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*Proposed Attorneys for the Debtors  
and Debtors in Possession*

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

In re:

EIGER BIOPHARMACEUTICALS, INC.,  
*et al.*<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-80040 (SGJ)

(Joint Administration Requested)  
(Emergency Hearing Requested)

**AGENDA FOR HEARING SCHEDULED  
FOR APRIL 3, 2024 AT 1:30 P.M.  
(PREVAILING CENTRAL TIME)**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) hereby file this agenda for matters set for hearing on April 3, 2024 at 1:30 p.m. (prevailing Central Time), before the Honorable Stacey G. C. Jernigan at the United States Bankruptcy Court for the Northern District of Texas, at Courtroom #1, Earle Cabell Federal Building, 1100 Commerce Street, Dallas, Texas 75242-1496.

<sup>1</sup> 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 2155 Park Boulevard, Palo Alto, California 94306.



**AGENDA MATTERS**

1. *Debtors' Emergency Motion for Entry of an Order Directing Joint Administration of Chapter 11 Cases* [Docket. No. 3];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

2. *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral; (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties; (III) Modifying Automatic Stay; and (IV) Scheduling a Final Hearing* [Docket No. 16];

**Related Documents:**

- a. *Declaration of Paul Rundell, Managing Director of Alvarez & Marsal North America, LLC, in Support of the Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral; (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties; (III) Modifying Automatic Stay; and (IV) Scheduling a Final Hearing* [Docket No. 20]
- b. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- c. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

3. *Debtors' Motion for Entry of an Order (I)(A) Approving the Bid Procedures; (B) Authorizing the Debtors to Select Sentyln 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. 13];*

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings [Docket No. 19]*
- b. *Notice of Emergency Hearing for April 3, 2024 Setting [Docket No. 22]*

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

4. *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Continue to Operate Their Cash Management System and Maintain Existing Bank Accounts (II) Honor Certain Obligations Relating Thereto; and (III) Granting a*

*Waiver of Certain Deposit and Investment Requirements In 11 U.S.C. § 345(b) and the UST Guidelines* [Docket No. 4];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

- 5. *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing the Debtors to Pay Certain Taxes and Fees* [Docket No. 11];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

- 6. *Debtors' Emergency Motion for Entry of an Order Extending Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs* [Docket No. 7];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

7. *Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, and Employee Benefits and (B) Continue the Postpetition Maintenance of Employee Benefit Programs, Policies, and Procedures in the Ordinary Course* [Docket No. 8];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

8. *Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) File a Consolidated Creditor Matrix and (B) File a Consolidated List of 30 Largest Unsecured Creditors; (II) Waiving the Requirement to File a List of Equity Security Holders; (III) Authorizing the Debtors to Redact Certain Personally Identifying Information; and (IV) Approving the Form and Manner of Notifying Creditors of the Commencement of the Chapter 11 Cases and Other Information* [Docket No. 12];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

9. *Debtors' Emergency Motion for Entry of An Order (I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Services, and (III) Approving the Debtors' Proposed Procedures for Resolving Additional Assurance Requests* [Docket No. 5];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

10. *Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Their Prepetition Insurance Coverage and Satisfy Prepetition Obligations Related Thereto and (B) Renew, Supplement, and Enter Into New Insurance Policies, and (II) Granting Related Relief* [Docket No. 6];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

11. *Debtors' Emergency Motion for Entry of an Order Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Respect to Common Stock* [Docket No. 9];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

12. *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Honor and Continue Certain Customer Programs and Customer Obligations in the Ordinary Course of Business, and (II) Authorizing Banks to Honor and Process Checks and Electronic Transfer Requests Related Thereto* [Docket No. 17];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

13. *Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) 503(b)(9) Claimants, (B) Lien Claimants, (C) Critical*

*Vendors, and (D) Foreign Claimants, (II) Confirming Administrative Expense Priority of Outstanding Orders* [Docket No. 10];

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

14. *Debtors' Emergency Application for Entry of an Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Claims, Noticing, and Solicitation Agent, Effective as of the Petition Date* [Docket No. 18]; and

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

15. *Notice of Designation as Complex Chapter 11 Bankruptcy Case* [Docket No. 21].

**Related Documents:**

- a. *Declaration of David Apelian in Support of the Chapter 11 Petitions and First Day Pleadings* [Docket No. 19]
- b. *Notice of Emergency Hearing for April 3, 2024 Setting* [Docket No. 22]

**Status: This matter is going forward on an uncontested basis subject to passage of the objection deadline.**

*[Remainder of page intentionally left blank.]*

Dated: April 1, 2024  
Dallas, Texas

**SIDLEY AUSTIN LLP**

*/s/ Thomas R. Califano*

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*Proposed Attorneys for the Debtors and Debtors  
in Possession*

**Certificate of Service**

I certify that on April 1, 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