to the effective date and claim administration (0.4).	1.30	676.00
09/26/24	GCS	Review plan deadlines and updates regarding the effective date of the plan (.6); review claim mechanics and distribution issues under the plan for follow up with the plan administrator and liquidating trustee (.5); review email correspondence with counsel to the debtors regarding plan updates for going effective (.2).	1.30	676.00
09/27/24	GCS	Review and analyze third plan supplement, including revised liquidating trust agreement and plan administrator agreement (1.5); review disclosures regarding insiders to be disclosed by the plan administrator (.2); review docket updates and deadlines regarding the plan (.4); review correspondence with Meland Budwick regarding liquidating trust and plan administrator under the plan (.2).	2.30	1,196.00

Munsch Hardt Kopf & Harr, P.C.

Matter Number: 023024.00001

Invoice Number: 10539644

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.

Matter Description: Eiger BioPharmaceuticals

5 of 6

October 3, 2024

09/29/24	GCS	Review liquidating trust agreement, plan administrator agreement, and issues related to same (1.6); review plan and third plan supplement for discussion with creditors committee (.2).	1.80	936.00
Total for 15			25.90	13,468.00
Total			43.20	\$20,634.00

Timekeeper Summary

<u>Timekeeper Title</u>	<u>Name</u>	<u>Initials</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Shareholder	Garrick C. Smith	GCS	520.00	37.20	19,344.00
Paralegal	Heather J. Valentine	HJV	215.00	6.00	1,290.00
Total				43.20	\$20,634.00

Task Summary

<u>Task Code</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
02	Assumption/Rejection of Leases and Contracts	0.80	416.00
06	Court Hearings	1.10	572.00
07	Employment/Fee Applications	13.80	5,346.00
12	Meetings and Communications with Committee	1.60	832.00
15	Plan and Disclosure Statement	25.90	13,468.00
Total		43.20	\$20,634.00

Outstanding Invoices

<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Invoice Total</u>	<u>Payments</u>	<u>Total Balance</u>
07/31/24	10534364	25,528.00	20,502.40	5,025.60
08/07/24	10534763	22,708.50	18,166.80	4,541.70
09/10/24	10537279	26,900.00	21,520.00	5,380.00
Total				\$14,947.30



Ross Tower
500 N. Akard Street, Suite 4000
Dallas, Texas 75201-6605
Main 214.855.7500
Fax 214.855.7584
munsch.com

Unsecured Creditors Committee for Eiger
BioPharmaceuticals, Inc.



Invoice Date: October 3, 2024
Invoice Number: 10539644
Matter Number: 023024.00001

For Professional Services through September 30, 2024

Client: Unsecured Creditors Committee for Eiger BioPharmaceuticals, Inc.
Matter: Eiger BioPharmaceuticals

Total Fees	\$	<u>20,634.00</u>
TOTAL THIS INVOICE	\$	20,634.00
Previous Balance	\$	<u>14,947.30</u>
Total Balance Due	\$	35,581.30



Remittance Address:
Accounting
Munsch Hardt Kopf & Harr, P.C.
500 N. Akard St., Suite 4000
Dallas, TX 75201-6605

Include Client or Matter Number and Invoice Number with remittance.

Payments by credit card or eCheck: <https://www.munsch.com/payment>. A 2.5% service fee will be added to credit card payments.

MH Federal ID Number: 75-2096964

For billing inquiries, please contact accounting@munsch.com or (214) 740-5198.

EXHIBIT B



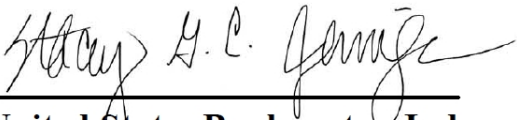
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed July 26, 2024


United States Bankruptcy Judge

**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 APPLICATION TO EMPLOY
MUNSCH HARDT KOPF & HARR P.C. AS CO-COUNSEL
FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

Upon consideration of the *Application to Employ Munsch Hardt Kopf & Harr P.C. as Co-Counsel for the Official Committee of Unsecured Creditors* [Docket No. 382] (the “Application”) filed by the Official Committee of Unsecured Creditors (the “Committee”).² Having considered the Application and the *Declaration of Garrick C. Smith* and the *Declaration of Brian Chaiken* in support of the Application, the Court finds that the proposed employment of Munsch Hardt Kopf

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors’ service address is 2100 Ross Ave., Dallas, Texas 75201.

² Capitalized terms not defined herein shall have the meaning ascribed in the Application.



