

**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)

Hearing Date: N/A

Obj. Deadline: July 26, 2024 at 4:00 p.m. (ET)

**SUMMARY OF FIFTH MONTHLY APPLICATION OF LANDIS RATH & COBB LLP,  
COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION,  
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES  
PURSUANT TO 11 U.S.C. §§ 330 AND 331 FOR THE PERIOD FROM  
JUNE 1, 2024 THROUGH JUNE 30, 2024**

Name of Applicant: Landis Rath & Cobb LLP

Authorized to Provide Professional Services to: Debtors and Debtors-In-Possession

Date of Retention: February 22, 2024, effective *nunc pro tunc* to February 1, 2024

Period for which compensation and reimbursement sought: June 1, 2024 through June 30, 2024

Amount of monthly fees to be approved as actual, reasonable and necessary: \$78,096.50 (80% = \$62,477.20)

Amount of monthly expenses sought as actual, reasonable and necessary: \$10.46

This is a:   x   monthly        interim        final application

Prior Applications:

		Requested		Approved	
Dated Filed	Period Covered	Fees	Expenses	Fees	Expenses
3/12/2024	2/1/24 – 2/29/24	\$97,210.00	\$463.01	\$77,768.00	\$463.01
4/11/2024	3/1/24 – 3/31/24	\$46,130.50	\$1,075.10	\$36,904.40	\$1,075.10

<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.



		Requested		Approved	
Dated Filed	Period Covered	Fees	Expenses	Fees	Expenses
5/14/24	4/1/24 – 4/30/24	\$51,075.50	\$49.66	\$40,860.40	\$49.66
5/30/24	2/1/24 – 4/30/24	\$194,416.00	\$1,587.77	\$194,416.00	\$1,587.77
6/21/24	5/1/24 – 5/31/24	\$33,003.00	\$51.20	\$26,402.40	\$51.20

**SUMMARY OF BILLING BY PROFESSIONAL  
JUNE 1, 2024 THROUGH AND INCLUDING JUNE 30, 2024**

Name of Professional	Position w/LRC and Year of Admission	Year of Law School Graduation	Hourly Billing Rate <sup>2</sup>	Total Billed Hours	Total Compensation
Matthew B. McGuire	Partner; admitted PA 2001, DE 2003	May, 2000	\$1,025.00	39.30	\$40,282.50
<b>Partner Total</b>				<b>39.30</b>	<b>\$40,282.50</b>
Joshua B. Brooks	Associate; admitted MD 2020, DE 2022	May 2020	\$535.00	56.40	\$30,174.00
George A. Williams	Associate; admitted DE 2022	May, 2021	\$450.00	2.20	\$990.00
<b>Associate Total</b>				<b>58.60</b>	<b>\$31,164.00</b>
<b>Lawyers Total</b>				<b>97.90</b>	<b>\$71,446.50</b>
Melissa Ramirez	Paralegal	N/A	\$350.00	1.80	\$630.00
Jennifer L. Ford	Paralegal	N/A	\$350.00	17.20	\$6,020.00
<b>Non-Legal Professional Total</b>				<b>19.00</b>	<b>\$6,650.00</b>
<b>GRAND TOTAL</b>				<b>116.90</b>	<b>\$78,096.50</b>

**Blended Hourly Rate: \$668.06**

<sup>2</sup> Landis Rath & Cobb LLP's billing rates have not changed during the Application Period (defined below).

**STATEMENT OF FEES BY PROJECT CATEGORY<sup>3</sup>**  
**JUNE 1, 2024 THROUGH AND INCLUDING JUNE 30, 2024**

<b>Project Category</b>	<b>Hours</b>	<b>Fee Amount</b>
B110 – Asset Analysis and Recovery	0.00	\$0.00
B112 – Asset Disposition	18.40	\$15,675.00
B114 – Assumption/Rejection of Leases and Contracts	0.50	\$267.50
B118 – Board of Directors Matters	0.00	\$0.00
B120 – Business Operations	0.00	\$0.00
B122 – Case Administration	3.60	\$1,796.50
B124 – Claims Administration & Operations	0.60	\$210.00
B126 – Employee Benefits/Pensions	0.00	\$0.00
B130 – Financing/Cash Collateral	0.00	\$0.00
B134 – Hearings	24.00	\$12,826.00
B135 – Litigation	0.20	\$70.00
B136 – LRC Retention & Fee Matters	5.80	\$2,575.00
B139 – Equity Committee	0.00	\$0.00
B140 – Creditor Inquiries	0.00	\$0.00
B144 – Non-LRC Retention & Fee Matters	8.60	\$4,212.50
B146 – Plan and Disclosure Statement (including Business Plan)	54.10	\$39,949.50
B151 – Schedules/Operating Reports	1.10	\$514.50
B152 – Tax Issues	0.00	\$0.00
<b>TOTAL</b>	<b>116.90</b>	<b>\$78,096.50</b>

**MONTHLY EXPENSE SUMMARY**

<b>Expenses Category</b>	<b>AMOUNT</b>
Inhouse Copying	\$0.00
Outside Printing	\$0.00
Online Research	\$10.46
Delivery Services/Messengers	\$0.00
Document Retrieval	\$0.00
Lien Searches	\$0.00
Meals	\$0.00
Filing Fee	\$0.00
<b>TOTAL</b>	<b>\$10.46</b>

<sup>3</sup> The subject matter of certain time entries may be appropriate for more than one project category. In such instances, time entries generally have been included in the most appropriate category. Time entries do not appear in more than one category.

