

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

INVIVO THERAPEUTICS CORPORATION, *et al.*,¹

Debtors.

Chapter 11

Case No. 24-10137 (MFW)

(Jointly Administered)

Hearing Date: September 10, 2024 at 10:30 a.m. (ET)

Obj. Deadline: September 3, 2024 at 4:00 p.m. (ET)

Ref. No. 293

NOTICE OF FILING CORRECTED EXHIBIT B TO THE COMBINED SIXTH
MONTHLY AND FINAL 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

PLEASE TAKE NOTICE that on August 1, 2024, Landis Rath & Cobb LLP (“LRC”) filed the *Combined Sixth Monthly and Final 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* [D.I. 293] (the “Application”).

PLEASE TAKE FURTHER NOTICE that the LRC hereby files a corrected Exhibit B to the Application, which is annexed hereto as Exhibit 1.

Dated: August 19, 2024
Wilmington, Delaware

LANDIS RATH & COBB LLP

/s/ Joshua B. Brooks

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 InVivo Therapeutics Liquidation Trust

¹ 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.



EXHIBIT 1

MONTHLY STATEMENT OF FEES BY PROJECT CATEGORY¹
JULY 1, 2024 THROUGH AND INCLUDING JULY 12, 2024

Project Category	Hours	Fee Amount
B110 – Asset Analysis and Recovery	0.00	\$0.00
B112 – Asset Disposition	8.70	\$6,987.00
B114 – Assumption/Rejection of Leases and Contracts	0.00	\$0.00
B118 – Board of Directors Matters	0.00	\$0.00
B120 – Business Operations	0.00	\$0.00
B122 – Case Administration	1.90	\$1,493.50
B124 – Claims Administration & Operations	0.00	\$0.00
B126 – Employee Benefits/Pensions	0.00	\$0.00
B130 – Financing/Cash Collateral	0.00	\$0.00
B134 – Hearings	9.10	\$4,147.00
B135 – Litigation	0.00	\$0.00
B136 – LRC Retention & Fee Matters	3.80	\$1,829.50
B139 – Equity Committee	0.00	\$0.00
B140 – Creditor Inquiries	0.00	\$0.00
B144 – Non-LRC Retention & Fee Matters	5.00	\$2,465.00
B146 – Plan and Disclosure Statement (including Business Plan)	1.20	\$586.50
B151 – Schedules/Operating Reports	0.00	\$0.00
B152 – Tax Issues	0.00	\$0.00
TOTAL	29.70	\$17,508.50

¹ 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.

