

**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: September 10, 2024 at 10:30 a.m. (ET)

Obj. Deadline: September 3, 2024 at 4:00 p.m. (ET)

**COMBINED SIXTH MONTHLY AND FINAL APPLICATION OF LANDIS RATH &
COBB LLP, COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION,
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES
PURSUANT TO 11 U.S.C. §§ 330 AND 331**

Name of Applicant:

Landis Rath & Cobb LLP

Authorized to Provide Professional
Services to:

Debtors and Debtors-In-Possession

Date of Retention:

February 22, 2024, effective *nunc pro tunc* to
February 1, 2024

Period for which monthly compensation
and reimbursement sought:

July 1, 2024 through July 12, 2024

Amount of monthly fees to be approved as
actual, reasonable and necessary:

\$17,508.50 (80% = \$14,006.80)

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

\$0.00

Period for which final compensation
and reimbursement sought:

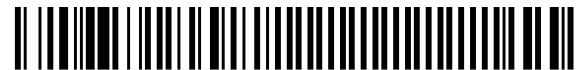
February 1, 2024 through July 12, 2024

Amount of final fees to be approved
as actual, reasonable and necessary:

\$322,844.00²

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 Totals reflect an adjustment of 1.7 hours and \$765.00 for time entries inadvertently included in the *First Monthly Application of Landis Rath & Cobb LLP, 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. 109] (the "First Monthly Application").



Amount of final expenses sought
as actual, reasonable and necessary: \$1,587.63³

This is a(n) x monthly interim x final application

Prior Applications:

Dated Filed	Period Covered	Requested		Approved	
		Fees	Expenses	Fees	Expenses
3/12/2024	2/1/24 – 2/29/24	\$97,210.00	\$463.01	\$77,768.00	\$463.01
4/11/2024	3/1/24 – 3/31/24	\$46,130.50	\$1,075.10	\$36,904.40	\$1,075.10
5/14/24	4/1/24 – 4/30/24	\$51,075.50	\$49.66	\$40,860.40	\$49.66
5/30/24 (Interim)	2/1/24 – 4/30/24	\$194,416.00	\$1,587.77	\$194,416.00	\$1,587.77
6/21/24	5/1/24 – 5/31/24	\$33,003.00	\$51.20	\$26,402.40	\$51.20
7/12/24	6/1/24 – 6/30/24	\$78,096.50	\$10.46	\$62,477.20	\$10.46

³ Total reflects an adjustment of \$61.80 in expenses inadvertently included in the First Monthly Application.

**SUMMARY OF MONTHLY BILLING BY PROFESSIONAL
JULY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024**

Name of Professional	Position w/LRC and Year of Admission	Year of Law School Graduation	Hourly Billing Rate⁴	Total Billed Hours	Total Compensation
Matthew B. McGuire	Partner; admitted PA 2001, DE 2003	May, 2000	\$1,025.00	6.40	\$6,560.00
Partner Total				6.40	\$6,560.00
Joshua B. Brooks	Associate; admitted MD 2020, DE 2022	May 2020	\$535.00	15.10	\$8,078.50
Associate Total				15.10	\$8,078.50
Lawyers Total				21.50	\$14,638.50
Melissa Ramirez	Paralegal	N/A	\$350.00	1.50	\$525.00
Jennifer L. Ford	Paralegal	N/A	\$350.00	6.70	\$2,345.00
Non-Legal Professional Total				8.20	\$2,870.00
GRAND TOTAL				29.70	\$17,508.50

Blended Hourly Rate: \$589.51

⁴ Landis Rath & Cobb LLP's billing rates have not changed during the Application Periods (defined below).

MONTHLY STATEMENT OF FEES BY PROJECT CATEGORY⁵
JULY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024

Project Category	Hours	Fee Amount
B110 – Asset Analysis and Recovery	0.00	\$0.00
B112 – Asset Disposition	8.70	\$6,987.00
B114 – Assumption/Rejection of Leases and Contracts	0.00	\$0.00
B118 – Board of Directors Matters	0.00	\$0.00
B120 – Business Operations	0.00	\$0.00
B122 – Case Administration	1.90	\$1,493.50
B124 – Claims Administration & Operations	0.00	\$0.00
B126 – Employee Benefits/Pensions	0.00	\$0.00
B130 – Financing/Cash Collateral	0.00	\$0.00
B134 – Hearings	9.10	\$4,147.00
B135 – Litigation	0.00	\$0.00
B136 – LRC Retention & Fee Matters	3.80	\$1,829.50
B139 – Equity Committee	0.00	\$0.00
B140 – Creditor Inquiries	0.00	\$0.00
B144 – Non-LRC Retention & Fee Matters	5.00	\$2,465.00
B146 – Plan and Disclosure Statement (including Business Plan)	1.20	\$586.50
B151 – Schedules/Operating Reports	0.00	\$0.00
B152 – Tax Issues	0.00	\$0.00
TOTAL	29.70	\$17,508.50

