Case 24-80040-sgj11 Doc 872 Filed กร/12/25 Entered กร/12/25 17:28 Decc Main Document Fage 1 บาง



CLERK, U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

## **ENTERED**

THE DATE OF ENTRY IS ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

**Signed May 12, 2025** 

United States Bankruptcy Judge

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

In re:	§	Chapter 11
	§	
EIGER BIOPHARMACEUTICALS, INC., et al. <sup>3</sup>	§	Case No. 24-80040 (SGJ)
	§	
	§	
Debtors.	8	(Jointly Administered)

# ORDER GRANTING THE LIQUIDATING TRUSTEE'S OBJECTION TO CLAIM NO. 40 FILED BY ARCH SPECIALTY INSURANCE COMPANY

Upon the objection (the "Objection")<sup>4</sup> of Dundon Advisers, LLC in its capacity as the Liquidating Trustee (the "Liquidating Trustee", "Movant") for an order disallowing and expunging claim No. 40 filed by Arch Specialty Insurance Company; and the Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Objection and the requested relief being a core proceeding pursuant to 28

<sup>&</sup>lt;sup>4</sup> Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Motion.



<sup>&</sup>lt;sup>3</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 2100 Ross Ave., Dallas, Texas 75201.

Case 24-80040-sgj11 Doc 872 Filed 05/12/25 Entered 05/12/25 14:21:38 Desc Main Document Page 2 of 3

U.S.C. § 157(b); and venue being proper before the court pursuant to 28 U.S.C. §§ 1408 and 1409;

and due and proper notice of the Objection having been provided; and such notice having been

adequate and appropriate under the circumstances, and it appearing that no other or further notice

need be provided; and the Court having reviewed the Objection; and the Court having determined

that the legal and factual bases set forth in the Objection establish just cause for the relief granted

herein; and upon all of the proceedings had before the Court and after due deliberation and

sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. Claim No. 40 filed by Arch Specialty Insurance Company is hereby disallowed and

expunged.

2. Verita Global, the claims and noticing agent appointed in these cases, is authorized to

update the Claims Register to reflect the relief granted in this Order.

3. The terms and conditions of this Order shall be immediately effective and enforceable

upon its entry.

4. The Liquidating Trustee is authorized to take all actions necessary to effectuate the

relief granted pursuant to this Order in accordance with the Objection.

5. This Court shall retain jurisdiction with respect to all matters arising from or related to

the implementation or interpretation of this Order.

### End of Order ###

2

#### Order Submitted by:

#### MCKOOL SMITH, PC

John J. Sparacino (TX Bar No. 18873700) S. Margie Venus (TX Bar No. 20545900) 600 Travis Street, Suite 7000

Houston, Texas 77002 Telephone: (713) 485-7300 Facsimile: (713) 485-7344

Email: jsparacino@mckoolsmith.com Email: mvenus@mckoolsmith.com

and

Travis E. DeArman (TX Bar No. 24074117)

300 Crescent Court, Suite 1200

Dallas, Texas 75201

Telephone: (214) 978-4000 Facsimile: (214) 978-4044

Email: tdearman@mckoolsmith.com

#### PORZIO, BROMBERG & NEWMAN, P.C.

Warren J. Martin Jr. (admitted *pro hac vice*) Rachel A. Parisi (admitted *pro hac vice*) 100 Southgate Parkway P.O. Box 1997

1.O. DOX 1777

Morristown, New Jersey 07962-1997

Telephone: (973) 538-4006 Facsimile: (973) 538-5146 Email: WJMartin@pbnlaw.com Email: RAParisi@pbnlaw.com

Counsel for the Liquidating Trustee