**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)

Hearing Date: N/A

Obj. Deadline: July 26, 2024 at 4:00 p.m. (ET)

**FIFTH MONTHLY APPLICATION OF LANDIS RATH & COBB LLP,  
COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION, FOR  
COMPENSATION AND REIMBURSEMENT OF EXPENSES  
PURSUANT TO 11 U.S.C. §§ 330 AND 331 FOR THE PERIOD FROM  
JUNE 1, 2024 THROUGH JUNE 30, 2024**

Landis Rath & Cobb LLP (“LRC”), counsel to the above-captioned debtors and debtors-in-possession (the “Debtors”), submits this *Fifth Monthly Application of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from June 1, 2024 through June 30, 2024* (the “Application”). In the Application, LRC seeks payment for legal services performed during the period commencing June 1, 2024 through and including June 30, 2024 (the “Application Period”). In support of the Application, LRC respectfully states as follows:

**JURISDICTION AND VENUE**

1. The United States Bankruptcy Court for the District of Delaware (the “Court”) has jurisdiction over this Application 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. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter

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<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.

is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (M), and the Court may enter a final order consistent with Article III of the United States Constitution.<sup>2</sup>

2. The statutory bases for the relief sought herein are sections 105(a), 330 and 331 of chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101 *et seq.* (as amended or modified, the “Bankruptcy Code”).

### **BACKGROUND**

3. On February 1, 2024 (the “Petition Date”), the Debtors commenced the above-captioned chapter 11 cases (the “Chapter 11 Cases”) by each filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

4. The Debtors continue to operate their businesses and manage their properties as debtors-in-possession pursuant to Bankruptcy Code sections 1107(a) and 1108. As of the date of this Application, no trustee, examiner or statutory committee has been appointed in these Chapter 11 Cases.

5. Additional information regarding the circumstances leading to the commencement of these Chapter 11 Cases and information regarding the Debtors’ businesses and capital structure is set forth in the *Declaration of Richard Christopher in Support of the Debtors’ Chapter 11 Petitions and First Day Pleadings* [D.I. 3].

6. On February 22, 2024, the Court entered its *Order Authorizing the Employment and Retention of Landis Rath & Cobb LLP as Counsel, Nunc Pro Tunc to the Petition Date, Pursuant to Bankruptcy Code Section 327(a), Bankruptcy Rules 2014 and 2016 and Local Rule 2014-1* [D.I.

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<sup>2</sup> Pursuant to rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), LRC hereby confirms its consent to entry of a final order by the Bankruptcy Court in connection with this Application if it is later determined that the Bankruptcy Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

83] (the “LRC Retention Order”) authorizing the Debtors’ retention of LRC as their counsel in these Chapter 11 Cases.

7. On February 22, 2024, the Court entered its *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals* [D.I. 85] (the “Interim Compensation Order”).

### **RELIEF REQUESTED**

8. By this Application and in accordance with the Interim Compensation Order, LRC seeks (i) allowance of compensation as an administrative expense of the Debtors’ estates in the amount of \$78,096.50 for reasonable and necessary professional services rendered, (ii) payment of compensation in the amount of 80% thereof (in the amount of \$62,477.20) and (iii) payment of \$10.46 for actual and necessary expenses incurred during the Application Period.

### **COMPENSATION REQUESTED**

9. The services performed by LRC during the Application Period included, among others, (i) preparing and/or assisting in the preparation, finalization and filing of various pleadings and orders submitted to the Court and served on parties in interest; (ii) regularly conferring with the Debtors, their other professionals and various parties-in-interest regarding issues related to the Chapter 11 Cases and the various pleadings filed herein; (iii) preparing for and participating in the hearings held in the Chapter 11 Cases; and (iv) researching and advising the Debtors and their other professionals with respect to numerous issues in connection with the Chapter 11 Cases. Attached hereto as **Exhibit A** is a detailed itemization, by project category, of all services performed by LRC with respect to the Chapter 11 Cases during the Application Period. This detailed itemization complies with Local Rule 2016-2 in that each time entry contains a separate time allotment, a description of the type of activity and the subject matter of the activity, all time

is billed in increments of one-tenth (1/10) of an hour, time entries are presented chronologically in categories, and all meetings or hearings are individually identified.

10. The timekeepers who rendered services related to each category are identified in **Exhibit A**, along with the number of hours for each individual and the total compensation sought by each category. All services for which LRC requests compensation were performed for, or on behalf of, the Debtors.

### **REIMBURSEMENT OF EXPENSES**

11. LRC incurred out-of-pocket expenses during the Application Period in the amount of \$10.46. Attached hereto as **Exhibit B** is a description of the expenses actually incurred by LRC in the performance of services rendered as counsel to the Debtors. The expenses are broken down into categories of charges, which may include, among other things, the following charges: photocopying, printing, outgoing facsimiles, document retrieval, postage, third-party conference calls, messenger service, transcripts, computerized legal research, filing fees, working meals, secretarial overtime, and other expenses.

