

**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)

Hearing Date: N/A

Objection Deadline: April 26, 2024 at 4:00 p.m. (ET)

**SUMMARY OF SECOND MONTHLY APPLICATION 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. §§ 330 AND 331 FOR  
THE PERIOD FROM MARCH 1, 2024 THROUGH MARCH 31, 2024**

Name of Applicant: Wilmer Cutler Pickering Hale and Dorr LLP

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

Date of Retention: March 4, 2024 effective *nunc pro tunc* to February 1, 2024

Period for which monthly compensation and reimbursement sought: March 1, 2024 through March 31, 2024

Amount of monthly fees to be approved as actual, reasonable and necessary: \$21,980.44<sup>2</sup> (80% of which equals \$17,584.35)

Amount of monthly expenses sought as actual, reasonable and necessary: \$0.00

This is a:  monthly  interim  final application

<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 01

<sup>2</sup> This amount reflects a 12.5% discount in the amount of \$3,140.06.  
{1394.002-W0075388.}



241013724041200000000001

**PRIOR APPLICATIONS**

|                   |                       | <b>Requested</b> |                 | <b>Approved</b> |                 |
|-------------------|-----------------------|------------------|-----------------|-----------------|-----------------|
| <b>Date Filed</b> | <b>Period Covered</b> | <b>Fees</b>      | <b>Expenses</b> | <b>Fees</b>     | <b>Expenses</b> |
| 3/14/2024         | 2/1/2024 – 2/29/2024  | \$61,304.25      | \$0.00          | \$49,043.40     | \$0.00          |

**COMPENSATION BY PROFESSIONAL**

| <b>Name of Professional</b>   | <b>Position; Year of Admission (if applicable); Practice Group</b>                                   | <b>Hourly Billing Rate<sup>1</sup></b> | <b>Total Hours Billed</b> | <b>Total Compensation</b> |
|-------------------------------|--|--|---------------------------|---------------------------|
| George W. Shuster, Jr.        | Partner; admitted to MA Bar since 2001 and NY Bar since 2010; Bankruptcy & Financial Restructuring   | 1,795.00                               | 4.90                      | \$8,795.50                |
| <b>Partner Total</b>          |  |  | <b>4.90</b>               | <b>\$8,795.50</b>         |
| Lauren Lifland                | Counsel; admitted to NY Bar since 2012; Bankruptcy & Financial Restructuring                         | 1,360.00                               | 7.20                      | \$9,792.00                |
| <b>Counsel Total</b>          |  |  | <b>7.20</b>               | <b>\$9,792.00</b>         |
| Austin M. Chavez              | Associate; admitted to TX Bar since 2022 and NY Bar since 2023; Bankruptcy & Financial Restructuring | 1,015.00                               | 1.40                      | \$1,421.00                |
| <b>Associate Total</b>        |  |  | <b>1.40</b>               | <b>\$1,421.00</b>         |
| Yolande Thompson              | Senior Paralegal; Bankruptcy & Financial Restructuring   | 710.00                                 | 7.20                      | \$5,112.00                |
| <b>Paraprofessional Total</b> |  |  | <b>7.20</b>               | <b>\$5,112.00</b>         |
| <b>TOTAL</b>                  |  |  | <b>20.70</b>              | <b>\$25,120.50</b>        |
| <b>Less 12.5% Discount</b>    |  |  |                           | <b>-\$3,140.06</b>        |
| <b>GRAND TOTAL</b>            |  |  | <b>20.70</b>              | <b>\$21,980.44</b>        |

**Blended Hourly Rate: \$1,213.55**

<sup>1</sup> WilmerHale's billing rates remained the same during the Application Period (defined below).

**COMPENSATION BY PROJECT CATEGORY**

| <b>Project Category</b>                              | <b>Total Hours</b> | <b>Total Fees</b>  |
|--|--------------------|--------------------|
| B110 - Case Administration                           | 0.80               | \$1,436.00         |
| B130 - Asset Disposition                             | 0.20               | \$272.00           |
| B150 - Meetings of and Communications with Creditors | 2.50               | \$4,487.50         |
| B160 - Fee/Employment Applications                   | 12.20              | \$12,042.50        |
| B185 - Assumption/Rejection of Leases and Contracts  | 1.90               | \$2,101.00         |
| B210 - Business Operations                           | 1.60               | \$2,219.50         |
| B220 - Employee Benefits/Pensions                    | 0.80               | \$1,436.00         |
| B260 - Board of Directors Matters                    | 0.40               | \$718.00           |
| B310 - Claims Administration and Objections          | 0.30               | \$408.00           |
| <b>TOTAL</b>   | <b>20.70</b>       | <b>\$25,120.50</b> |
| <b>Less 12.5% Discount</b>                           |                    | <b>-\$3,140.06</b> |
| <b>GRAND TOTAL</b>                                   | <b>20.70</b>       | <b>\$21,980.44</b> |

