

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 ***SECOND AMENDED***<sup>2</sup> AGENDA FOR CONFIRMATION HEARING  
SCHEDULED FOR JUNE 20, 2024, AT 3:00 P.M. (ET), BEFORE THE HONORABLE  
MARY F. WALRATH OF THE UNITED STATES BANKRUPTCY COURT  
**FOR THE DISTRICT OF DELAWARE**

This hearing will be conducted on Zoom.  
Parties may attend the hearing remotely by registering at the link below no later than  
JUNE 18, 2024 AT 4:00 P.M.

To attend a hearing remotely, please register using the eCourtAppearance tool  
([available here](#)) or on the court's website at [www.deb.uscourts.gov](http://www.deb.uscourts.gov).

\*The deadline to register for remote attendance is 4:00 p.m. (prevailing Eastern Time) the  
business day before the hearing unless otherwise noticed.\*

**MATTER GOING FORWARD:**

1. 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 and 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]

<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.



Objection Deadline: April 22, 2024 at 4:00 p.m. (ET)

Related Documents:

- A. [Joint Plan Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code \[D.I. 138, filed on April 8, 2024\]](#) (as amended, modified, revised or supplemented, the “[Plan](#)”)
- B. [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 \[D.I. 139, filed on April 8, 2024\]](#)
- C. [Notice of Filing of Revised Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code \[D.I. 162, filed on April 29, 2024\]](#)
- D. [Notice of Filing of Revised Disclosure Statement for the Joint Plan Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code \[D.I. 163, filed on April 29, 2024\]](#)
- E. [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 \[D.I. 165, entered on April 29, 2024\]](#)
- F. [\[Solicitation Version\] Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code \[D.I. 168, filed on April 29, 2024\]](#)
- G. [\[Solicitation Version\] 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 \[D.I. 169, filed on April 29, 2024\]](#)
- H. [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 \[D.I. 172, filed on April 30, 2024\]](#)
- I. [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, filed on May 6, 2024]

- J. 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, filed on May 6, 2024]
- K. Notice of Filing Plan Supplement [D.I. 219, filed on June 11, 2024]
- L. Declaration of Jeffrey Miller Regarding the Solicitation and Tabulation of Votes on the Debtors' Joint Chapter 11 Plan of Liquidation [D.I. 225, filed on June 17, 2024]
- M. Notice of Filing of Further Revised Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code [D.I. 226, filed on June 17, 2024]
- N. Declaration of Richard Christopher in Support of Confirmation of the Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code [D.I. 228, filed on June 17, 2024]
- O. Debtors' Memorandum of Law in Support of (A) Final Approval of the Disclosure Statement and (B) Confirmation of the Plan [D.I. 229, filed on June 17, 2024]
- P. Notice of Filing of Proposed Confirmation Order [D.I. 230, filed on June 14, 2024] (the "**Proposed Confirmation Order**")
- Q. **Certification of Counsel Regarding Revised Proposed Confirmation Order** [D.I. 232, filed on June 18, 2024]

Responses Received:

- R. Informal comments received from the Office of the United States Trustee (the "U.S. Trustee")

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Status: The Debtors have revised the Plan **and the Proposed Confirmation Order (the “Revised Confirmation Order”)** to resolve the informal comments received by the U.S. Trustee, and the Debtors have received no other objections. **The U.S. Trustee has advised that it does not object to entry of the Revised Confirmation Order upon the filing of a certification of counsel. The Revised Confirmation Order has been filed under certification of counsel at Docket No. 232. Accordingly, a hearing regarding this matter is not necessary unless the Court has questions with respect to the relief requested by the Debtors.**

Dated: June 18, 2024  
Wilmington, Delaware

**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*