12. To more efficiently handle the voluminous copying of pleadings served and filed in these Chapter 11 Cases, LRC on occasion retained third-party duplication service providers. LRC seeks reimbursement only for the actual expenses charged by such third-party service providers.

13. In accordance with section 330 of the Bankruptcy Code, LRC seeks reimbursement only for the actual cost of such expenses to LRC. LRC submits that all such expenses incurred

were customary, necessary and related to the Chapter 11 Cases and, by this Application, requests reimbursement of the same.<sup>3</sup>

### **VALUATION OF SERVICES**

14. Professionals of LRC have expended a total of 116.90 hours in connection with this matter during the Application Period.

15. The amount of time spent by each of the professionals providing services to the Debtors for the Application Period is set forth in **Exhibit A**. The rates are LRC's regular hourly rates of compensation for work of this nature. The reasonable value of the services rendered by LRC for the Application Period as counsel for the Debtors in the Chapter 11 Cases is \$78,096.50.

16. LRC submits that the time entries included in **Exhibit A** attached hereto and the expense breakdown set forth in **Exhibit B** attached hereto are in compliance with the requirements of Local Rule 2016-2.

17. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, the amount requested is fair and reasonable given the complexities of these Chapter 11 Cases, the time expended, the nature and extent of the services rendered, the value of such services, and the costs of comparable services other than in a case under this title.

### **CERTIFICATE OF COMPLIANCE AND WAIVER**

18. The undersigned representative of LRC certifies that he has reviewed the requirements of Local Rules 2016-2 and that the Application substantially complies with such rule. To the extent that the Application does not comply in all respects with the requirements of Local

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<sup>3</sup> LRC reserves all rights with respect to any expense cap sought to be imposed or otherwise enforced by the Office of the United States Trustee that is not consistent with or deviates from the Local Rules or applicable orders entered by the Court in these Chapter 11 Cases.



Rule 2016-2, LRC believes that such deviations are not material and respectfully requests that any such requirements be waived.

**NOTICE AND NO PRIOR REQUEST**

19. Notice of this Application has been given to the following parties or, in lieu of, to their counsel, if known: the Office of the United States Trustee for the District of Delaware. LRC submits that no other or further notice is necessary.

20. No prior request for the relief sought in this Application has been made to this or any other court.

WHEREFORE, LRC respectfully requests that the Court (i) grant the Application and (ii) grant such further relief as is just and proper.

Dated: July 12, 2024  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

/s/ Matthew B. McGuire

Matthew B. McGuire (No. 4366)  
Joshua B. Brooks (No. 6765)  
George A. Williams III (No. 6964)  
919 Market Street, Suite 1800  
Wilmington, Delaware 19801  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450  
Email: mcguire@lrclaw.com  
brooks@lrclaw.com  
williams@lrclaw.com

*Counsel for the Debtors and Debtors-In-Possession*

**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)

Hearing Date: N/A

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**NOTICE OF FIFTH MONTHLY APPLICATION OF LANDIS RATH & COBB LLP,  
COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION,  
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES  
PURSUANT TO 11 U.S.C. §§ 330 AND 331 FOR THE PERIOD FROM  
JUNE 1, 2024 THROUGH JUNE 30, 2024**

TO: Office of the United States Trustee for the District of Delaware.

**PLEASE TAKE NOTICE** that on the date hereof, Landis Rath & Cobb LLP (“LRC”) filed the *Fifth Monthly Application of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-in-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from June 1, 2024 through June 30, 2024* (the “Application”) with the United States Bankruptcy Court for the District of Delaware.

**PLEASE TAKE FURTHER NOTICE** that objections (the “Objections”), if any, to the Application must be made in accordance with the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals* [D.I. 85] (the “Interim Compensation Order”). Objections must be served on the following parties so as to be received no later than **4:00 p.m. ET on July 26, 2024** (the “Objection Deadline”):

- (1) Counsel to the Debtors, Landis Rath & Cobb LLP, 919 Market Street, Suite 1800, Wilmington, Delaware 19801, Attn: Matthew B. McGuire, Esq. (mcguire@lrclaw.com) and Joshua B. Brooks, Esq. (brooks@lrclaw.com);
- (2) Office of the United States Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Joseph Cudia, Esq. (joseph.cudia@usdoj.gov); and
- (3) counsel to any Committee.

**PLEASE TAKE FURTHER NOTICE THAT IN ACCORDANCE WITH THE INTERIM COMPENSATION ORDER, IF NO OBJECTIONS ARE SERVED IN ACCORDANCE WITH THE INTERIM COMPENSATION ORDER, THE DEBTORS WILL**

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<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.

BE AUTHORIZED TO PAY LRC AN AMOUNT EQUAL TO 80% OF THE FEES AND 100% OF THE EXPENSES REQUESTED IN THE APPLICATION THAT ARE UNOPPOSED WITHOUT FURTHER COURT ORDER.

**PLEASE TAKE FURTHER NOTICE** that if an Objection to the Application is served by the Objection Deadline, the parties shall follow the procedures set forth in the Interim Compensation Order.