**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)

**Hearing Date:** N/A

**Objection Deadline:** April 26, 2024 at 4:00 p.m. (ET)

**SECOND MONTHLY APPLICATION 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. §§ 330 AND 331  
FOR THE PERIOD FROM MARCH 1, 2024 THROUGH MARCH 31 2024**

Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), special corporate counsel to the above-captioned Debtors and Debtors-in-possession (the “Debtors”), submits this *Second Monthly Application 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. §§ 330 and 331 for the Period from March 1, 2024 through March 31, 2024* (the “Application”). In this Application, WilmerHale seeks payment for legal services performed during the period commencing March 1, 2024 through and including March 31, 2024 (the “Application Period”). In support of this Application, WilmerHale respectfully states as follows:

**JURISDICTION AND VENUE**

1. The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy 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 as of February 29, 2012. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

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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.  
{1394.002-W0075388.}

This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (M), and the Bankruptcy 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 filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code [D.I. 1].

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.

5. The factual background relating to the Debtors’ commencement of these Chapter 11 Cases is set forth in detail in the *Declaration of Richard Christopher in Support of the Debtors’ Chapter 11 Petitions and First Day Pleadings* [D.I. 3].

6. The Office of the United States Trustee (the “U.S. Trustee”) did not appoint an official committee of unsecured creditors in these Chapter 11 Cases [D.I. 55] and, as of the date of this Application, no examiner or statutory committee has been appointed in these Chapter 11 Cases.

7. On February 14, 2024, the *Application of the Debtors and Debtors-In-Possession to Approve the Employment and Retention of Wilmer Cutler Pickering Hale and Dorr LLP as*

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<sup>2</sup> Pursuant to rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of the Bankruptcy Court (the “Local Rules”), WilmerHale 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.

*Special Corporate Counsel Nunc Pro Tunc to the Petition Date Pursuant to Bankruptcy Code Sections 327(e) and 328(a), Bankruptcy Rule 2014(a) and Local Rule 2014-1* was filed with the Bankruptcy Court [D.I. 57] (the “Retention Application”).

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

9. On March 4, 2024, the Bankruptcy Court entered the *Order Authorizing the Application of the Debtors and Debtors-In-Possession to Approve the Employment and Retention of Wilmer Cutler Pickering Hale and Dorr LLP as Special Corporate Counsel Nunc Pro Tunc to the Petition Date Pursuant to Bankruptcy Code Sections 327(e) and 328(a), Bankruptcy Rule 2014(a) and Local Rule 2014-1* [D.I. 99].

10. On March 14, 2024, the *First Monthly Application 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. §§ 330 and 331 for the Period from February 1, 2024 through February 29, 2024* [D.I. 111] (the “First Monthly Fee Application”) was filed with the Bankruptcy Court. No objections or other responsive pleadings were filed in response to the First Monthly Fee Application. *See Certificate of No Objection* [D.I. 131].

### **COMPENSATION REQUESTED**

11. By this Application and in accordance with the Interim Compensation Order, WilmerHale seeks (i) allowance of compensation in the amount of **\$21,980.44**<sup>3</sup> for reasonable and necessary professional services rendered, (ii) payment of compensation in the amount of 80%

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<sup>3</sup> This amount reflects a 12.5% discount in the amount of \$3,140.06.

thereof (in the amount of **\$17,584.35**) and (iii) payment of **\$0.00** for actual and necessary expenses incurred during the Application Period.

12. All services and costs for which compensation is requested by WilmerHale in this Application were reasonable and necessary and were performed for and on behalf of the Debtors during the Application Period.

### **VALUATION OF SERVICES PERFORMED**

13. During the Application Period, attorneys and paraprofessionals of WilmerHale expended a total of **20.70** hours in rendering legal services to the Debtors having a value, exclusive of expenses, of **\$25,120.50**. The blended hourly rate for WilmerHale's services for the Application Period is **\$1,213.55**.