Fee App - Detailed Fees
Landis Rath & Cobb LLP

Client	Trans Date	Tkpr	Hours to Bill	Amount	
Phase ID B112 Asset Disposition					
1394.002	07/01/2024	MBM	0.80	820.00	review and revise Kohl declaration re: Globus sale
1394.002	07/01/2024	MBM	0.20	205.00	emails with Hamel and Shuster re: Globus closing
1394.002	07/01/2024	MBM	0.20	205.00	emails with Oracle counsel re: contract treatment in Globus sale
1394.002	07/01/2024	MBM	1.30	1,332.50	review of UST comments to sale order (.3); revisions to sale order (.9); emails with UST re: same (.1)
1394.002	07/02/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Declaration of Teresa C. Kohl in Support of Proposed Order Approving Asset Purchase Agreement (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	07/02/2024	JBB	0.50	267.50	Revise Kohl declaration in support of Globus sale (.2); emails with MBM and JF to file same (.1); assist with filing same (.2)
1394.002	07/02/2024	JBB	1.20	642.00	Revise Globus sale order (.5); email redline to UST Cudia (.1); emails with MBM re: revisions to same (.2) ;draft Certification of Counsel re: same (.3); email Certification of Counsel to MBM for review to file (.1)
1394.002	07/02/2024	JBB	0.10	53.50	Email with MR re: entry of sale order
1394.002	07/02/2024	MBM	1.00	1,025.00	call with UST re: sale order issues (.4); revisions to sale order and email with UST re: same (.6)
1394.002	07/05/2024	JBB	0.20	107.00	Review and revise Certification of Counsel re: Globus sale order
1394.002	07/05/2024	MBM	0.20	205.00	emails with Globus counsel re: sale order and closing
1394.002	07/07/2024	MBM	0.50	512.50	emails with Brooks and Oracle counsel re: sale order (.1); review of revised Certification of Counsel and Sale Order (.4)
1394.002	07/08/2024	MR	0.30	105.00	finalize and file Certification of Counsel re: sale order (.2); emails with MBM and JBB re: same (.1)
1394.002	07/08/2024	MR	0.20	70.00	review docket and retrieve Sale order; email with MBM and JBB re: same
1394.002	07/08/2024	JBB	0.60	321.00	Emails with counsel for Oracle re: revisions to Certification of Counsel for Globus sale order (.2); revise Certification of Counsel and Globus sale order (.2); email redlines of same to S. Christiansen (.2)
1394.002	07/08/2024	JBB	0.10	53.50	Emails with H. Hamel re: closing mechanics
1394.002	07/08/2024	MBM	0.90	922.50	review of finalized sale order (.3); numerous emails with Hamel and Globus re: closing (.6)
Total for Phase ID B112		Billable	8.70	6,987.00	Asset Disposition
Phase ID B122 Case Administration					
1394.002	07/12/2024	JLF	0.60	210.00	Revise Critical Dates memo (.5); email to M. McGuire and J. Brooks re: same (.1)
1394.002	07/12/2024	JBB	0.10	53.50	Emails with JF re: updates to critical dates memo
1394.002	07/12/2024	MBM	1.20	1,230.00	finalize plan escrows and communications with Foster re: same (.7); numerous emails with Hamel and Christopher re: plan effectiveness (.5)
Total for Phase ID B122		Billable	1.90	1,493.50	Case Administration
Phase ID B134 Hearings					
1394.002	07/01/2024	JBB	0.50	267.50	Review and revise agenda for July 9 hearing (.2); confer and emails with JF re: upcoming filings (.3)
1394.002	07/01/2024	JLF	0.50	175.00	Emails to/from J. Brooks re: revise Agenda for July 9th hearing adding hyperlinks (.2); Review and revise Agenda (.3)
1394.002	07/01/2024	JLF	0.20	70.00	Update Agenda adding Reservation of Rights by Oracle (.1); Email to J. Brooks re: same (.1)
1394.002	07/02/2024	JLF	0.30	105.00	Revise Agenda (.2); Email to J. Brooks re: same (.1)
1394.002	07/05/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Notice of Agenda of Matters Scheduled for Hearing on July 9th (.1); Finalize and file re: same (.1); Email to KCC to effectuate service re: same (.1)
1394.002	07/05/2024	JLF	1.30	455.00	Prepare two Sale hearing binders for July 9th hearing
1394.002	07/05/2024	JBB	0.70	374.50	Communications with MBM re: agenda (.1); email draft agenda to MBM for review (.1); revise and finalize agenda (.2); emails with MBM and JF re: filing same (.1); assist with filing (.2)
1394.002	07/05/2024	JBB	0.50	267.50	Draft and finalize for filing amended agenda (.2); email same to MBM for review to file (.1); assist with filing same (.2)
1394.002	07/08/2024	JBB	0.50	267.50	Review and revise 7/9 hearing binders
1394.002	07/08/2024	MR	0.20	70.00	finalize and file amended agenda re: 7.9 hearing
1394.002	07/08/2024	MR	0.60	210.00	draft, finalize and file the second amended agenda cancelling the 7.9 hearing (.5); emails with MBM and JBB re same (.1)
1394.002	07/08/2024	JBB	0.70	374.50	Emails with MBM and MR re: second amended agenda (.1); revise second amended agenda (.2); emails with MBM and MR to file same (.1); finalize upload version of sale

