

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*¹

Debtors.

Chapter 11

Case No. 24-10137 (MFW)

Hearing Date: N/A

Objection Deadline: June 28, 2024 at 4:00 p.m. (ET)

**SUMMARY OF FOURTH MONTHLY APPLICATION OF WILMER CUTLER
PICKERING HALE AND DORR LLP, SPECIAL CORPORATE COUNSEL TO THE
DEBTORS AND DEBTORS-IN-POSSESSION, FOR COMPENSATION AND
REIMBURSEMENT OF EXPENSES PURSUANT TO 11 U.S.C. §§ 330 AND 331 FOR
THE PERIOD FROM MAY 1, 2024 THROUGH MAY 31, 2024**

Name of Applicant: Wilmer Cutler Pickering Hale and Dorr LLP

Authorized to Provide Professional
Services to: Debtors and Debtors-In-Possession

Date of Retention: March 4, 2024 effective *nunc pro tunc* to
February 1, 2024

Period for which monthly compensation
and reimbursement sought: May 1, 2024 through May 31, 2024

Amount of monthly fees to be approved as
actual, reasonable and necessary: \$11,561.81² (80% of which equals \$9,249.45)

Amount of monthly expenses sought as
actual, reasonable and necessary: \$0.00

This is a: x monthly interim final application

¹ 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.

² This amount reflects a 12.5% discount in the amount of \$1,651.69.



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PRIOR APPLICATIONS

		Requested		Approved	
Date Filed	Period Covered	Fees	Expenses	Fees	Expenses
3/14/2024	2/1/2024 – 2/29/2024	\$61,304.25	\$0.00	\$49,043.40	\$0.00
4/12/2024	3/1/2024 – 3/31/2024	\$21,980.44	\$0.00	\$17,584.35	\$0.00
5/14/2024	4/1/2024 – 4/30/2024	\$24,398.94	\$0.00	\$19,519.15	\$0.00
5/29/2024	2/1/2024 – 4/30/2024	\$107,683.63	\$0.00	<i>pending</i> ¹	\$0.00

¹ The deadline to object to the First Interim Fee Application is June 19, 2024 at 4:00 p.m. (ET).

COMPENSATION BY PROFESSIONAL

Name of Professional	Position; Year of Admission (if applicable); Practice Group	Hourly Billing Rate¹	Total Hours Billed	Total Compensation
George W. Shuster, Jr.	Partner; admitted to MA Bar since 2001 and NY Bar since 2010; Bankruptcy & Financial Restructuring	1,795.00	0.50	\$897.50
Partner Total			0.50	\$897.50
Lauren Lifland	Counsel; admitted to NY Bar since 2012; Bankruptcy & Financial Restructuring	1,360.00	3.00	\$4,080.00
Counsel Total			3.00	\$4,080.00
Yolande Thompson	Senior Paralegal; Bankruptcy & Financial Restructuring	710.00	11.60	\$8,236.00
Paraprofessional Total			11.60	\$8,236.00
TOTAL			15.10	\$13,213.50
<i>Less 12.5% Discount</i>				<i>-\$1,651.69</i>
GRAND TOTAL			15.10	\$11,561.81

Blended Hourly Rate: \$875.07

¹ WilmerHale's billing rates remained the same during the Application Period (defined below).

COMPENSATION BY PROJECT CATEGORY

Project Category	Total Hours	Total Fees
B130 - Asset Disposition	0.50	\$897.50
B160 - Fee/Employment Applications	14.50	\$12,180.00
B320 - Plan and Disclosure Statement (including Business Plan)	0.10	\$136.00
TOTAL	15.10	\$13,213.50
<i>Less 12.5% Discount</i>		<i>-\$1,651.69</i>
GRAND TOTAL	15.10	\$11,561.81

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

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*¹

Debtors.

Chapter 11

Case No. 24-10137 (MFW)

Hearing Date: N/A

Objection Deadline: June 28, 2024 at 4:00 p.m. (ET)

**FOURTH MONTHLY APPLICATION OF WILMER CUTLER PICKERING
HALE AND DORR LLP, SPECIAL CORPORATE COUNSEL TO THE
DEBTORS AND DEBTORS-IN-POSSESSION, FOR COMPENSATION AND
REIMBURSEMENT OF EXPENSES PURSUANT TO 11 U.S.C. §§ 330 AND 331
FOR THE PERIOD FROM MAY 1, 2024 THROUGH MAY 31 2024**

Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), special corporate counsel to the above-captioned Debtors and Debtors-in-possession (the “Debtors”), submits this *Fourth Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from May 1, 2024 through May 31, 2024* (the “Application”). In this Application, WilmerHale seeks payment for legal services performed during the period commencing May 1, 2024 through and including May 31, 2024 (the “Application Period”). In support of this Application, WilmerHale respectfully states as follows:

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated as of February 29, 2012. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

¹ 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.