& Harr, P.C. (“Munsch Hardt”) as counsel for the Committee is appropriate and in the best interests of the estates and its creditors. Munsch Hardt has represented that each of its shareholders and associates is a “disinterested person” as such term is defined under 11 U.S.C. § 101(14). Accordingly, the Court finds that the Application should be approved. It is therefore **ORDERED** as follows:

1. The Application is **APPROVED** as set forth herein.
2. The Committee is authorized to retain and employ Munsch Hardt as their attorneys and counsel effective as of June 14, 2024, in accordance with the terms and conditions set forth in the Application and in the Engagement Letter as modified herein.
3. Munsch Hardt shall apply for compensation for services rendered and for reimbursement of expenses incurred in connection with these Cases, subject to the Court’s interim and final approval and in accordance with the provisions of sections 330 and 331 of the Bankruptcy Code, the applicable Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules, the U.S. Trustee Guidelines, and such other procedures as may be fixed by order of this Court.
4. The Committee and Munsch Hardt are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Application.
5. To the extent there is any inconsistency between the Application, the Declarations, and this Order, the provisions of this Order shall govern.
6. Notice of the Application as provided therein shall be deemed good and sufficient notice of such Application and the requirements of the Bankruptcy Rules and the Local Bankruptcy Rules are satisfied by such notice.
7. The terms and conditions of this Order shall be effective and enforceable immediately upon its entry.

8. This Court shall retain jurisdiction over any and all issues arising from or relating to the implementation and interpretation of this Order.

END OF ORDER

Prepared and submitted by:

Davor Rukavina (TX Bar No. 24030781)
Thomas D. Berghman (TX Bar No. 24082683)
Garrick C. Smith (TX Bar No. 24088435)
MUNSCH HARDT KOPF & HARR, P.C.
500 N. Akard Street, Suite 4000
Dallas, Texas 75201
Telephone: (214) 855-7500
Email: drukavina@munsch.com
tberghman@munsch.com
gsmith@munsch.com

Counsel for the Official Committee of Unsecured Creditors

EXHIBIT C

SUMMARY OF TIMEKEEPERS INCLUDED IN THIS FINAL FEE APPLICATION

Professional	Title	Department	Date of Admission	Fees Billed In this Application	Hours Billed In this Application	Number of Rate Increases	Hourly Rate Billed
Thomas D. Berghman	Shareholder	Bankruptcy, Restructuring and Insolvency	2012	\$2,880.00	4.80	0	\$600
Garrick C. Smith	Shareholder	Bankruptcy, Restructuring and Insolvency	2013	\$90,792.00	174.60	0	\$520
Heather Valentine	Paralegal	Bankruptcy, Restructuring and Insolvency	N/A	\$1,698.50	7.90	0	\$215

SUMMARY OF EXPENSES

Date	Description	Amount
6/19/2024	Filing fees for pro hac vice applications	\$400.00
TOTAL		\$400.00

**CUSTOMARY AND COMPARABLE COMPENSATION
DISCLOSURES WITH FEE APPLICATIONS**

Munsch Hardt Kopf & Harr P.C. Firmwide Domestic Offices

Category of Timekeeper	Blended Hourly Rate Billed Firmwide for the Period of July 2023 through June 2024 (excluding bankruptcy)	Blended Hourly Rate Billed in this Application for the Period of June 14, 2024 through September 30, 2024
Shareholder	\$537.48	\$522.14
Associate	\$324.98	N/A
Paralegal	\$189.64	\$215.00
All Timekeepers	\$408.20	\$509.19

Case Name: Eiger BioPharmaceuticals, Inc., *et al.*
Case Number: 24-80040 (SGJ)
Applicant's Name: Munsch Hardt Kopf & Harr, P.C.
Date of Application: October 4, 2024
Interim or Final: Final

EXHIBIT D

SUMMARY OF COMPENSATION REQUESTED BY MATTER CATEGORY

Matter No.	Matter Name	Total Hours	Total Fees Requested
01	Asset Analysis, Disposition, Recovery	12.70	6,604.00
02	Assumption/Rejection of Leases and Contracts	2.80	1,456.00
04	Case Administration and General Strategy	23.10	12,231.00
06	Court Hearings	8.00	4,160
07	Employment/Fee Applications	38.90	17,943.50
09	Innovatus Investigation and Litigation	14.00	7,280.00
10	Litigation/Avoidance Actions: Contested Matters and Adversary Proceedings	0.50	300.00
11	Meetings and Communications with Debtors	2.30	1,196.00
12	Meetings and Communications with Committee	4.80	2,496.00
13	Meetings and Communications with Creditors	0.80	416.00
15	Plan and Disclosure Statement	78.60	40,872.00
16	Schedules/Statements	0.80	416.00
TOTAL			\$ 95,370.50

Case Name: Eiger BioPharmaceuticals, Inc., *et al.*
 Case Number: 24-80040 (SGJ)
 Applicant's Name: Munsch Hardt Kopf & Harr, P.C.
 Date of Application: October 4, 2024
 Interim or Final: Final

EXHIBIT E

**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)

DECLARATION OF GARRICK C. SMITH

I, Garrick C. Smith, being duly sworn, state the following under penalty of perjury:

1. I am a partner/shareholder of the applicant firm, Munsch Hardt Kopf & Harr, P.C. (“Munsch Hardt” or “Firm”) located at 500 N. Akard St., Suite 4000, Dallas, Texas 75201. I make this declaration in accordance with section 329 of the Bankruptcy Code, Bankruptcy Rule 2016(b), and Local Rule 2016-1 regarding the contents of applications for compensation and expenses.