MONTHLY EXPENSE SUMMARY
JULY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024

Expenses Category	AMOUNT
Inhouse Copying	\$0.00
Outside Printing	\$0.00
Online Research	\$0.00
Delivery Services/Messengers	\$0.00
Document Retrieval	\$0.00
Lien Searches	\$0.00
Meals	\$0.00
Filing Fee	\$0.00
TOTAL	\$0.00

⁵ The subject matter of certain time entries may be appropriate for more than one project category. In such instances, time entries generally have been included in the most appropriate category. Time entries do not appear in more than one category.

**FINAL COMPENSATION BY INDIVIDUAL
FEBRUARY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024**

Name of Professional	Position w/LRC and Year of Admission	Year of Law School Graduation	Hourly Billing Rate⁶	Total Billed Hours	Total Compensation
Matthew B. McGuire	Partner; admitted PA 2001, DE 2003	May, 2000	\$1,025.00	147.30	\$150,982.50
Matthew R. Pierce	Partner; admitted DE 2013	May, 2013	\$750.00	0.20	\$150.00
Partner Total				147.50	\$151,132.50
Joshua B. Brooks	Associate; admitted MD 2020, DE 2022	May 2020	\$535.00	225.50	\$120,642.50
George A. Williams	Associate; admitted DE 2022	May, 2021	\$450.00	46.80	\$21,060.00
Associate Total				272.30	\$141,702.50
Lawyers Total				419.80	\$292,835.00
Melissa Ramirez	Paralegal	N/A	\$350.00	12.30	\$4,305.00
Jennifer L. Ford	Paralegal	N/A	\$350.00	56.40	\$19,740.00
Mark Hitchens	Paralegal	N/A	\$350.00	0.30	\$105.00
Joshua Huynh	Paralegal	N/A	\$310.00	18.90	\$5,859.00
Non-Legal Professional Total				87.90	\$30,009.00
TOTAL⁷				507.70	\$322,844.00

Blended Hourly Rate: \$635.90

⁶ Landis Rath & Cobb LLP's billing rates have not changed during the Application Periods (defined below).

⁷ See *supra*, n.2.

FINAL COMPENSATION BY PROJECT CATEGORY
FEBRUARY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024

Project Category	Hours	Fee Amount
B110 – Asset Analysis and Recovery	1.50	\$1,537.50
B112 – Asset Disposition	44.00	\$33,115.50
B114 – Assumption/Rejection of Leases and Contracts	9.30	\$5,532.00
B118 – Board of Directors Matters	0.30	\$307.50
B120 – Business Operations	15.40	\$10,095.00
B122 – Case Administration	43.30	\$24,628.50
B124 – Claims Administration & Operations	18.70	\$11,072.50
B126 – Employee Benefits/Pensions	0.80	\$320.00
B130 – Financing/Cash Collateral	0.50	\$175.00
B134 – Hearings	69.40	\$34,191.50
B135 – Litigation	3.90	\$3,151.50
B136 – LRC Retention & Fee Matters	39.30	\$19,173.50
B139 – Equity Committee	15.20	\$15,090.00
B140 – Creditor Inquiries	0.50	\$267.50
B144 – Non-LRC Retention & Fee Matters	84.20	\$42,828.00
B146 – Plan and Disclosure Statement (including Business Plan)	120.50	\$90,615.50
B151 – Schedules/Operating Reports	40.40	\$30,518.00
B152 – Tax Issues	0.50	\$225.00
TOTAL⁸	507.70	\$322,844.00

FINAL EXPENSE SUMMARY
FEBRUARY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024

Expenses Category	AMOUNT
Inhouse Copying	\$156.30
Outside Printing	\$8.96
Online Research	\$22.67
Delivery Services/Messengers	\$101.30
Document Retrieval	\$35.40
Lien Searches	\$914.00
Meals	\$0.00
Filing Fee	\$349.00
Hearing Transcripts	\$0.00
Overnight Delivery	\$0.00
TOTAL	\$1,587.63⁹

⁸ See *supra*, n.3.

