

**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)

Ref. Nos. 200, 201, 202 & 204

CERTIFICATION OF COUNSEL

I, Joshua B. Brooks, counsel to the above-captioned debtors and debtors-in-possession (the “Debtors”) hereby certify as follows to the best of my knowledge, information and belief:

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

2. On May 30, 2024, Kurtzman Carson Consultants LLC (“KCC”) filed the *First Interim Fee Application of Kurtzman Carson Consultants LLC, as Administrative Advisor to the Debtors, for the Period from February 1, 2024 Through and Including April 30, 2024* [D.I. 201] (the “KCC First Interim Fee Application”).

3. On May 30, 2024, Sonoran Capital Advisors, LLC (“Sonoran”) filed the *First Interim Fee Application of Sonoran Capital Advisors LLC* [D.I. 202] (the “Sonoran First Interim Fee 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.



4. On May 30, 2024, Landis Rath & Cobb LLP (“LRC”) filed the *First Interim Fee Application of Landis Rath & Cobb LLP* [D.I. 204] and together with the WilmerHale, KCC, and Sonoran First Interim Fee Applications, the “Interim Fee Applications”).

5. Objections or responses, if any, were due to be filed and served no later than June 19, 2024 with respect to the WilmerHale First Interim Fee Application and no later than June 20, 2024 with respect to the other Interim Fee Applications.

6. The undersigned further certifies that he has reviewed the Court’s docket and no answer, objection or other responsive pleading to Interim Fee Applications appears thereon.

7. A copy of the Order approving the Interim Fee Applications, is attached hereto as **Exhibit 1** (the “Proposed Order”). A copy of the Proposed Order approving the Interim Fee Applications has been circulated to the Office of the United States Trustee (the “U.S. Trustee”). The U.S. Trustee has advised that it does not oppose entry of the Proposed Order.

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WHEREFORE the undersigned, on behalf of the Debtors, respectfully requests that the Proposed Order, which shall be uploaded contemporaneously herewith to CM/ECF in accordance with the Court's electronic order processing procedures, be entered at the Court's earliest convenience.

Dated: June 26, 2024
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Joshua B. Brooks
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Counsel for the Debtors and Debtors-In-Possession

EXHIBIT 1

**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)

Ref. Nos. 200, 201, 202, 204 & ____

ORDER APPROVING INTERIM FEE APPLICATIONS

Upon consideration of the interim fee applications of Landis Rath and Cobb LLP, Wilmer Cutler Pickering Hale and Dorr LLP, Sonoran Capital Advisors, LLC, and Kurtzman Carson Consultants LLC (collectively, the “Debtors’ Professionals”) in the above-captioned chapter 11 cases and the summary chart attached hereto as **Exhibit A**, for allowance of compensation and reimbursement of expenses (the “Applications”);² and it appearing to the Court that all of the requirements, as applicable, of sections 327, 328, 330, 331 and 503(b) of title 11 of the United States Code (as amended or modified, the “Bankruptcy Code”), as well as rule 2016 of the Federal Rules of Bankruptcy Procedure and the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, have been satisfied; and it further appearing that the expenses incurred were reasonable and necessary; and that notice of the Applications was appropriate; and after due deliberation and sufficient good cause appearing therefor; **IT IS HEREBY ORDERED THAT:**

1. The Applications are hereby APPROVED in the amounts set forth on **Exhibit A** attached hereto.

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 Terms utilized but not otherwise defined herein shall have the meanings ascribed to them in the Applications.

2. The Applications set forth on **Exhibit A** are granted, on an interim basis.
3. The Debtors are authorized to remit payment to the Debtors' Professionals in the amounts set forth on **Exhibit A**, less any monies previously paid on account of such fees and expenses.
4. This Court shall retain jurisdiction to hear and determine any and all matters arising from or related to the interpretation or implementation of this Order.

Dated: _____, 2024
Wilmington, Delaware

THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

InVivo Therapeutics Corporation, *et al.*, Case No. 24-10137 (MFW)
Summary Chart of Interim Fee Applications

Professional & Role in Case	Interim Compensation Period & Interim Fee Application	Interim Fees Requested	Interim Expenses Requested	Amount of Fees Paid or to be Paid (80%)	Amount of Expenses Paid or to be Paid (100%)	Amount of Holdback Fees Sought (20%)
LANDIS RATH & COBB LLP (Counsel to the Debtors and Debtors-In-Possession)	2/1/2024 – 4/30/2024	\$194,416.00	\$1,587.77	\$155,532.80	\$1,525.97	\$38,883.20
WILMER CUTLER PICKERING HALE & DORR LLP (Special Corporate Counsel to the Debtors and Debtors-In-Possession)	2/1/2024 – 4/30/2024	\$107,683.63	\$0.00	\$86,146.90	\$0.00	\$21,536.73
SONORAN CAPITAL ADVISORS, LLC (Financial Advisor to the Debtors and Debtors-In-Possession)	2/1/2024 – 4/30/2024	\$21,299.00	\$0.00	\$17,039.20	\$0.00	\$4,259.80
KURTZMAN CARSON CONSULTANTS LLC (Administrative Advisor to the Debtors and Debtors-In-Possession)	2/1/2024 – 4/30/2024	\$31,586.40	\$0.00	\$25,269.12	\$0.00	\$6,317.28
GRAND TOTALS	N/A	\$291,589.00	\$2,843.35	\$233,271.20	\$2,843.35	\$58,317.80