Dated: July 12, 2024  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

/s/ Matthew B. McGuire

Matthew B. McGuire (No. 4366)

Joshua B. Brooks (No. 6765)

George A. Williams III (No. 6964)

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Email: mcguire@lrclaw.com

brooks@lrclaw.com

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*Counsel for the Debtors and Debtors in Possession*

# **EXHIBIT A**

		Hours to Bill	Amount	
Total for Timekeeper 10	Billable	39.30	40,282.50	Matthew B. McGuire
Total for Timekeeper 21	Billable	2.20	990.00	George A. Williams
Total for Timekeeper 32	Billable	1.80	630.00	Melissa Ramirez
Total for Timekeeper 35	Billable	56.40	30,174.00	Joshua B. Brooks
Total for Timekeeper 36	Billable	17.20	6,020.00	Jennifer L. Ford

GRAND TOTALS				
	Billable	116.90	78,096.50	

Fee App - Detailed Fees  
Landis Rath & Cobb LLP

	Client	Trans Date	Tkpr	Hours to Bill	Amount	
<b>Phase ID B112 Asset Disposition</b>						
	1394.002	06/03/2024	MBM	1.10	1,127.50	review of Globus APA mark-up (.6); emails and calls with Shuster and Hamel re: same (.5)
	1394.002	06/03/2024	JBB	0.70	374.50	Research re: re-notice of sale hearing (.6); confer with MBM re: same (.1)
	1394.002	06/03/2024	MBM	0.30	307.50	call with Hamel re: scheduling of sale hearing
	1394.002	06/04/2024	MBM	0.80	820.00	emails with Globus (.2); review of revised APA (.6)
	1394.002	06/06/2024	MBM	1.90	1,947.50	review of Globus comments to APA (.8); emails with Hamel re: same (.2); call with Globus re: APA and sale process (.9)
	1394.002	06/06/2024	MBM	1.00	1,025.00	review of CMC and closing agreement re: Globus sale (.8); emails with Hamel and Shuster re: same (.2)
	1394.002	06/07/2024	MBM	0.80	820.00	work on globus issues
	1394.002	06/10/2024	MBM	1.00	1,025.00	numerous emails with Hamel and Shuster re: Globus closing document package (.4); review of draft CMC and Closing Agreement (.6)
	1394.002	06/11/2024	JBB	0.50	267.50	Draft notice of filing re: proposed sale order and APA (.4) emails with MBM re: same (.1)
	1394.002	06/11/2024	MBM	0.90	922.50	numerous emails with Hamel and Kravitz re: Globus sale (.4); review of assumed contract cure list and analyze CHB claims (.5)
	1394.002	06/12/2024	JBB	0.50	267.50	Emails with MBM, H. Hamel and G. Shuster re: notice of rescheduled sale hearing (.1); prep for filing sale documents (.4)
	1394.002	06/14/2024	JBB	1.30	695.50	Finalize notice of sale hearing and proposed sale order (.6); emails with MBM re: filing same (.2); assist with filing same (.3); email copy to H. Hamel (.1); emails with KCC re: service (.1)
	1394.002	06/14/2024	MBM	1.90	1,947.50	review and revise sale order (.9); emails with Globus re: same (.1); review and finalize sale notice package (.9)
	1394.002	06/24/2024	MBM	0.90	922.50	review and revise Globus closing agreement/escrow (.8); emails with Hamel re: same (.1)
	1394.002	06/25/2024	JBB	0.20	107.00	Emails with MBM and H. Hamel re: executed Globus sale documents
	1394.002	06/25/2024	MBM	1.30	1,332.50	numerous emails with Shuster and Hamel re: closing documents (.3); review of same (1.0)
	1394.002	06/28/2024	JBB	3.30	1,765.50	Draft declaration in support of sale (3.2); email same to MBM for review (.1)
<b>Total for Phase ID B112</b>		Billable		18.40	15,675.00	Asset Disposition
<b>Phase ID B114 Assumption/Rejection of Leases and Contracts</b>						
	1394.002	06/28/2024	JBB	0.50	267.50	Emails with MBM re: Oracle IP issues (.1) and Oracle's supplemental objection and reservation of rights (.1); review same (.3)
<b>Total for Phase ID B114</b>		Billable		0.50	267.50	Assumption/Rejection of Leases and Contracts
<b>Phase ID B122 Case Administration</b>						
	1394.002	06/03/2024	JLF	0.30	105.00	Confer with J. Brooks re: Confirmation hearing date and path forward (.2); Update calendar re: same (.1)
	1394.002	06/06/2024	JBB	0.20	107.00	Confer with JF re: upcoming filings (.1); emails with MBM re: same (.1)
	1394.002	06/10/2024	JLF	0.40	140.00	Update Critical Dates
	1394.002	06/13/2024	JBB	0.70	374.50	Emails with KCC re: upcoming filings and service issues
	1394.002	06/13/2024	JBB	2.00	1,070.00	Review and revise confirmation order
<b>Total for Phase ID B122</b>		Billable		3.60	1,796.50	Case Administration
<b>Phase ID B124 Claims Administration &amp; Objections</b>						
	1394.002	06/07/2024	MR	0.60	210.00	draft Certificate of No Objection re: motion to extend removal deadline (.2); finalize and file same (.2); prepare and upload order re: same (.1); emails with JBB re: same (.1)
<b>Total for Phase ID B124</b>		Billable		0.60	210.00	Claims Administration & Objections
<b>Phase ID B134 Hearings</b>						
	1394.002	06/04/2024	JBB	0.90	481.50	Emails with chambers and MBM re: sale hearing date (.2); emails with JF to draft Certification of Counsel for same (.1); review and finalize Certification of Counsel re: same (.2); draft re-notice of sale hearing (.4)
	1394.002	06/04/2024	JLF	0.30	105.00	Emails to/from J. Brooks re: draft Certification of Counsel for July omnibus hearing date (.1); Draft Certification of Counsel re: same (.2)
	1394.002	06/05/2024	GAW	0.20	90.00	emails w. JBB & JF re: omnibus hearing order
	1394.002	06/05/2024	JLF	0.30	105.00	Finalize and file Certification of Counsel Regarding Scheduling of Omnibus Hearing Date July (.2); Email to M. McGuire. . Brooks and G. Williams re: same (.1)
	1394.002	06/06/2024	JLF	0.10	35.00	Email to KCC to effectuate service re: Order Scheduling Omnibus Hearings [DI 208]