Fee App - Detailed Fees
Landis Rath & Cobb LLP

Client	Trans Date	Tkpr	Hours to Bill	Amount	
Phase ID B134 Hearings					
1394.002	07/08/2024	JBB	0.90	481.50	order (.2); confer with MR re: uploading of same (.1) Update hearing binders with Certification of Counsel and amended agenda (.4); emails with MBM, client, counsel for Purchaser re: entry of sale order (1); further revise second amended agenda (.2); emails with MR re: same (.1); emails with Sonoran re: cancelled hearing (.1)
1394.002	07/11/2024	JLF	0.50	175.00	Draft July 17th Agenda re: Interim Fee Applications (.4); Email to J. Brooks re: same (.1)
1394.002	07/12/2024	JBB	1.40	749.00	Review and revise hearing for July 17 hearing (1.2); draft email to chambers re: canceling July 17 hearing (.1); email MBM draft agenda for review (.1)
Total for Phase ID B134		Billable	9.10	4,147.00	Hearings
Phase ID B136 LRC Retention & Fee Matters					
1394.002	07/05/2024	JLF	0.30	105.00	Draft Certificate of No Objection re: Landis Rath & Cobb's 4th Monthly Fee Application (.2); Email to J. Brooks re: same (.1)
1394.002	07/08/2024	MR	0.20	70.00	email with JBB and MBM re: LRC's 4th fee app; file same
1394.002	07/08/2024	JBB	0.40	214.00	Revise Certificate of No Objection re: LRC fee application (.2); emails with MBM and GAW re: any objection received (.1); emails with MBM re: filing Certificate of No Objection (.1)
1394.002	07/09/2024	JBB	0.50	267.50	Emails with LP re: invoice for LRC fees (.1); revise invoice (.1); email invoice to R. Christopher (.1); emails with MBM and R. Christopher re: as-filed Certificate of No Objection (.1); emails with MBM re: invoice (.1)
1394.002	07/11/2024	JBB	0.20	107.00	Draft invoice for holdback amount
1394.002	07/11/2024	JBB	0.20	107.00	Emails with R. Christopher order approving interim fees and LRC fee payments
1394.002	07/11/2024	JLF	0.20	70.00	Analyze and circulate Order Approving Interim Fee Applications to M. McGuire and J. Brooks re: same (.1); Email to KCC to effectuate service re: same (.1)
1394.002	07/12/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Monthly Application for Compensation (Fifth) of Landis Rath & Cobb LLP (.1); Finalize and file same (.2) Email to KCC to effectuate service re: same (.1)
1394.002	07/12/2024	JBB	1.40	749.00	Confer with JF re: filing of LRC fee application (.1); review and revise LRC fee application (1.0); email revised draft to MBM to file (.1); assist with filing same (.2)
Total for Phase ID B136		Billable	3.80	1,829.50	LRC Retention & Fee Matters
Phase ID B144 Non-LRC Retention & Fee Matters					
1394.002	07/01/2024	JLF	0.30	105.00	Emails to/from J. Brooks re: Certificate of No Objection re: Fourth Monthly Application of Wilmer Cutler Pickering Hale and Dorr LLP (.1); Finalize and file same (.2)
1394.002	07/01/2024	JLF	0.30	105.00	Emails to/from J. Brooks re: Certificate of No Objection re: Fourth Application of Sonoran Capital Advisors, LLC (.1); Finalize and file same (.2)
1394.002	07/01/2024	JBB	0.60	321.00	Review and analyze Certificate of No Objection re: Sonoran and WilmerHale fee applications (.2); emails with MBM and JF re: filing same (.1); assist with filing same (.3)
1394.002	07/02/2024	MBM	0.10	102.50	review KCC fee application
1394.002	07/03/2024	JBB	0.80	428.00	Review and revise KCC fee application and notice (.5); email redline and clean copy to KCC for filing (.2); email same to MBM for review to file (.1)
1394.002	07/05/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Monthly Application for Compensation (Third) of Kurtzman Carson Consultants, LLC (.1); Finalize and file same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	07/05/2024	JBB	0.60	321.00	Follow up email with KCC re: filing fee app (.1); revise and finalize same (.2); follow up email with MBM to file same (.1); assist with filing same (.2)
1394.002	07/10/2024	JBB	0.60	321.00	Review WilmerHale's June fee application (.5); emails with L. Lifland re: same (.1)
1394.002	07/11/2024	JBB	0.70	374.50	Retrieve and email interim fee order to R. Christopher (.1); emails with L. Lifland and G. Shuster re: WilmerHale fee application (.1); finalize same for filing (.2); email same to MBM and JF for review to file (.1); assist with filing same (.2)
1394.002	07/11/2024	JLF	0.40	140.00	Emails to/from M. McGuire and J. Brooks re: Monthly Application for Compensation (Fifth) of Wilmer Cutler Pickering Hale and Dorr LLP (.1); Finalize and file re: same (.2); Email to KCC to effectuate service re: same (.1)
1394.002	07/11/2024	JBB	0.20	107.00	Emails with MBM and JF re: WilmerHale's fifth monthly fee application (.1); email with JF re: entry of interim fee order (.1)
Total for Phase ID B144		Billable	5.00	2,465.00	Non-LRC Retention & Fee Matters

Detail Fee Code Billable
Fee App - Detailed Fees
Landis Rath & Cobb LLP

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>Hours to Bill</u>	<u>Amount</u>	
Phase ID B146 Plan and Disclosure Statement (including Business Plan)					
1394.002	07/12/2024	JLF	0.30	105.00	Emails to/from M. McGuire and J. Brooks re: Notice Approving the Disclosure Statement on a Final Basis and Confirming the Joint Plan of Liquidation (.1); Finalize and file re: same (.1); Email to KCC to effectuate service re: same (.1)
1394.002	07/12/2024	JBB	0.20	107.00	Call with Sonoran re: post-effective date issues
1394.002	07/12/2024	JBB	0.70	374.50	Review and revise notice of effective date (.4); email same to MBM to review (.1); assist with filing same (.2)
Total for Phase ID B146		Billable	1.20	586.50	Plan and Disclosure Statement (including Business Plan)
GRAND TOTALS					
		Billable	29.70	17,508.50	