

**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)

Ref. No. 7

**ORDER MODIFYING THE REQUIREMENTS FOR THE LIST OF  
EQUITY SECURITY HOLDERS AND MODIFYING THE NOTICE  
REQUIREMENTS FOR EQUITY SECURITY HOLDERS**

Upon the *Motion of the Debtors for Entry of an Order Modifying the Requirements for the List of Equity Security Holders and Modifying the Notice Requirements for Equity Security Holders* (the “Motion”),<sup>2</sup> of the above captioned debtors and debtors-in-possession (the “Debtors”); and upon the First Day Declaration; and the Court having jurisdiction to consider the matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and the Court it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and the Court may enter a final order consistent with Article III of the United States Constitution; and it appearing that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that sufficient notice of the Motion has been given; and it appearing that the relief requested by the Motion is in the best interests of the Debtors’ estate; and

<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> Capitalized terms used herein, but not otherwise defined, shall have the meanings ascribed to them in the Motion.



sufficient cause appearing therefore,

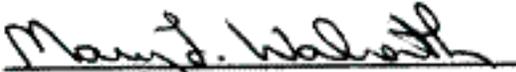
**IT IS HEREBY ORDERED THAT:**

1. The Motion is hereby granted as set forth herein.
2. The requirement under Bankruptcy Rule 1007(a)(3) to file the list of equity security holders is hereby modified, such that, to the extent not already completed, the Debtors shall only be required to file a list of all equity security holders of record, and will not be required to include the Beneficial Holders therein.
3. The requirements under Bankruptcy Rule 2002(d) to give notice to the Debtors' equity security holders is hereby modified, such that, the Debtors are only required to provide service to Beneficial Holders as follows and such notice shall be considered sufficient by the completion of the following steps, to the extent that they have not already been completed: (i) publishing the notice of commencement of these Chapter 11 Cases (the "Notice of Commencement") on the Case Website; (ii) serving by first class mail, the Notice of Commencement and all other notices required to be served under Bankruptcy Rule 2002(d) on the Transfer Agent and all of the Nominees that hold stock in "street name" for the Beneficial Holders of the equity interest, as applicable; and (iii) serving by first class mail any other items that should later be determined to be necessary to be served on equity security holders on the Transfer Agent and Nominees that hold stock in "street name" for the Beneficial Interest Holders, as applicable.
4. If it is determined that equity security holders are entitled to distributions from the Debtors' estates, the Beneficial Holders will be provided with a notice of the Debtors' bar date and will have an opportunity to file proofs of interest.
5. The Debtors are authorized to take all such actions as are necessary or appropriate to implement the terms of this Order.

6. Notwithstanding any applicable Bankruptcy Rule, the terms and conditions of this Order are immediately effective and enforceable upon its entry.

7. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and enforcement of this Order.

**Dated: February 6th, 2024**  
**Wilmington, Delaware**  
{1394.001-W0074263.}

  
**MARY F. WALRATH**  
**UNITED STATES BANKRUPTCY JUDGE**