2. I have reviewed the foregoing *First and Final Application of Munsch Hardt Kopf & Harr, P.C. for Allowance and Payment of Fees and Expenses as Counsel for the Official Committee of Unsecured Creditors* for the Period from June 14, 2024 through and including September 30, 2024 (the “Application”).

3. In accordance with Bankruptcy Rule 2016(a) and section 504 of the Bankruptcy Code, no agreement or understanding exists between Munsch Hardt and any other entity or person,

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors’ service address is 2100 Ross Ave., Dallas, Texas 75201.

other than members of Munsch Hardt, for the sharing of compensation received or to be received for services rendered in or in connection with these chapter 11 cases.

4. All professional and paraprofessional services for which Munsch Hardt is requesting compensation were rendered solely on behalf of the Official Committee of Unsecured Creditors.

5. I have reviewed the requirements of the Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under United States Code by Attorneys in Larger Chapter 11 Cases, effective as of November 1, 2013 (the "Guidelines") and I believe that the Application complies with the Guidelines.

6. The following statement is provided in response to the questions set forth in paragraph C.5 of the Guidelines:

- a) Munsch Hardt did not agree to any variations from, or alternatives to, its standard or customary billing rates for services pertaining to this engagement that were provided during the period of June 14, 2024 through September 30, 2024 (the "Fee Period").
- b) There was no budget required in this proceeding for this retention.
- c) The fees requested in the Application were not higher by 10% or more than the fees budgeted for the Fee Period.
- d) None of the professionals included in the Application varied their hourly rate based on the geographic location of these chapter 11 cases.
- e) The Application did not include any fees dedicated to revising time records or preparing and revising invoices that would not normally be compensable outside of bankruptcy. Any invoice preparations done in the ordinary course are handled by billing specialists for which the Firm does not charge any time. The only fees incurred in connection with such matters is conforming the invoices for U.S. Trustee compliance purposes and in connection with preparing exhibits to fee applications filed with the Court. In those instances, the fees are mostly generated by lower paralegal hourly rates and are a small percentage of the total fees in the case.

- f) The time period covered by the Application for the Final Fee Period includes approximately 0.0 hours with a value of \$0.00 by Munsch Hardt to ensure that the time entries subject for the Fee Period do not disclose privileged or confidential information. This review and any revisions associated therewith are a necessary component of Munsch Hardt's preparation of each fee application.
- g) The Application does not include any rate increases since the date of Munsch Hardt's retention in these chapter 11 cases.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: October 4, 2024

MUNSCH HARDT KOPF & HARR, P.C.

/s/ Garrick C. Smith
Garrick C. Smith
Shareholder

EXHIBIT F

**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 GRANTING
THE FIRST AND FINAL APPLICATION
OF MUNSCH HARDT KOPF & HARR, P.C.
FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES AS
COUNSEL FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

Upon consideration of the application (the “Application”) of Munsch Hardt Kopf & Harr, P.C. (“Munsch Hardt”), as counsel for the Official Committee of Unsecured Creditors (the “Committee”) of the above-captioned chapter 11 debtors (the “Debtors”), for the allowance of compensation for professional services rendered in the above-captioned chapter 11 cases during

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors’ service address is 2100 Ross Ave., Dallas, Texas 75201.

the period from June 14, 2024 through and including September 30, 2024 (the “Final Fee Period”),
it is **HEREBY ORDERED THAT**:

1. Munsch Hardt is granted final approval of compensation in the amount of \$95,370.50 for the Final Fee Period.

2. Munsch Hardt is granted final approval of reimbursements for expenses incurred in the amount of \$400.00 for the Final Fee Period.

3. The Debtors, Wind-Down Debtors, and/or Liquidation Trustee, as applicable, are authorized and directed to remit payment to Munsch Hardt of such allowed compensation and expense reimbursement amounts, less any and all amounts previously paid on account of such fees and expenses during these chapter 11 cases.

4. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this order.

END OF ORDER

Prepared and submitted by:

Davor Rukavina (TX Bar No. 24030781)
Thomas D. Berghman (TX Bar No. 24082683)
Garrick C. Smith (TX Bar No. 24088435)
MUNSCH HARDT KOPF & HARR, P.C.
500 N. Akard Street, Suite 4000
Dallas, Texas 75201
Telephone: (214) 855-7500
Email: drukavina@munsch.com
tberghman@munsch.com
gsmith@munsch.com

Counsel for the Official Committee of Unsecured Creditors