Docket #0422 Date Filed: 07/13/2024

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	
EIGER BIOPHARMACEUTICALS, INC., *et al.*[1]	Chapter 11
	Case No. 24-80040 (SGJ)
Debtors.	(Jointly Administered)

FURTHER REVISED NOTICE OF BID DEADLINES

PLEASE TAKE NOTICE that, on April 5, 2024 the Court entered the *Order (I)(A) Approving the Bid Procedures; (B) Authorizing the Debtors to Select Sentynl Therapeutics, Inc. as the Zokinvy Stalking Horse Purchaser & Approving Bid Protections; (C) Approving the Bid Protections Relating to the Remaining Assets Stalking Horse Purchaser(s), if Any; (D) Establishing Bid Deadlines, Auction(s), and Sale Hearing(s); (E) Approving the Form and Manner of Sale Notice; (F) Approving Assignment and Assumption Procedures; (G) Approving the Form and Manner of Potential Assumption and Assignment Notice; (II)(A) Authorizing the Sale of the Assets Free and Clear; and (B) Approving the Assumption and Assignment of Designated Contracts; And (III) Granting Related Relief* [Docket No. 94] (the "Bid Procedures Order"),[2] which, among other things, establishes key dates and deadlines related to the Auction for, and the Sale of, the Assets**. All interested bidders and parties in interest in the chapter 11 case should carefully read the Bid Procedures Order and the Bid Procedures in their entirety**.

PLEASE TAKE FURTHER NOTICE that, on April 8, 2024, the Debtors served the *Notice of Sale, Bid Procedures, Auction, and Sale Hearing* on all known parties in interest.

PLEASE TAKE FURTHER NOTICE that, on April 15, 2024, the Debtors filed the *Notice of Filing of Revised Bidding Procedures* [Docket No. 119], which included the revised bidding procedures (the "Bid Procedures") attached as Exhibit A.

PLEASE TAKE FURTHER NOTICE that on June 12, 2024, the Debtors served the *Revised Notice of Sale, Bid Procedures, Auction, and Sale Hearing* [Docket No. 331] on all known parties in interest.

[1] The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: Eiger BioPharmaceuticals, Inc. (1591); EBPI Merger Inc. (9986); EB Pharma LLC (8352); Eiger BioPharmaceuticals Europe Limited (N/A); and EigerBio Europe Limited (N/A). The Debtors' service address is 2100 Ross Avenue, Dallas, Texas 75201.

[2] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Bid Procedures Motion, the Bid Procedures, and the Bid Procedures Order, as applicable.

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PLEASE TAKE FURTHER NOTICE that the Debtors hereby file this *Further Revised Notice of Bid Deadlines* with revised dates and deadlines for the Bid Deadline for the Lonafarnib sale transaction (the "Lonafarnib Sale Transaction") and the Lambda sale transaction (the "Lambda Sale Transaction").

Participation in the Sale Process

The Bid Procedures set forth the requirements for submitting a Qualified Bid and any person interested in making an offer to purchase either the Lonafarnib Assets and/or the Lambda Assets, must strictly comply with the Bid Procedures. Only Qualified Bids will be considered by the Debtors in accordance with the Bid Procedures.

Any interested bidder should contact SSG as soon as practicable.

Important Dates and Deadlines[3]

The Bid Procedures include a number of dates and deadlines that must be strictly complied with. In addition, consistent with the Bid Procedure, the following additional deadlines are hereby established:

Lonafarnib Bid Deadline: The deadline to submit a qualified Bid for the Lonafarnib Sale Transaction is **July 19, 2024, at 4:00 p.m.** (prevailing Central Time).

Lambda Bid Deadline: The deadline to submit a qualified Bid for the Lambda Sale Transaction is **August 2, 2024, at 4:00 p.m.** (prevailing Central Time).

No Successor Liability

By the Bid Procedures Motion, the Debtors are seeking to transfer the Lonafarnib Assets and the Lambda Assets to a Winning Bidder(s) free and clear of, among other things, any claim arising from any conduct of the Debtors prior to the closing of the two Sales, whether known or unknown, due or become due, accrued, absolute, contingent or otherwise, so long as such claim arises out of or relates to events occurring prior to the closing of the Sales. The Debtors are requesting the Court order that, as a result of the Sales, each Winning Bidder will not be a successor to the Debtors by reason of any theory of law or equity and such Winning Bidder will have no liability, except as expressly provided in the definitive documentation for each Sale, for any liens, claims, encumbrances, and other interests against or in the Debtors or their assets under any theory of law including successor liability theories.

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[3] The following dates and deadlines may be extended by the Debtors by filing a notice with the Court, pursuant to the Bid Procedures.

Dated: July 13, 2024
Dallas, Texas

SIDLEY AUSTIN LLP

/s/ *Thomas R. Califano*

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Attorneys for the Debtors and Debtors in Possession

Certificate of Service

I certify that on July 13, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ *Thomas R. Califano*
Thomas R. Califano