This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (M), and the Bankruptcy Court may enter a final order consistent with Article III of the United States Constitution.²

2. The statutory bases for the relief sought herein are sections 105(a), 330 and 331 of chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101 *et seq.* (as amended or modified, the “Bankruptcy Code”).

BACKGROUND

3. On February 1, 2024 (the “Petition Date”), the Debtors commenced the above-captioned chapter 11 cases (the “Chapter 11 Cases”) by filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code [D.I. 1].

4. The Debtors continue to operate their businesses and manage their properties as Debtors-in-possession pursuant to Bankruptcy Code sections 1107(a) and 1108.

5. The factual background relating to the Debtors’ commencement of these Chapter 11 Cases is set forth in detail in the *Declaration of Richard Christopher in Support of the Debtors’ Chapter 11 Petitions and First Day Pleadings* [D.I. 3].

6. The Office of the United States Trustee (the “U.S. Trustee”) did not appoint an official committee of unsecured creditors in these Chapter 11 Cases [D.I. 55] and, as of the date of this Application, no examiner or statutory committee has been appointed in these Chapter 11 Cases.

7. On February 14, 2024, the *Application of the Debtors and Debtors-In-Possession to Approve the Employment and Retention of Wilmer Cutler Pickering Hale and Dorr LLP as*

² Pursuant to rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of the Bankruptcy Court (the “Local Rules”), WilmerHale hereby confirms its consent to entry of a final order by the Bankruptcy Court in connection with this Application if it is later determined that the Bankruptcy Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

Special Corporate Counsel Nunc Pro Tunc to the Petition Date Pursuant to Bankruptcy Code Sections 327(e) and 328(a), Bankruptcy Rule 2014(a) and Local Rule 2014-1 was filed with the Bankruptcy Court [D.I. 57] (the “Retention Application”).

8. On February 22, 2024, the Bankruptcy Court entered the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals* [D.I. 85] (the “Interim Compensation Order”).

9. On March 4, 2024, the Bankruptcy Court entered the *Order Authorizing the Application of the Debtors and Debtors-In-Possession to Approve the Employment and Retention of Wilmer Cutler Pickering Hale and Dorr LLP as Special Corporate Counsel Nunc Pro Tunc to the Petition Date Pursuant to Bankruptcy Code Sections 327(e) and 328(a), Bankruptcy Rule 2014(a) and Local Rule 2014-1* [D.I. 99].

10. On March 14, 2024, the *First Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from February 1, 2024 through February 29, 2024* [D.I. 111] (the “First Monthly Fee Application”) was filed with the Bankruptcy Court. No objections or other responsive pleadings were filed in response to the First Monthly Fee Application. *See Certificate of No Objection* [D.I. 131].

11. On April 12, 2024, the *Second Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from March 1, 2024 through March 31, 2024* [D.I. 147] (the “Second Monthly Fee Application”) was filed with the Bankruptcy Court. No objections or other responsive pleadings

were filed in response to the Second Monthly Fee Application. *See Certificate of No Objection* [D.I. 167].

12. On May 14, 2024, the *Third Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from April 1, 2024 through April 30, 2024* [D.I. 185] (the “Third Monthly Fee Application”) was filed with the Bankruptcy Court. No objections or other responsive pleadings were filed in response to the Third Monthly Fee Application. *See Certificate of No Objection* [D.I. 198].

13. On May 29, 2024, the *First Interim Fee Application of Wilmer Cutler Pickering Hale and Dorr LLP* [D.I. 200] (the “First Interim Fee Application”) was filed with the Bankruptcy Court.

COMPENSATION REQUESTED

14. By this Application and in accordance with the Interim Compensation Order, WilmerHale seeks (i) allowance of compensation in the amount of **\$11,561.81**³ for reasonable and necessary professional services rendered, (ii) payment of compensation in the amount of 80% thereof (in the amount of **\$9,249.45**) and (iii) payment of **\$0.00** for actual and necessary expenses incurred during the Application Period.

15. All services and costs for which compensation is requested by WilmerHale in this Application were reasonable and necessary and were performed for and on behalf of the Debtors during the Application Period.

