



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 April 18, 2025


United States Bankruptcy Judge

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

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

**ORDER (I) SETTING DISCOVERY AND BRIEFING SCHEDULE
AND (II) ON RELATED ITEMS**

At the Status Conference Hearing held before the Court on April 15, 2025, to consider
the following matters:

(A) *Objection and Response of the Liquidating Trustee and Plan Administrator to Motion for Allowance of Administrative Expense Claim of Sentyln Therapeutics, Inc.* [Docket No. 777 (redacted); Docket No. 784 (sealed)] (“**Administrative Expense Objection**”) filed by Dundon Advisors, LLC, c/o Joshua Nahas, in its capacity as liquidating trustee (the “**Liquidating Trustee**”) of the liquidating trust of Eiger BioPharmaceuticals, Inc., *et al* (the “**Debtors**” or “**Eiger**”) and the Plan Administrator (“**Plan Administrator**”) appointed pursuant to the Fifth Amended Joint Plan of Liquidation of Eiger BioPharmaceuticals, Inc and its Debtor Affiliates, to

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



the *Motion for Allowance of Administrative Expense Claim of Sentynl Therapeutics, Inc.* [Docket No. 729] (the “**Administrative Expense Motion**”) filed by Sentynl Therapeutics, Inc. (“**Sentynl**”);

(C) *Sentynl Therapeutics, Inc.’s Motion (I) to Enforce the Zokinvy Sale Order and (II) for Contempt Against Eiger Innotherapeutics, Inc.* [Docket No. 779/781] (the “**Sentynl Motion to Enforce**”) filed by Sentynl; and

(D) *EIT Pharma, Inc., Formerly Known as Eiger InnoTherapeutics, Inc.’s Emergency Motion to Confirm Terms of Lonafarnib/Lambda Sale Order* [Docket No. 787] (“**EIT Motion**”) filed by EIT Pharma, Inc (“**EIT**”)

(together, the Administrative Expense Objection, the Administrative Expense Motion, Sentynl Motion to Enforce and the EIT Motion, the “**Contested Matters**”) (together, Sentynl, the Progeria Research Foundation (“**PRF**”), the Liquidating Trustee, the Plan Administrator, and EIT, the “**Parties**”); this Court having jurisdiction to consider the Contested Matters pursuant to 28 U.S.C. § 1334; and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having heard the arguments of counsel and their agreement to continue to have the Court handle the Contested Matters as motion practice rather than adversary proceedings, after due deliberation and sufficient cause appearing therefor.

IT IS HEREBY ORDERED THAT

1. Based on the agreement of the Parties, the Contested Matters shall proceed as contested matters under F. R. Bankr. P. 9014.
2. Mediation shall involve all Contested Matters.
3. The Parties may not conduct more than 1 deposition of any witness, and the deposition shall not exceed 7 hours², without the consent of all Parties.
4. The following dates and deadlines for the Contested Matters are hereby approved:

² To the extent a witness is being deposed individually and as a 30(b)(6) representative, only 1 7-hour deposition will be allowed of such individual.

Timeline and Briefing Schedule			
Dates	<i>Administrative Expense Claim and Administrative Expense Objection</i>	<i>Sentynl Motion to Enforce</i>	<i>EIT Motion</i>
April 2, 2025		Deadline to serve deposition notices and discovery	
April 11, 2025		EIT initial deadline to respond to Sentynl Motion	Sentynl Response to EIT Motion
April 15, 2025	Status Conference Hearing		
April 16, 2025	Deadline to serve deposition notices and discovery		
April 21, 2025	Deadline to file any pre-hearing motions		
April 25, 2025	Deadline to respond to any pre-hearing motions		
April 21-May 9, 2025	Depositions of witnesses (subject to scheduling)		
April 29, 2025 at 9:30am	Hearing on pre-hearing motions and status conference re discovery		
May 9, 2025	Discovery deadline		
May 12, 2025	Meet and confer		
May 15, 2025	Sentynl Deadline to file supplemental/amended response to LT's Objection		
May 16, 2025	Mediation in Dallas ³		
May 16, 2025		EIT Deadline to file supplemental/amended response to Sentynl Motion	
May 20, 2025		Deadline for Sentynl to file reply in support of Sentynl Motion	
May 21, 2025	Deadline for LT to file reply in support of LT's Objection		
May 23, 2025 at 4:00 CT	Witness & exhibit lists deadline		

³ The Parties together with the mediator may agree to a different date and location for the mediation.

May 28, 2025 at 9:30am and May 29, 2025 at 9:30am	Evidentiary Hearing
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5. The Parties may modify the deadlines by agreement of all Parties; provided that, the Parties will seek Court approval to modify any hearing date set by the Court.

6. As set forth above, the court has ordered the Parties to mediate by May 16, 2025. The court has directed that the parties shall select a mutually agreeable **private** mediator or, in the event they cannot find a mutually agreeable **private** mediator, the Parties shall notify the courtroom deputy and this court will select a mediator. The mediator's fees will be paid split equally among all Parties except PRF. The mediator shall not be required to file fee applications and seek court approval of the fees and expenses. A Party representative with decision making authority and counsel for each party shall be present at the mediation. As in all settlement matters, all settlement negotiations conducted during the mediation are confidential and privileged and may not be used at any trial or hearing in the bankruptcy case. The mediator is directed to keep all information from the mediation, except that the mediator may report to this court as to whether a settlement was or was not reached. Except as herein provided, mediation shall be pursuant to Section Q of the Procedures for Complex Cases in the Northern District of Texas

7. The terms of this Order shall supersede the *Joint Stipulation and Agreed Order* [Docket No. 803] entered on April 9, 2025.

END OF ORDER