⁹ Total reflects an adjustment of \$61.80 in expenses inadvertently included in the First Monthly Fee Application.

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

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*¹

Debtors.

Chapter 11

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**COMBINED SIXTH MONTHLY AND FINAL APPLICATION OF LANDIS RATH &
COBB LLP, COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION,
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES
PURSUANT TO 11 U.S.C. §§ 330 AND 331**

Landis Rath & Cobb LLP (“LRC”), counsel to the above-captioned Debtors and Debtors-in-Possession (the “Debtors”), hereby submits this *Combined Sixth Monthly and Final Application of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331* (the “Application”) for payment of legal services performed and reimbursement of expenses incurred during the monthly period commencing July 1, 2024 through and including July 12, 2024 (the “Monthly Application Period”); and for final approval of compensation for legal services performed and reimbursement of expenses incurred during the period commencing February 1, 2024 through and including July 12, 2024 (the “Final Application Period,” and together with the Monthly Application Period, the “Application Periods”). In support of the Application, LRC respectfully states as follows:

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.

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the District of Delaware (the “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 February 29, 2012. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (M), and the 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 each filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

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. As of the date of this Application, no trustee, examiner or statutory committee has been appointed in these Chapter 11 Cases.

5. Additional information regarding the circumstances leading to the commencement of these Chapter 11 Cases and information regarding the Debtors’ businesses and capital structure is set forth in the *Declaration of Richard Christopher in Support of the Debtors’ Chapter 11*

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

Petitions and First Day Pleadings [D.I. 3].

6. On February 22, 2024, the Court entered its *Order Authorizing the Employment and Retention of Landis Rath & Cobb LLP as Counsel, Nunc Pro Tunc to the Petition Date, Pursuant to Bankruptcy Code Section 327(a), Bankruptcy Rules 2014 and 2016 and Local Rule 2014-1* [D.I. 83] (the “LRC Retention Order”) authorizing the Debtors’ retention of LRC as their counsel in these Chapter 11 Cases.

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

TERMS AND CONDITIONS OF COMPENSATION OF LRC

8. Subject to Court approval, LRC seeks payment for compensation on an hourly basis, plus reimbursement of actual, necessary expenses incurred by LRC during the Application Periods. The rates charged by LRC in the Chapter 11 Cases do not differ from the rates charged to LRC’s non-bankruptcy clients.

9. A summary of the hours spent, the names of each professional and paraprofessional rendering services to the Debtors during the Monthly Application Period, the regular customary billing rates and the total value of time incurred by each of the LRC professionals rendering services to the Debtors are attached hereto as **Exhibit A**. A copy of the computer-generated time entries reflecting the time recorded for these services, organized in project billing categories in accordance with the *Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed under 11 U.S.C. § 330* (the “U.S. Trustee Guidelines”), 28 C.F.R. pt. 58, app. A (1996), is attached hereto as **Exhibit B**. All time entries and requested expenses are in compliance

with rule 2016-2 of the Local Rules.³

10. In accordance with the Interim Compensation Order, the Plan and the Confirmation Order, LRC has filed and served upon the parties identified in the Interim Compensation Order, the Plan and the Confirmation Order this Application with respect to (i) fees and expenses incurred during the Monthly Application Period; to wit, fees in the amount of \$17,508.50 and expenses in the amount of \$0.00 and (ii) fees and expenses incurred during the Final Application Period, to wit, fees in the amount of \$322,844.00 and expenses in the amount of \$1,587.63.⁴

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

CASE STATUS

12. The Debtors' monthly operating reports contain up-to-date information regarding the amount of cash on hand or on deposit in the Debtors' estates, the amount and nature of accrued unpaid administrative expenses, the Debtors' operating profits or losses, and the amount of unencumbered funds in the Debtors' estate.

13. To the best of LRC's knowledge, the Debtors have paid or will pay to the Office of the United States Trustee (the "U.S. Trustee") quarterly fees when due and has filed or will file its monthly operating reports.

³ LRC has also made reasonable efforts to submit this Application in a manner consistent with the U.S. Trustee Guidelines. To the extent that the U.S. Trustee Guidelines conflict with the Local Rules, in particular, Local Rule 2016-2, LRC has chosen to comply with such Local Rule. LRC will supplement this Application with additional detail or information upon request.

⁴ Totals reflect an adjustment of 1.7 hours and \$765.00 for time entries and \$61.80 for expenses inadvertently included in the *First Monthly Application of Landis Rath & Cobb LLP, 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. 109].

