

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)  
)

**SUPPLEMENTAL CERTIFICATE OF SERVICE**

1. I, Heather Fellows, depose and say that I am employed by Kurtzman Carson Consultants, LLC dba Verita Global (“Verita”), the claims and noticing agent for the Debtors in the above-captioned case. I submit this Supplemental Certificate in connection with the service of solicitation materials for the *Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code* (Docket No. 168) (the “Plan”) and the *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* (Docket No. 169) (the “Disclosure Statement”). I am over the age of 18 and not a party to this action. Except as otherwise noted, I could and would testify to the following based upon my personal knowledge.

2. On February 6, 2024, the Court entered the *Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Claims and Noticing Agent Effective as of the Petition Date* (Docket No. 29).

3. On February 22, 2024, the Court entered the *Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Administrative Advisor Effective as of the Petition Date* (Docket No. 84).

4. Consistent with its retention as claims and noticing agent, Verita is charged with, among other things, printing and distributing Solicitation Packages<sup>2</sup> to creditors and other interested parties pursuant to the solicitation and voting procedures within the *Amended 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 and Deadlines Related Thereto; (III) Approving the Solicitation, Notice and Tabulation Procedures and the Forms Related Thereto; 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> Terms not otherwise defined herein shall have the same meanings ascribed to them in the Amended Interim Approval and Procedures Order



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(IV) *Granting Related Relief* (Docket No. 177) (the “Amended Interim Approval and Procedures Order”) entered on May 6, 2024.

5. The Solicitation Package consists of the following materials (the “Solicitation Package”):
  - a. USB Flash Drive (the “USB”) containing the following documents:
    - i. the Plan (with all exhibits thereto);
    - ii. the Disclosure Statement (with all exhibits thereto); and
    - iii. the Amended Interim Approval and Procedures Order (without exhibits).
  - b. Notice of (A) Interim Approval of the Disclosure Statement and (B) Combined Hearing to Consider Final Approval of the Disclosure Statement and Confirmation of the Plan and the Objection Deadline Related Thereto (the “Confirmation Hearing Notice”) (Docket No. 178);
  - c. a Cover Letter describing the contents of the Solicitation Package (the “Cover Letter”) (attached hereto as **Exhibit B**);
  - d. a printed copy of the appropriate Ballot(s) and voting instructions for the voting class in which the creditor is entitled to vote:
    - i. Class 4 Ballot (General Unsecured Claims) (“Class 4 Ballot”) (substantially in the form attached as **Exhibit B-1** to the Amended Interim Approval and Procedures Order); or
    - ii. Class 5 Ballot (ARE Subordinated Claims) (“Class 5 Ballot”) (substantially in the form attached as **Exhibit B-2** to the Amended Interim Approval and Procedures Order); or
    - iii. Class 6 Registered Holder Ballot (Interests) (“Class 6 Registered Holder Ballot”) (substantially in the form attached as **Exhibit B-3** to the Amended Interim Approval and Procedures Order); or
    - iv. Class 6 Master Ballot (Interests) (“Class 6 Master Ballot”) (substantially in the form attached as **Exhibit B-4** to the Amended Interim Approval and Procedures Order); or
    - v. Class 6 Beneficial Holder Ballot (Interests) (“Class 6 Beneficial Holder Ballot”) (substantially in the form attached as **Exhibit B-5** to the Amended Interim Approval and Procedures Order).
  - e. A pre-addressed, postage pre-paid return envelope (the “Return Envelope”).

6. On or before May 28, 2024, links to the following documents were made available on the public access website of [www.veritaglobal.net/invivo](http://www.veritaglobal.net/invivo):

- a. the Plan;
- b. the Disclosure Statement;
- c. the Amended Interim Approval and Procedures Order; and
- d. Confirmation Hearing Notice.

7. On or before May 28, 2024, at my direction and under my supervision, employees of Verita caused the Confirmation Hearing Notice to be served per postal forwarding address via First Class Mail upon the service list attached hereto as **Exhibit A**.

Dated: June 19, 2024

/s/ Heather Fellows

Heather Fellows

Verita

222 N Pacific Coast Highway, 3rd Floor

El Segundo, CA 90245

Tel 310.823.9000

## **Exhibit A**

**Exhibit A****Creditor Matrix****Served via First Class Mail**

<b>CreditorName</b>	<b>CreditorNoticeName</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
Halloran Consulting Group, Inc		22 Thomson Pl	Boston	MA	02210-1212
SW Financial	Attn John Orlando Re Gary Nicolay	273 Walt Whitman Rd	Huntingtn Sta	NY	11746-4146
SW Financial	Attn John Orlando Re Moses Douglas	273 Walt Whitman Rd	Huntingtn Sta	NY	11746-4149
SW Financial	Attn John Orlando Re William Tuberville	273 Walt Whitman Rd	Huntingtn Sta	NY	11746-4149
Tpx Communications		3300 N Cimarron Rd	Las Vegas	NV	89129-8401
Unite 2 Fight Paralysis		528 Hennepin Ave # 606	Minneapolis	MN	55403-1810

## **Exhibit B**

INVIVO THERAPEUTICS CORPORATION, *et al.*  
Case No. 24-10137 (MFW)

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**Copies of All Documents Listed Herein Are Included in Print or  
on the USB Flash Drive in PDF Format**

- Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code [D.I. 168]
- 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. 169]

Exhibit A – Plan

Exhibit B – Liquidation Analysis

- Amended 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 and Deadlines Related Thereto; (III) Approving the Solicitation, Notice and Tabulation Procedures and the Forms Related Thereto; and (IV) Granting Related Relief [D.I. 177] (without exhibits)
- Notice of (A) Interim Approval of the Disclosure Statement and (B) Combined Hearing to Consider Final Approval of the Disclosure Statement and Confirmation of the Plan and the Objection Deadline Related Thereto [D.I. 178]
- Ballot:
  - A copy of your ballot and instructions are included herein as well as a pre-addressed return envelope. Your ballot may also be submitted electronically, solely through the customized online balloting portal (the “Balloting Portal”) accessible through the Debtors’ case website: <https://www.kccllc.net/invivo>, by clicking on the link for balloting. Ballots otherwise submitted by facsimile, telecopy, or electronic submissions (other than those submitted via the Balloting Portal) will not be accepted.