

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-10137 (MFW)

(Jointly Administered)

**NOTICE OF *AMENDED*<sup>2</sup> AGENDA FOR HEARING SCHEDULED FOR APRIL 30, 2024, AT 2:00 P.M. (ET), BEFORE THE HONORABLE MARY F. WALRATH OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

**\*\*AS NO MATTERS ARE GOING FORWARD, THE HEARING HAS BEEN CANCELLED WITH PERMISSION FROM THE COURT\*\***

**MATTER NOT GOING FORWARD:**

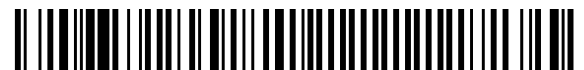
1. Motion of Debtors for Entry of Orders: (A)(I) Approving Bid Procedures Relating to the Sale of Substantially All of the Debtors' Assets, (II) Approving Stalking Horse Bid Protections, (III) Scheduling a Hearing to Consider the Sale, (IV) Approving the Form and Manner of Notice of Sale by Auction, (V) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, and (VI) Granting Related Relief; and (B)(I) Approving Asset Purchase Agreement and Authorizing the Sale of Certain Assets of the Debtors Outside the Ordinary Course of Business, (II) Authorizing the Sale of Assets Free and Clear of All Liens, Claims, Encumbrances and Interests, (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [D.I. 18, filed February 1, 2024]

Related Documents:

- A. [Certification of Counsel](#) [D.I. 69, filed February 21, 2024]
- B. [Order: \(A\) Approving Bid Procedures Relating to the Sale of Substantially All of the Debtors' Assets, \(B\) Approving Stalking Horse Bid Protections, \(C\) Scheduling a Hearing to Consider the Sale, \(D\) Approving the Form and Manner of Notice of Sale by Auction, \(E\) Establishing Notice and Procedures for the Assumption and](#)

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: InVivo Therapeutics Corporation (6670) and InVivo Therapeutics Holdings Corp. (8166). The Debtors' mailing address is 1500 District Avenue, Burlington, MA 01803.

<sup>2</sup> **Amended items appear in bold.**



[Assignment of Contracts and Leases, and \(F\) Granting Related Relief](#) [D.I. 79, filed February 22, 2024] (the “[Bidding Procedures Order](#)”)

- C. [Notice of Bid Deadline, Auction, and Sale Hearing in Connection with the Sale of Substantially All of the Debtors’ Assets](#) [D.I. 89, filed February 22, 2024]
- D. [Notice of Rescheduled Sale Hearing Date](#) [D.I. 93, filed February 26, 2024]
- E. [Notice of Cancellation of Auction](#) [D.I. 132, filed April 2, 2024]

Responses Received:

- F. Informal comments received from the Office of the United States Trustee for the District of Delaware (the “[U.S. Trustee](#)”)

Status: The Debtors received no Qualified Bids (as defined in the Bidding Procedures Order) for the sale of the Debtors’ assets. Accordingly, no hearing is required on this matter.

**MATTER GOING FORWARD:**

- 2. [Motion of the Debtors for Entry of an Order \(I\) Approving the Disclosure Statement on an Interim Basis; \(II\) Scheduling a Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation Deadlines Related Thereto; \(III\) Approving the Solicitation, Notice and Tabulation Procedures and the Forms Related Thereto; and \(IV\) Granting Related Relief](#) [D.I. 140, filed April 8, 2024]

Objection Deadline: April 22, 2024 at 4:00 p.m. (ET); extended to 4:30 p.m. (ET) on April 25, 2024 for the U.S. Trustee

Related Documents:

- A. [Notice of Rescheduled Hearing Date](#) [D.I. 135, Filed April 5, 2024]
- B. [Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code](#) [D.I. 138, filed April 8, 2024]
- C. [Disclosure Statement for the Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code](#) [D.I. 139, filed April 8, 2024]
- D. [Notice of Filing Revised Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code](#) [D.I. 162, filed April 29, 2024]
- E. [Notice of Filing of Revised Disclosure Statement for the Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics](#)

**Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code [D.I. 163, filed April 29, 2024]**

**F. Certification of Counsel [D.I. 164, filed April 29, 2024]**

**G. Order (I) Approving the Disclosure Statement on an Interim Basis; (II) Scheduling a Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation Deadlines Related Thereto; (III) Approving the Solicitation, Notice and Tabulation Procedures and the Forms Related Thereto; and (IV) Granting Related Relief [D.I. 165, entered April 29, 2024]**

Responses Received:

H. Informal comments received from the U.S. Trustee

Status: On April 29, 2024, the Court entered an order granting the requested relief. Accordingly, no hearing is required on this matter.

Dated: April 29, 2024  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

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