COMPENSATION REQUESTED

14. LRC expended 29.70 hours during the Monthly Application Period in furtherance of its efforts on behalf of the Debtors. LRC requests allowance of compensation in the amount of \$17,508.50 for legal services rendered during the Monthly Application Period at a blended hourly rate of \$589.51.

15. Further, LRC expended 507.70 hours during the Final Application Period in furtherance of its efforts on behalf of the Debtors. As set forth below, LRC requests final allowance of compensation in the amount of \$322,844.00 for legal services rendered during the Application Periods at a blended hourly rate of \$635.90.

REIMBURSEMENT OF EXPENSES

16. During the Monthly Application Period, LRC incurred no expenses in rendering legal services to the Debtors. LRC represents that its rate for non-color duplication is \$0.10 per page and color duplication is \$0.80 per page, consistent with the Local Rules and the U.S. Trustee Guidelines.

17. In order to handle more efficiently the voluminous copying of pleadings served and filed in these Chapter 11 Cases, LRC on occasion retained third-party duplication service providers. LRC seeks reimbursement only for the actual expenses charged by such third-party service providers. Additionally, LRC seeks reimbursement for, among other things, computer assisted research, which is the actual cost of such charges.

FINAL APPLICATION PERIOD

18. In accordance with the Interim Compensation Order, LRC has filed and served upon the parties identified in the Interim Compensation Order this Application with respect to fees and expenses incurred during the Final Application Period; to wit, fees in the amount of up to

\$322,844.00 (which includes the 20% “holdback” of all prior monthly fee applications)⁵ and expenses in the amount of \$1,587.63.

19. In accordance with the Interim Compensation Order and Confirmation Order, LRC seeks final approval of fees and expenses in the amount of \$324,431.63.

LEGAL STANDARD

20. Bankruptcy Code section 330(a)(1) allows the payment of:

(A) reasonable compensation for actual, necessary services rendered by the trustee, examiner, ombudsman, professional person, or attorney and by any paraprofessional person employed by any such person; and

(B) reimbursement for actual, necessary expenses.

11 U.S.C. § 330(a)(1). Reasonableness of compensation is informed by the “market-driven approach,” which considers the nature, extent and value of services provided by the professional and the cost of comparable services in non-bankruptcy contexts. *See Zolfo Cooper & Co. v. Sunbeam-Oster Co.*, 50 F.3d 253, 258 (3d Cir. 1995); *In re Busy Beaver Building Ctr., Inc.*, 19 F.3d 833, 849 (3d Cir. 1994). Thus, the “baseline rule is for firms to receive their customary rates.” *Zolfo Cooper*, 50 F.3d at 259.

21. In accordance with its practices in non-bankruptcy matters, LRC has calculated its compensation requested in this Application by applying its standard hourly rates. LRC’s calculation is based upon hourly rates that are well within the range of rates that are charged by comparable firms in similar bankruptcy cases. Accordingly, LRC’s rates should be determined to be reasonable under Bankruptcy Code section 330.

22. LRC’s fees during the Application Periods are also reasonable under the prevailing

⁵ Copies of the Monthly Fee Applications may be obtained by written request to the undersigned counsel.

legal standard and should be allowed. The amount of these fees is not unusual given the complexity, size and the extraordinary amount of work required to obtain approval of a plan in the Debtors' Chapter 11 Cases. LRC's fees are commensurate with fees that other attorneys of comparable experience and expertise have charged and been awarded in similar chapter 11 cases. Accordingly, LRC's fees are reasonable pursuant to Bankruptcy Code section 330.

23. Bankruptcy Code section 330(a)(1)(B) permits reimbursement for actual and necessary expenses. LRC's legal services and expenses incurred during the Application Periods are set forth in this Application and constitute only those necessary expenses that were incurred for the benefit of the Debtors' estates. LRC has properly requested reimbursement of only actual, necessary and appropriate legal expenses.

24. Except as permitted by Bankruptcy Rule 2016, no agreement or understanding exists between LRC and/or any third person for the sharing or division of compensation. All of the services for which compensation is requested in the Application Periods were rendered at the request of and solely on behalf of the Debtors.

25. Pursuant to the standards set forth in Bankruptcy Code sections 330 and 331, LRC submits that the compensation requested is for actual and necessary services and expenses, and is reasonable, based upon the nature, extent and value of such services, the time spent thereon, and the costs of comparable services in cases under the Bankruptcy Code.