³ This amount reflects a 12.5% discount in the amount of \$1,651.69.

VALUATION OF SERVICES PERFORMED

16. During the Application Period, attorneys and paraprofessionals of WilmerHale expended a total of **15.10** hours in rendering legal services to the Debtors having a value, exclusive of expenses, of **\$13,213.50**. The blended hourly rate for WilmerHale's services for the Application Period is **\$875.07**.

17. The services performed by WilmerHale during the Application Period included, among others, (i) conferring with the Debtors and other advisors to the Debtors regarding issues related to the sale of the Debtors' assets, (ii) preparing, finalizing, and coordinating with local counsel to file WilmerHale's Third Monthly Fee Application [D.I. 185] and WilmerHale's First Interim Fee Application [D.I. 200], and (iii) reviewing the Amended Order Approving the Disclosure Statement [D.I. 177].

18. A summary of the hours spent, the names of each professional and paraprofessional rendering services to the Debtors during the Application Period, the regular customary billing rates and the total value of time incurred by each of the WilmerHale professionals rendering services to the Debtors during the Application Period are attached hereto as **Exhibit A**.

19. A detailed itemization, by project category, of all services performed by WilmerHale during the Application Period is attached hereto as **Exhibit B**. This detailed itemization complies with Local Rule 2016-2 in that each time entry contains a separate time allotment, a description of the type of activity and the subject matter of the activity, all time is billed in increments of one-tenth (1/10) of an hour, time entries are presented chronologically in categories, and all meetings or hearings are individually identified.

20. WilmerHale did not incur any necessary out of pocket expenses in connection with rendering services to the Debtors during the Application Period.

21. In accordance with the factors enumerated in section 330 of the Bankruptcy Code,

it is respectfully submitted that the amount requested by WilmerHale is fair and reasonable given (a) the complexity of this case, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services and (e) the costs of comparable services other than in a case under this title.

CERTIFICATE OF COMPLIANCE AND WAIVER

22. The undersigned representative of WilmerHale certifies that he has reviewed the requirements of Local Rules 2016-2 and that the Application substantially complies with such rule. To the extent that the Application does not comply in all respects with the requirements of Local Rule 2016-2, WilmerHale believes that such deviations are not material and respectfully requests that any such requirements be waived.

NOTICE AND NO PRIOR REQUEST

23. Notice of this Application has been given to the following parties or, in lieu of, to their counsel, if known: (a) the U.S. Trustee; and (b) all parties required to be given notice in the Interim Compensation Order. WilmerHale submits that no other or further notice is necessary.

24. No prior request for the relief sought in this Application has been made to this or any other Court.

WHEREFORE, WilmerHale respectfully requests that the Bankruptcy Court (i) grant the Application and (ii) grant such further relief as is just and proper.

Dated: June 14, 2024

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

/s/ George W. Shuster, Jr.
George W. Shuster, Jr., Esq.
7 World Trade Center
250 Greenwich Street
New York, New York 10007
Telephone: (212) 230-8000
Email: george.shuster@wilmerhale.com

*Special Corporate Counsel to the Debtors and
Debtors in Possession*

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

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*¹

Debtors.

Chapter 11

Case No. 24-10137 (MFW)

(Jointly Administered)

Hearing Date: N/A

Objection Deadline: June 28, 2024 at 4:00 p.m. (ET)

**NOTICE OF THIRD MONTHLY APPLICATION OF WILMER CUTLER PICKERING
HALE AND DORR LLP, SPECIAL CORPORATE COUNSEL TO THE DEBTORS AND
DEBTORS-IN-POSSESSION, FOR COMPENSATION AND REIMBURSEMENT OF
EXPENSES PURSUANT TO 11 U.S.C. §§ 330 AND 331 FOR THE PERIOD FROM
MAY 1, 2024 THROUGH MAY 31, 2024**

PLEASE TAKE NOTICE that on the date hereof, Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), special corporate counsel to the Debtors and Debtors in Possession, has filed the *Fourth Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from May 1, 2024 through May 31, 2024* (the “Application”) with the United States Bankruptcy Court for the District of Delaware.