Fee App - Detailed Fees  
Landis Rath & Cobb LLP

Client	Trans Date	Tkpr	Hours to Bill	Amount	
<b>Phase ID B134 Hearings</b>					
1394.002	06/07/2024	MR	0.70	245.00	assisted with finalizing and filing agenda re: 6.11 hearing (.4); review docket re: matters scheduled for same (.1); call with JBB re: same (.1); emails with JBB re: same (.1)
1394.002	06/07/2024	JBB	1.40	749.00	Review and revise June 11 hearing agenda (1.2); emails with MBM and chambers re: hearing status (.2)
1394.002	06/12/2024	JLF	0.10	35.00	Emails to/from J. Brooks and G. Williams re: draft Agenda for Confirmation hearing and additional pleadings to be filed
1394.002	06/13/2024	GAW	0.50	225.00	emails w. JBB & JF re: 6/20 hearing agenda; review agenda;
1394.002	06/13/2024	JLF	1.00	350.00	Draft Agenda for Confirmation hearing (.9); Email to J. Brooks and G. Williams re: same (.1)
1394.002	06/14/2024	JBB	1.40	749.00	Review and revise confirmation hearing agenda
1394.002	06/14/2024	JLF	0.50	175.00	Emails to/from J. Brooks re: revise agenda (.1); Revise agenda adding hyperlinks (.4)
1394.002	06/14/2024	JLF	0.30	105.00	Emails to/from M. McGuire, J. Brooks and G. Williams re: Notice of Rescheduled Sale Hearing, Asset Purchase Agreement, and Proposed Sale Order (.1); Finalize and file re: same (.2)
1394.002	06/17/2024	JLF	0.30	105.00	Emails to/from J. Brooks re:: revise Confirmation hearing agenda (.1); Revise Confirmation agenda re: Voting Declaration and Further Revised Plan (.2)
1394.002	06/17/2024	JLF	1.00	350.00	Preparation of E-Binder and Attorneys registration for hearing participation (.9); Email to M. McGuire, J. Brooks and G. Williams re: E-Binder for Confirmation Hearing (.1)
1394.002	06/17/2024	JLF	0.30	105.00	Finalize and file Notice of Agenda of Matters Scheduled for Hearing on June 20, 2024 (.2); email to KCC to effectuate service re: same (.10)
1394.002	06/17/2024	JLF	0.50	175.00	Emails to/from J. Brooks re: revise Amended Agenda (.1); Revised agenda with hyperlinks (.2); Update E-binder (.2)
1394.002	06/17/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Amended Agenda (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	06/17/2024	JBB	0.90	481.50	Emails with MBM and chambers re: hearing agenda (.1); revise hearing agenda (.3); emails with MBM re: same (.1); assist with filing agenda (.2); emails with JF re: hearing registrations (.2)
1394.002	06/17/2024	JBB	0.50	267.50	Revise amended agenda (.2); assist with filing same (.2); email amended agenda to chambers (.1)
1394.002	06/18/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Second Amended Notice of Agenda of Matters Scheduled (.1); Finalize and file re: same (.1); Email to KCC to Effectuate service re: same (.1)
1394.002	06/18/2024	JLF	0.10	35.00	Emails to/from J. Brooks re: J. Miller hearing registration
1394.002	06/18/2024	JBB	1.00	535.00	Draft second amended agenda (.5); email to MBM for review (.2); assist with filing same (.2); email same to chambers (.1)
1394.002	06/18/2024	JBB	0.30	160.50	Emails with H. Hamel and J. Miller re: hearing registrations (.2); emails with JF re: same (.1)
1394.002	06/19/2024	JBB	3.20	1,712.00	Prep for confirmation hearing
1394.002	06/20/2024	JLF	0.50	175.00	Update Confirmation Hearing Binder
1394.002	06/20/2024	JBB	1.90	1,016.50	Review hearing binder (.3); confer with JF re: hearing (.1); emails with K. Bloomquist re: hearing attendance (.1); continue hearing prep (1.4)
1394.002	06/20/2024	JBB	0.70	374.50	Attend confirmation hearing
1394.002	06/20/2024	MBM	3.00	3,075.00	prepare for (2.3) and attend confirmation hearing (.7)
1394.002	06/26/2024	JLF	1.00	350.00	Draft Agenda for Sale hearing on July 9th (.9); Email to J. Brooks re: same (.1)
1394.002	06/27/2024	JBB	0.40	214.00	Review and revise hearing agenda for July 9 hearing (.3); emails with JF re: same (.1)