26. The time records annexed to this Application constitute only a general statement of the services rendered and time expended without description of the pressure and constraints under which LRC actually rendered these services. The considerable challenges of these Chapter 11 Cases have been attended to and managed by LRC at all levels promptly, expertly and often to the exclusion of other matters in LRC's office. LRC submits, therefore, that its fees and expenses

were actually necessary, reasonable and justified, and should be allowed in full.

CERTIFICATE OF COMPLIANCE AND WAIVER

27. The undersigned representative of LRC 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, LRC believes that such deviations are not material and respectfully requests that any such requirements be waived.

NOTICE AND NO PRIOR REQUEST

28. 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. LRC submits that no other or further notice is necessary.

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

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

Dated: August 1, 2024
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Matthew B. McGuire

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

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Email: mcguire@lrclaw.com

brooks@lrclaw.com

williams@lrclaw.com

*Counsel for the InVivo Therapeutics Liquidation
Trust*

**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: September 10, 2024 at 10:30 a.m. (ET)

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**NOTICE OF COMBINED SIXTH MONTHLY AND FINAL APPLICATION OF
LANDIS RATH & COBB LLP, COUNSEL TO THE DEBTORS AND DEBTORS-IN-
POSSESSION, FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES
PURSUANT TO 11 U.S.C. §§ 330 AND 331**

TO: Office of the United States Trustee for the District of Delaware.

PLEASE TAKE NOTICE that on the date hereof, Landis Rath & Cobb LLP (“LRC”) filed the *Combined Sixth Monthly and Final Application of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-in-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331* (the “Application”) with the United States Bankruptcy Court for the District of Delaware.

PLEASE TAKE FURTHER NOTICE that objections (the “Objections”), if any, to 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 **4:00 p.m. ET on September 3, 2024** (the “Objection Deadline”):

- (1) 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);
- (2) 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
- (3) counsel to any Committee.

PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE APPLICATION WILL BE HELD ON SEPTEMBER 10, 2024 AT 10:30 A.M (EASTERN TIME) BEFORE THE HONORABLE MARY F. WALRATH, UNITED STATES BANKRUPTCY COURT JUDGE, IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF

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.

DELAWARE, 824 NORTH MARKET STREET, 5th FLOOR, COURTROOM NO. 4, WILMINGTON, DELAWARE 19801.

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 LRC AN AMOUNT EQUAL TO 80% OF THE MONTHLY 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: August 1, 2024
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Matthew B. McGuire
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 InVivo Therapeutics Liquidation
Trust*

EXHIBIT A

**SUMMARY OF MONTHLY BILLING BY PROFESSIONAL
JULY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024**

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¹ Landis Rath & Cobb LLP's billing rates have not changed during the Application Periods (defined below).

EXHIBIT B

MONTHLY STATEMENT OF FEES BY PROJECT CATEGORY¹
JULY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024

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B124 – Claims Administration & Operations	0.00	\$0.00
B126 – Employee Benefits/Pensions	0.00	\$0.00
B130 – Financing/Cash Collateral	0.00	\$0.00
B134 – Hearings	9.10	\$4,147.00
B135 – Litigation	0.00	\$0.00
B136 – LRC Retention & Fee Matters	3.80	\$1,829.50
B139 – Equity Committee	0.00	\$0.00
B140 – Creditor Inquiries	0.00	\$0.00
B144 – Non-LRC Retention & Fee Matters	5.00	\$2,465.00
B146 – Plan and Disclosure Statement (including Business Plan)	1.20	\$586.50
B151 – Schedules/Operating Reports	0.00	\$0.00
B152 – Tax Issues	0.00	\$0.00
TOTAL	29.70	\$17,508.50

¹ The subject matter of certain time entries may be appropriate for more than one project category. In such instances, time entries generally have been included in the most appropriate category. Time entries do not appear in more than one category.

**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)

CERTIFICATION OF MATTHEW B. MCGUIRE

Matthew B. McGuire, an attorney-at-law, duly admitted and in good standing to practice in the State of Delaware, hereby certifies that:

1. I am a partner in the firm of Landis Rath & Cobb LLP (“LRC”) and I am duly authorized to make this certification on behalf of LRC. LRC was retained by the above-captioned debtors and debtors-in-possession as counsel pursuant to an order of the Court. This certification is made in support of the *Combined Sixth Monthly and Final Application of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331* (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”).

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

Dated: August 1, 2024
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Matthew B. McGuire

Matthew B. McGuire (No. 4366)

Joshua B. Brooks (No. 6765)

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Trust*