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Counsel for Sentynl Therapeutics, Inc.
[additional counsel listed at end of document]

**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)

**SENTYNL THERAPEUTICS, INC.'S EXPEDITED MOTION FOR ORDER
AUTHORIZING REMOTE TESTIMONY BY DECLARANT AT HEARING ON
EXPEDITED MOTION FOR INTERIM EQUITABLE RELIEF**

Emergency (or expedited) relief has been requested. Relief is requested not later than 9:30 a.m. prevailing Central Time on April 29, 2025.

If you object to the relief requested or you believe that emergency (or expedited) consideration is not warranted, you must appear at the hearing if one is set, or file a written response prior to the date that relief is requested in the preceding paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

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



Sentynl Therapeutics, Inc. (“Sentynl”) submits this *Expedited Motion* (the “Motion”) for *Order Authorizing Remote Testimony by Declarant at Hearing on Expedited Motion for Interim Equitable Relief* and respectfully represents as follows:

1. On April 21, 2025, Sentynl filed its *Expedited Motion for Interim Equitable Relief* [Docket Nos. 834 (redacted), 835 (sealed)] (the “Motion for Interim Relief”). On April 22, 2025, Sentynl filed its *Notice of Hearing* on the Motion for Interim Relief [Docket No. 836] to be held on April 29, 2025 (the “Hearing”).

2. The Motion for Interim Relief is supported by the declaration of Eileen Banaga (the “Declarant”). Although most or all of the Declarant’s testimony in connection with the Motion for Interim Relief is likely undisputed, Sentynl wishes to make the Declarant available to testify at the Hearing if there is need. However, the Declarant will be in London, England the entire week of the Hearing attending to essential regulatory affairs regarding Zokinvy®.

3. Sentynl’s service provider based in England, TMC Pharma, is the Zokinvy® European Medicines Agency (“EMA”) and UK’s Medicines and Healthcare products Regulatory Agency (“MHRA”) Marketing Authorization Holder (“MAH”) in those territories. Ms. Banaga will be meeting with TMC Pharma next week to discuss (i) on-going commercialization activities, (ii) Zokinvy® post-authorization measures (studies required by EMA), and (iii) any outstanding EMA regulatory submissions necessary to ensure that updated product information submitted to U.S. FDA is also submitted to EMA and MHRA.

4. General Order 2023-05 requires Court authorization for remote participation at evidentiary hearings.² If the Motion for Interim Relief is opposed and the Court requires testimony from the Declarant, Sentynl requests authorization for the Declarant to testify remotely. Sentynl

² <https://www.txnb.uscourts.gov/sites/txnb/files/general-ordes/General%20Order%202023-05%20Remote%20Court%20Hearings-signed.pdf>

respectfully requests expedited consideration because the hearing is 5 days from the date of the filing of this Motion.

5. On April 23, 2025, counsel for Sentynl inquired whether counsel for EIT Pharma, Inc. (“EIT”) opposed the Motion. On April 24, 2025 at 7:30 pm, counsel for EIT had no response, despite re-urging the request.

For the foregoing reasons, Sentynl respectfully requests the Court grant the Motion. A proposed order is attached hereto as **Exhibit A** for the Court’s use and consideration.

Dated: April 24, 2025

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

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Counsel for Sentynt Therapeutics, Inc..

CERTIFICATE OF SERVICE

I certify that, on April 24, 2025, I caused a copy of the foregoing Motion to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas and to be emailed to the following parties:

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/s/ Hugh M. Ray, III

Hugh M. Ray, III

Exhibit A

Proposed Order

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HEARING ON EXPEDITED MOTION FOR INTERIM EQUITABLE RELIEF**

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1. Expedited relief is warranted.

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2. The Motion should be GRANTED.

IT IS THEREFORE ORDERED THAT:

1. Eileen Banaga is authorized to testify remotely by Webex at the April 29, 2025 hearing on *Sentynl Therapeutics, Inc. 's Expedited Motion for Interim Equitable Relief*.

END OF ORDER

Exhibit A

Proposed Order

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END OF ORDER