<b>Total for Phase ID B134</b>	Billable	24.00	12,826.00	Hearings
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**Phase ID B135 Litigation**

1394.002	06/12/2024	JLF	0.20	70.00	Analyze Order Extend the Time Period within which the Debtors May File Notices to Remove Actions (.1); Inform M. McGuire and J. Brooks re: Removal extended deadline (.1)
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<b>Total for Phase ID B135</b>	Billable	0.20	70.00	Litigation
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**Phase ID B136 LRC Retention & Fee Matters**

1394.002	06/13/2024	GAW	0.40	180.00	confer w. JBB re: LRC 4th Monthly Fee App; Draft same;
1394.002	06/14/2024	JBB	0.70	374.50	Draft LRC monthly fee application (.6); email same to MBM (.1)
1394.002	06/20/2024	JLF	1.60	560.00	Draft Certification of Counsel re: First Interim Fee Application for Debtors' Professionals (.3); Draft First Interim Fee Binder Index (.7); Draft Interim Fee Order (.5); Email to J. Brooks re: same (.1)
1394.002	06/20/2024	JBB	0.80	428.00	Revise LRC monthly fee application (.4); email same to MBM for review (.1); finalize same for filing (.2) email same to MBM for filing (.1)
1394.002	06/21/2024	MBM	0.20	205.00	review of quarterly fee order

Fee App - Detailed Fees  
Landis Rath & Cobb LLP

Client	Trans Date	Tkpr	Hours to Bill	Amount	
<b>Phase ID B136 LRC Retention &amp; Fee Matters</b>					
1394.002	06/21/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Application for Compensation (Fourth) of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-in-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. Â§Â§ 330 and 331 for the period May 1, 2024 to May 31, 2024 (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re same (.1)
1394.002	06/26/2024	JLF	1.20	420.00	Emails to/from J. Brooks re: First Interim Fee Binder of Debtor Professionals (.1); Preparation of First Interim Fee Binder (1.1)
1394.002	06/26/2024	JBB	0.50	267.50	Review fee index binder for delivery to chambers (.2); assist with filing and uploading of proposed order (.2); emails with JF re: same (.1)
<b>Total for Phase ID B136</b>		Billable	5.80	2,575.00	LRC Retention & Fee Matters
<b>Phase ID B144 Non-LRC Retention &amp; Fee Matters</b>					
1394.002	06/03/2024	JBB	0.20	107.00	Email as-filed Certificate of No Objection re: Sonoran's third monthly fee application to M. Foster and R. Christopher (.2)
1394.002	06/04/2024	JBB	0.60	321.00	Call with T. Kohl re: fee issues (.2); confer with MBM re: same (.1); review SSG retention and interim compensation orders (.2); follow up email to T. Kohl re: fee issues (.1)
1394.002	06/05/2024	JLF	0.30	105.00	Emails to/from J. Brooks re: draft Certificate of No Objection KCC 2nd Monthly Fee Application (.1); Draft Certificate of No Objection re: same (.2)
1394.002	06/06/2024	JBB	0.20	107.00	Assist with filing Certificate of No Objection re: Sonoran's fee application
1394.002	06/14/2024	JBB	0.90	481.50	Review WilmerHale's monthly fee application (.3); draft notice re: same (.2); emails with L. Lifland re: same (.1); finalize same for filing (.3)
1394.002	06/14/2024	JBB	1.10	588.50	Review, revise and finalize for filing Sonoran's fourth monthly fee application (.6); email same to M. Foster for approval to file (.1); emails with MBM for review of same (.1); assist with filing same (.2); email as-filed copy to R. Christopher and M. Foster (.1)
1394.002	06/14/2024	JLF	0.40	140.00	Emails to/from M. McGuire, J. Brooks and G. Williams re: (Fourth) of Sonoran Capital Advisors, LLC, Financial Advisor to the Debtors and Debtors-in-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. Â§Â§ 330 and 331 for the period May 1, 2024 to May 31, 2024 (.1); Finalize and file re: same (.2); Email to KCC to Effectuate service re: same (.1)
1394.002	06/14/2024	JLF	0.40	140.00	Emails to/from M. McGuire, J. Brooks and G. Williams re:(Fourth) of Wilmer Cutler Pickering Hale and Dorr LLP, Special Corporate Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. Â§Â§ 330 and 331 for the period May 1, 2024 to May 31, 2024 (.1); Finalize and file re: same (.2); Email to KCC to Effectuate service re: same (.1)
1394.002	06/17/2024	JBB	0.10	53.50	Emails with clerk's office re notice of WilmerHale's fee application
1394.002	06/21/2024	JBB	0.90	481.50	Review and revise Certification of Counsel re: interim fee applications
1394.002	06/25/2024	JBB	0.10	53.50	Emails with R. Christopher re: interim fee payments
1394.002	06/25/2024	JBB	1.30	695.50	Email draft order approving interim fee applications to estate professionals for review (.3); email same to UST for review (.1); review and finalize fee application index (.9)
1394.002	06/26/2024	MR	0.50	175.00	email with JBB re: Certification of Counsel re: interim fee order (.1); assist with finalizing and filing same (.3); update and upload re: same (.1)
1394.002	06/26/2024	JLF	0.50	175.00	Draft Certificate of No Objection of Sonoran's 4th Monthly Fee Application (.2); Draft Certificate of No Objection WilmerHale's 4th Monthly Fee Application (.2); Email to . Brooks re: same (.1)
1394.002	06/26/2024	JBB	0.60	321.00	Finalize Certification of Counsel and proposed order approving interim fee applications (.3); emails with MBM and JF to file (.1); communications with MR re: same (.2)
1394.002	06/27/2024	JBB	0.30	160.50	Review and revise Certificate of No Objection for Sonoran and WilmerHale fee applications
1394.002	06/28/2024	JBB	0.20	107.00	Emails with WilmerHale and Sonoran re: any objections to fee applications
<b>Total for Phase ID B144</b>		Billable	8.60	4,212.50	Non-LRC Retention & Fee Matters
<b>Phase ID B146 Plan and Disclosure Statement (including Business Plan)</b>					
1394.002	06/06/2024	JBB	0.30	160.50	Draft confirmation brief
1394.002	06/10/2024	JBB	3.40	1,819.00	Continue drafting confirmation brief (3.2); confer with JF re: critical dates in connection with confirmation (.2)
1394.002	06/10/2024	JBB	1.70	909.50	Draft plan supplement and liquidation trust agreement (1.4); emails with MBM re: same (.2); emails with M. Foster re: rate structure (.1)
1394.002	06/11/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Notice of Plan Supplement (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	06/11/2024	JBB	2.70	1,444.50	Continue drafting confirmation brief (1.3); draft confirmation order and notice of effective date (1.4)
1394.002	06/11/2024	JBB	1.30	695.50	Review and revise plan supplement (1.0); emails with MBM and JF re: filing same (.1);