PLEASE TAKE FURTHER NOTICE that any objections or responses to the relief requested in the Application must be made in accordance with the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals* [D.I. 85] (the “Interim Compensation Order”). Objections must be served on the following parties so as to be received no later than **June 28, 2024 at 4:00 p.m. (ET)** (the “Objection Deadline”):

(1) Special Corporate Counsel to the Debtors, WilmerHale, 7 World Trade Center, 250 Greenwich Street, New York, New York 10007, Attn: George W. Shuster, Jr., Esq. (george.shuster@wilmerhale.com); (2) counsel to the Debtors, Landis Rath & Cobb LLP, 919 Market Street, Suite 1800, Wilmington, Delaware 19801, Attn: Matthew B. McGuire, Esq. (mcguire@lrclaw.com) and Joshua B. Brooks, Esq. (brooks@lrclaw.com); (3) Office of the United States Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Joseph Cudia, Esq. (joseph.cudia@usdoj.gov); and (4) counsel to any Committee.

¹ 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.

PLEASE TAKE FURTHER NOTICE THAT IN ACCORDANCE WITH THE INTERIM COMPENSATION ORDER, IF NO OBJECTIONS ARE SERVED IN ACCORDANCE WITH THE INTERIM COMPENSATION ORDER, THE DEBTORS WILL BE AUTHORIZED TO PAY WILMERHALE AN AMOUNT EQUAL TO 80% OF THE FEES AND 100% OF THE EXPENSES REQUESTED IN THE APPLICATION THAT ARE UNOPPOSED WITHOUT FURTHER COURT ORDER.

PLEASE TAKE FURTHER NOTICE that if an objection to the Application is served by the Objection Deadline, the parties shall follow the procedures set forth in the Interim Compensation Order.

Dated: June 14, 2024

LANDIS RATH & COBB LLP

/s/ Joshua B. Brooks

Matthew B. McGuire (No. 4366)

Joshua B. Brooks (No. 6765)

George A. Williams III (No. 6964)

919 Market Street, Suite 1800

Wilmington, Delaware 19801

Telephone: (302) 467-4400

Facsimile: (302) 467-4450

Email: mcguire@lrclaw.com

brooks@lrclaw.com

williams@lrclaw.com

Counsel for the Debtors and Debtors-In-Possession

EXHIBIT A

COMPENSATION BY PROFESSIONAL

Name of Professional	Position; Year of Admission (if applicable); Practice Group	Hourly Billing Rate¹	Total Hours Billed	Total Compensation
George W. Shuster, Jr.	Partner; admitted to MA Bar since 2001 and NY Bar since 2010; Bankruptcy & Financial Restructuring	1,795.00	0.50	\$897.50
Partner Total			0.50	\$897.50
Lauren Lifland	Counsel; admitted to NY Bar since 2012; Bankruptcy & Financial Restructuring	1,360.00	3.00	\$4,080.00
Counsel Total			3.00	\$4,080.00
Yolande Thompson	Senior Paralegal; Bankruptcy & Financial Restructuring	710.00	11.60	\$8,236.00
Paraprofessional Total			11.60	\$8,236.00
TOTAL			15.10	\$13,213.50
<i>Less 12.5% Discount</i>				<i>-\$1,651.69</i>
GRAND TOTAL			15.10	\$11,561.81

Blended Hourly Rate: \$875.07

¹ WilmerHale's billing rates remained the same during the Application Period.
{1394.002-W0076247.}

EXHIBIT B

Client No. 2210508

InVivo Therapeutics Corporation

Matter No. 2210508-00140

Bankruptcy

Legal Services through May 31, 2024

COMPENSATION BY PROJECT CATEGORY

Project Category	Total Hours	Total Fees
B130 - Asset Disposition	0.50	\$897.50
B160 - Fee/Employment Applications	14.50	\$12,180.00
B320 - Plan and Disclosure Statement (including Business Plan)	0.10	\$136.00
TOTAL	15.10	\$13,213.50
<i>Less 12.5% Discount</i>		<i>-\$1,651.69</i>
GRAND TOTAL	15.10	\$11,561.81

