

Fill in this information to identify the case:

Debtor Eiger BioPharmaceuticals, Inc

United States Bankruptcy Court for the: Northern District of Texas
(State)

Case number 24-80040

Official Form 410

Proof of Claim

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

| | | |
|--|---|---|
| 1. Who is the current creditor? | <u>Charissa Bondy</u> Name of the current creditor (the person or entity to be paid for this claim) | |
| | Other names the creditor used with the debtor <u>Charissa Elizabeth Bondy</u> | |
| 2. Has this claim been acquired from someone else? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____ | |
| 3. Where should notices and payments to the creditor be sent? | Where should notices to the creditor be sent? Charissa Bondy 994 Lasalle Street Superior, Colorado 80027, United States Federal Rule of Bankruptcy Procedure (FRBP) 2002(g) Contact phone <u>303-915-0694</u> Contact email <u>dcmjbondy@msn.com</u> | Where should payments to the creditor be sent? (if different) Contact phone _____ Contact email _____ Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____ |
| 4. Does this claim amend one already filed? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY | |
| 5. Do you know if anyone else has filed a proof of claim for this claim? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____ | |



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☐ No
☒ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 2761 ____

7. How much is the claim? \$ 33,187.50 Does this amount include interest or other charges?
☒ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

Eiger Retention Bonus Agreement for services performed

9. Is all or part of the claim secured? ☒ No
☐ Yes. The claim is secured by a lien on property.
Nature or property:
☐ Real estate: If the claim is secured by the debtor's principle residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____
Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)
Amount necessary to cure any default as of the date of the petition: \$ _____
Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ No

☐ Yes. Check all that apply:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Amount entitled to priority

\$ _____

☐ Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____

☐ Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ _____

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. 503(b)(9)?

☒ No

☐ Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☒ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/21/2024
MM / DD / YYYY

/s/Charissa Bondy
Signature

Print the name of the person who is completing and signing this claim:

Name Charissa Bondy
First name Middle name Last name

Title Executive Director, Quality Assurance

Company Eiger Biopharmaceuticals
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____

Contact phone _____ Email _____



Verita (KCC) ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (888) 733-1544 | International (310) 751-2638

| | | |
|--|---|----------------------------------|
| Debtor: 24-80040 - Eiger BioPharmaceuticals, Inc | | |
| District: Northern District of Texas, Dallas Division | | |
| Creditor: Charissa Bondy 994 Lasalle Street Superior, Colorado , 80027 United States Phone: 303-915-0694 Phone 2: Fax: Email: dcmjbondy@msn.com | Has Supporting Documentation: Yes, supporting documentation successfully uploaded Related Document Statement: | |
| | Has Related Claim: No Related Claim Filed By: | |
| | Filing Party: Creditor | |
| | | |
| Other Names Used with Debtor: Charissa Elizabeth Bondy | Amends Claim: No Acquired Claim: No | |
| Basis of Claim: Eiger Retention Bonus Agreement for services performed | Last 4 Digits: Yes - 2761 | Uniform Claim Identifier: |
| Total Amount of Claim: 33,187.50 | Includes Interest or Charges: No | |
| Has Priority Claim: No | Priority Under: | |
| Has Secured Claim: No Amount of 503(b)(9): No Based on Lease: No Subject to Right of Setoff: No | Nature of Secured Amount: Value of Property: Annual Interest Rate: Arrearage Amount: Basis for Perfection: Amount Unsecured: | |
| Submitted By: Charissa Bondy on 21-Oct-2024 1:30:00 p.m. Eastern Time Title: Executive Director, Quality Assurance Company: Eiger Biopharmaceuticals | | |

From: [Matthew Bys](#)
To: [David Apelian](#); [Charissa Bondy](#)
Cc: [Piper Quinones](#); [Christopher Kurtz](#)
Subject: RE: Spot and Retention Awards
Date: Thursday, December 14, 2023 3:27:57 PM
Attachments: [Retention Letter Charissa Bondy.pdf](#)
[Spot Bonus Charissa Bondy.pdf](#)

Hi Charissa,

Following up, please find attached information on your spot bonus and retention bonus. I will be routing the retention bonus for signature in DocuSign shortly.

Thanks again for your dedication in 2023!

Best regards,
Matthew

From: David Apelian <dapelian@eigerbio.com>
Sent: Wednesday, December 6, 2023 6:21 AM
To: Charissa Bondy <cbondy@eigerbio.com>
Cc: Matthew Bys <mbys@eigerbio.com>; Piper Quinones <pquinones@eigerbio.com>; Christopher Kurtz <ckurtz@eigerbio.com>
Subject: Spot and Retention Awards

Hi Charissa:

It is my pleasure to update you on the spot award and retention bonus which was just approved by the BOD. You will receive a spot award of \$17,500 before the holidays. In addition, you will receive a retention bonus of \$33,187 January 2024 and \$33,187 in June 2024. Furthermore, the board still intends to award a portion of the merit award during the normal cycle in March 2024 based on the accomplishments of the team during a very challenging year. Matthew will send you the details of the spot and retention awards in a memo shortly.

You have done a great job during this difficult transition for Eiger. I wish you and your family a terrific holiday season!

Best,

David

David Apelian, MD, PhD, MBA
CEO



last 4 digits SSN: 2761
DOB Year: 1967



2155 Park Boulevard
Palo Alto, CA 94306

December 12, 2023

Charissa Bondy
994 Lasalle St
Superior, CO 80027

Dear Charissa,

Subject to the terms of this Retention Bonus Agreement ("Agreement"), you are eligible to earn a bonus in the total amount of \$66,375, provided that you remain employed with the Company through June 14, 2024 ("retention period") following the execution of this Agreement. The Company will pay the first of two equal payments of \$33,187.50, less taxes, payroll deductions and withholdings, on January 2, 2024, and the second payment of \$33,187.50 less taxes, payroll deductions and withholdings, on June 14, 2024, upon completion of the retention period following the execution of this Agreement. This means payment is not earned unless you remain an employee of the Company in good standing on a full-time basis through each of the retention dates above.

If you terminate employment with the Company prior to January 2, 2024 employment period, you will not be eligible to earn any portion of the bonus. If you terminate employment with the Company after January 2, 2024 but before June 14, 2024 employment period, you will not be eligible to earn the second portion of the bonus. By your signature below, you understand that if you terminate employment with the Company before January 2, 2024, you will not be eligible for any portion of the bonus, and if you terminate employment between January 2 and June 14, 2024, you will not be eligible to earn the second portion of the bonus.

Notwithstanding anything to the contrary in this Agreement, the Retention Bonus will be prorated over the Retention Period for any days that you are on an approved leave of absence.

Please note that this Agreement does not impact or otherwise modify your Employment Terms dated September 30, 2022, and does not change or alter your status as an at-will employee of the Company. Your retention bonus will not be deemed part of base salary for any annual bonus calculations and will not be considered in determining the amount of any other Company provided benefit.

Charissa Bondy

David Apelian

last 4 digits of SSN: 2761
DOB Year: 1967