Fee App - Detailed Fees  
Landis Rath & Cobb LLP

Client	Trans Date	Tkpr	Hours to Bill	Amount	
<b>Phase ID B146 Plan and Disclosure Statement (including Business Plan)</b>					
					assist with filing same (.2)
1394.002	06/11/2024	JBB	2.60	1,391.00	Revise confirmation brief (2.4); email revised draft and redline to MBM for review (.2)
1394.002	06/11/2024	JBB	1.10	588.50	Review and analyze solicitation procedures order re: plan supplement issues (.6); confer with MRP and KAB re: same (.2); emails with MBM and KCC re: service issues (.3)
1394.002	06/11/2024	MBM	2.50	2,562.50	review and revise plan supplement and liquidation trust agreement
1394.002	06/11/2024	MBM	0.90	922.50	call with UST re: plan comments (.3); finalize plan supplement (.6)
1394.002	06/12/2024	JBB	0.30	160.50	Review and revise confirmation order
1394.002	06/12/2024	JBB	1.30	695.50	Draft declaration in support of confirmation
1394.002	06/13/2024	JLF	0.40	140.00	Emails to/from J. Brooks and G. Williams re: draft Certificate of No Objection Motion to Extend Exclusivity (.1); Draft Certificate of No Objection re: same (.3)
1394.002	06/13/2024	JBB	0.60	321.00	Draft notice of revised plan (.5); emails with MBM re: same (.1)
1394.002	06/13/2024	MBM	2.10	2,152.50	review and analyze UST comments to Plan (1.1); revisions to plan re: same (1.0)
1394.002	06/13/2024	MBM	1.90	1,947.50	draft and revise Globus sale order
1394.002	06/13/2024	MBM	0.70	717.50	review and revise Christopher declaration in support of confirmation
1394.002	06/14/2024	JBB	0.50	267.50	Review and finalize Certificate of No Objection re: exclusivity extension motion (.2); emails with MBM re: same (.1); assist with filing (.2)
1394.002	06/14/2024	JBB	0.40	214.00	Draft notice of filing proposed confirmation order
1394.002	06/14/2024	JLF	0.30	105.00	Emails to/from M. McGuire, J. Brooks and G. Williams re: Certificate of No Objection Regarding Debtors' Motion for an Order Extending Their Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances (.1); Finalize and file re: same (.2)
1394.002	06/14/2024	MBM	4.80	4,920.00	review and revise confirmation brief (2.2); confirmation order (2.0) and christopher declaration (.6)
1394.002	06/16/2024	JBB	0.30	160.50	Emails with MBM and KCC re: voting declaration
1394.002	06/16/2024	MBM	1.30	1,332.50	review and revise Miller declaration (.9); emails with Miller and Brooks re: same (.4)
1394.002	06/17/2024	JLF	0.30	105.00	Analyze Order Granting the Debtors' Motion for an Order Extending Their Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances (.1); Email to M. McGuire and J. Brooks re: same (.1); Email to KCC to effectuate service re: same (.1)
1394.002	06/17/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Voting Declaration (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	06/17/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Notice of Filing of Revised Plan Supplement (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	06/17/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Declaration of Richard Christopher in Support of Confirmation of the Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code (.1); Finalize and file re: same (.1); Email to KCC to Effectuate service re: same (.1)
1394.002	06/17/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Debtors' Memorandum of Law in Support of (A) Final Approval of the Disclosure Statement and (B) Confirmation of the Plan (.1); Finalize and file re: same (.1); Email to KCC to Effectuate service re: same (.1)
1394.002	06/17/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Notice of Filing of Proposed Confirmation Order (.1); Finalize and file re: same (.1); Email to KCC to Effectuate service re: same (.1)
1394.002	06/17/2024	JBB	1.20	642.00	Emails with MBM and JF re: confirmation hearing date (.1); finalize notice of further revised plan (.2); finalize voting declaration for filing (.2); emails with MBM re: both (.1); confer with JF re: confirmation related filings (.2); assist with filing further revised plan and voting declaration (.4)
1394.002	06/17/2024	JBB	3.00	1,605.00	Review and revise confirmation brief (1.3); review and analyze declaration in support of confirmation (.4); review and revise confirmation order (1.1); assist with filing declaration (.2);
1394.002	06/17/2024	JBB	1.20	642.00	Assist with filing confirmation brief (.2); draft notice of filing proposed confirmation order (.3); assist with filing same (.2); emails with MBM and UST re: revised proposed confirmation order (.3); redline confirmation order and email to MBM (.2)
1394.002	06/17/2024	MBM	5.10	5,227.50	review and revise confirmation brief (1.6); review of confirmation declarations (1.3); review and revise confirmation order (1.7); numerous communications with Brooks and client re: same (.5)
1394.002	06/18/2024	GAW	1.10	495.00	email w. JBB re: confirmation order; review notice of filing revised proposed confirmation order
1394.002	06/18/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Certification of Counsel for Revised proposed Confirmation Order (.1); Finalize and file re: same (.2)
1394.002	06/18/2024	JBB	1.10	588.50	Draft notice of revised confirmation order (.2); emails with GAW re: same (.1); review and revise Certification of Counsel re: revised confirmation order (.5); email same to MBM for review (.1); assist with filing same (.2)
1394.002	06/18/2024	MBM	1.10	1,127.50	review of revised confirmation order (.9) and emails with Cudia re: same (.2)
1394.002	06/19/2024	MBM	1.80	1,845.00	review of plan, ds and confirmation order to prepare for confirmation hearing