Client No. 2210508
Matter No. 2210508-00140

InVivo Therapeutics Corporation
Bankruptcy

Legal Services through May 31, 2024

Date	Timekeeper	Hours	Value	Description
B130 - Asset Disposition				
05/02/24	Shuster Jr., George W.	0.20	359.00	Emails regarding potential sale opportunities
05/23/24	Shuster Jr., George W.	0.30	538.50	Call with working group regarding sale issues and related matters
		0.50	897.50	
B160 - Fee/Employment Applications				
05/06/24	Lifland, Lauren	0.30	408.00	Review and edit April invoice in connection with fee application
05/07/24	Lifland, Lauren	0.20	272.00	Review revised April invoice for confidentiality and privilege in connection with fee application
05/07/24	Lifland, Lauren	0.60	816.00	Continue to review and edit April invoice in connection with fee application
05/08/24	Thompson, Yolande	0.60	426.00	Prepare spreadsheet calculating amounts to be included in fee application
05/08/24	Thompson, Yolande	0.10	71.00	Emails with L. Lifland re preparing Third Monthly Fee Application
05/08/24	Lifland, Lauren	0.20	272.00	Emails with Wilmer team re edits to April invoice in connection with fee app
05/08/24	Thompson, Yolande	2.60	1,846.00	Prepare Third Monthly Fee Application
05/08/24	Thompson, Yolande	0.60	426.00	Review invoice provided by L. Lifland
05/08/24	Thompson, Yolande	0.50	355.00	Review docket and relevant pleadings to be cited in fee application

Client No. 2210508
Matter No. 2210508-00140

InVivo Therapeutics Corporation
Bankruptcy

Legal Services through May 31, 2024

Date	Timekeeper	Hours	Value	Description
05/09/24	Thompson, Yolande	0.10	71.00	Review email from L. Lifland and G. Shuster re approval of Third Monthly Fee Application
05/09/24	Lifland, Lauren	0.50	680.00	Review draft fee application
05/09/24	Lifland, Lauren	0.10	136.00	Emails with LRC re April fee application
05/09/24	Lifland, Lauren	0.10	136.00	Emails with client re April fee application
05/09/24	Thompson, Yolande	0.10	71.00	Email Third Monthly Fee Application to L. Lifland
05/09/24	Thompson, Yolande	1.00	710.00	Finalize Third Monthly Fee Application for attorney review
05/14/24	Thompson, Yolande	0.50	355.00	Review sample First Interim Fee Application provided by L. Lifland
05/14/24	Thompson, Yolande	0.50	355.00	Review docket and relevant pleadings to be cited in fee application
05/14/24	Lifland, Lauren	0.20	272.00	Emails with local counsel re interim fee app
05/14/24	Thompson, Yolande	0.10	71.00	Emails with L. Lifland re filed Third Monthly Fee Application
05/14/24	Thompson, Yolande	0.10	71.00	Emails with L. Lifland re preparing First Interim Fee Application
05/14/24	Thompson, Yolande	1.80	1,278.00	Prepare First Interim Fee Application
05/14/24	Thompson, Yolande	1.50	1,065.00	Prepare spreadsheet calculating amounts to be included in fee application
05/15/24	Thompson, Yolande	0.20	142.00	Emails with L. Lifland re First Interim Fee Application and spreadsheet calculating amounts
05/15/24	Lifland, Lauren	0.70	952.00	Review draft interim fee app

Client No. 2210508
 Matter No. 2210508-00140

InVivo Therapeutics Corporation
 Bankruptcy

Legal Services through May 31, 2024

Date	Timekeeper	Hours	Value	Description
05/15/24	Thompson, Yolande	0.80	568.00	Finalize First Interim Fee Application for attorney review
05/23/24	Thompson, Yolande	0.10	71.00	Review emails from L. Lifland and G. Shuster re approval of First Interim Fee Application
05/23/24	Thompson, Yolande	0.20	142.00	Review First Interim Fee Application circulated by L. Lifland
05/30/24	Thompson, Yolande	0.20	142.00	Review filed Third Monthly and First Interim Fee Applications
		14.50	12,180.00	
B320 - Plan and Disclosure Statement (including Business Plan)				
05/07/24	Lifland, Lauren	0.10	136.00	Review amended order approving disclosure statement
		0.10	136.00	
Total		<u>15.10</u>	<u>13,213.50</u>	

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

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*¹

Debtors.

Chapter 11

Case No. 24-10137 (MFW)

CERTIFICATION OF GEORGE W. SHUSTER, JR.

George W. Shuster, Jr., an attorney at law, duly admitted and in good standing to practice in the State of New York and the Commonwealth of Massachusetts, hereby certifies that:

1. I am a partner in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) and I am duly authorized to make this certification on behalf of WilmerHale. WilmerHale was retained by the above-captioned Debtors and Debtors-in-Possession as its special corporate counsel pursuant to an order of the Bankruptcy Court. This certification is made in support of the *Fourth Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from May 1, 2024 through May 31, 2024* (the “Application”) and in compliance with rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Rule 2016-2”).

2. I have read the Application and I certify that the Application substantially complies with Rule 2016-2.

Dated: June 14, 2024

/s/ George W. Shuster, Jr.
George W. Shuster, Jr.

¹ 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. {1394.002-W0076247.}