Client	Trans Date	Tkpr	Hours to Bill	Amount	
Phase ID B146 Plan and Disclosure Statement (including Business Plan)					
1394.002	06/20/2024	JBB	1.40	749.00	Revise plan and run redlines (.9); emails with MBM and UST to file same (.3); revise Certification of Counsel re: further revised plan (.2)
1394.002	06/20/2024	MBM	1.00	1,025.00	review of revised plan and confirmation order (.8); emails with Cudia and Brooks re: same (.2)
1394.002	06/21/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Certification of Counsel Regarding Revised Plan and Revised Proposed Confirmation Order (.1); Finalize and file re: same (.2)
1394.002	06/21/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Findings of Fact, Conclusions of Law, and Order (I) Confirming Joint Plan of Liquidation of InVivo Therapeutics Corporation and InVivo Therapeutics Holdings Corp. Pursuant to Chapter 11 of the Bankruptcy Code and (II) Approving the Disclosure Statement on a Final Basis (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re same (.1)
1394.002	06/21/2024	JBB	0.30	160.50	Assist with filing and uploading revised confirmation order and revised plan
1394.002	06/21/2024	MBM	1.00	1,025.00	review of final revised plan and confirmation and Certification of Counsel re: same (.9); emails with Brooks re: same (.1)
Total for Phase ID B146		Billable	54.10	39,949.50	Plan and Disclosure Statement (including Business Plan)
Phase ID B151 Schedules/Operating Reports					
1394.002	06/06/2024	JBB	0.20	107.00	Emails with UST and Sonoran re: UST fee payments
1394.002	06/21/2024	JBB	0.50	267.50	Review and finalize MORs
1394.002	06/25/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: May Monthly Operating Reports (.1); Finalize and file May InVivo Therapeutics Holdings Corp. MOR (.1); Finalize and file re: May InVivo Therapeutics Corporation. MOR (.1)' Email to KCC to effectuate service to US Trustee (.1)
Total for Phase ID B151		Billable	1.10	514.50	Schedules/Operating Reports
GRAND TOTALS					
		Billable	116.90	78,096.50	

## **EXHIBIT B**

Client	Trans Date	Rate	Units	Amount
Activity ID E106 Online research				
1394.002	06/30/2024			10.46 Online research Relx Inc. DBA LexisNexis - Invoice 3095177948
Total for Activity ID E106		Billable	10.46	Online research
GRAND TOTALS				
		Billable	10.46	

**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)

**CERTIFICATION OF MATTHEW B. MCGUIRE**

Matthew B. McGuire, an attorney-at-law, duly admitted and in good standing to practice in the State of Delaware, hereby certifies that:

1. I am a partner in the firm of Landis Rath & Cobb LLP (“LRC”) and I am duly authorized to make this certification on behalf of LRC. LRC was retained by the above-captioned debtors and debtors-in-possession as their counsel pursuant to an order of the Court. This certification is made in support of the *Fifth Monthly Application of Landis Rath & Cobb LLP, Counsel to the Debtors and Debtors-In-Possession, for Compensation and Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331 for the Period from June 1, 2024 through June 30, 2024* (the “Application”) and in compliance with rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (“Rule 2016-2”).

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<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.

2. I have read the Application and I certify that the Application substantially complies with Rule 2016-2.

Dated: July 12, 2024  
Wilmington, Delaware

/s/ Matthew B. McGuire  
Matthew B. McGuire