14. The services performed by WilmerHale during the Application Period included, among others, (i) conferring with the Debtors regarding equity committee formation issues and correspondence with the U.S. Trustee regarding same, (ii) preparing, finalizing and filing WilmerHale's first fee statement, and (iii) addressing certain issues related to the Debtors' employee benefits.

15. A summary of the hours spent, the names of each professional and paraprofessional rendering services to the Debtors during the Application Period, the regular customary billing rates and the total value of time incurred by each of the WilmerHale professionals rendering services to the Debtors during the Application Period are attached hereto as **Exhibit A**.

16. A detailed itemization, by project category, of all services performed by WilmerHale during the Application Period is attached hereto as **Exhibit B**. 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.

17. WilmerHale did not incur any necessary out of pocket expenses in connection with rendering services to the Debtors during the Application Period.

18. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, it is respectfully submitted that the amount requested by WilmerHale is fair and reasonable given (a) the complexity of this case, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services and (e) the costs of comparable services other than in a case under this title.

**CERTIFICATE OF COMPLIANCE AND WAIVER**

19. The undersigned representative of WilmerHale 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 Rule 2016-2, WilmerHale believes that such deviations are not material and respectfully requests that any such requirements be waived.

**NOTICE AND NO PRIOR REQUEST**

20. Notice of this Application has been given to the following parties or, in lieu of, to their counsel, if known: (a) the U.S. Trustee; and (b) all parties required to be given notice in the Interim Compensation Order. WilmerHale submits that no other or further notice is necessary.

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

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

Dated: April 12, 2024

**WILMER CUTLER PICKERING  
HALE AND DORR LLP**

/s/ George W. Shuster, Jr.

George W. Shuster, Jr., Esq.

7 World Trade Center

250 Greenwich Street

New York, New York 10007

Telephone: (212) 230-8000

Email: george.shuster@wilmerhale.com

*Special Corporate Counsel to 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

Objection Deadline: April 26, 2024 at 4:00 p.m. (ET)

**NOTICE OF SECOND MONTHLY APPLICATION 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. §§ 330 AND 331 FOR  
THE PERIOD FROM MARCH 1, 2024 THROUGH MARCH 31, 2024**

**PLEASE TAKE NOTICE** that on the date hereof, Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), special corporate counsel to the Debtors and Debtors in Possession, has filed the *Second Monthly Application 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. §§ 330 and 331 for the Period from March 1, 2024 through March 31, 2024* (the “Application”) with the United States Bankruptcy Court for the District of Delaware.

**PLEASE TAKE FURTHER NOTICE** that any objections or responses to the relief requested in 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 **April 26, 2024 at 4:00 p.m. (ET)** (the “Objection Deadline”):

- (1) Special corporate counsel to the Debtors, WilmerHale, 7 World Trade Center, 250 Greenwich Street, New York, New York 10007, Attn: George W. Shuster, Jr., Esq. (george.shuster@wilmerhale.com );
- (2) 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);
- (3) 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
- (4) counsel to any Committee.

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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.

**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 BE AUTHORIZED TO PAY WILMERHALE 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: April 12, 2024

**LANDIS RATH & COBB LLP**

*/s/ Joshua B. Brooks*

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Matthew B. McGuire (No. 4366)

Joshua B. Brooks (No. 6765)

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

# EXHIBIT A

**COMPENSATION BY PROFESSIONAL**

| <b>Name of Professional</b>   | <b>Position; Year of Admission (if applicable); Practice Group</b>                                   | <b>Hourly Billing Rate<sup>1</sup></b> | <b>Total Hours Billed</b> | <b>Total Compensation</b> |
|-------------------------------|--|--|---------------------------|---------------------------|
| George W. Shuster, Jr.        | Partner; admitted to MA Bar since 2001 and NY Bar since 2010; Bankruptcy & Financial Restructuring   | 1,795.00                               | 4.90                      | \$8,795.50                |
| <b>Partner Total</b>          |  |  | <b>4.90</b>               | <b>\$8,795.50</b>         |
| Lauren Lifland                | Counsel; admitted to NY Bar since 2012; Bankruptcy & Financial Restructuring                         | 1,360.00                               | 7.20                      | \$9,792.00                |
| <b>Counsel Total</b>          |  |  | <b>7.20</b>               | <b>\$9,792.00</b>         |
| Austin M. Chavez              | Associate; admitted to TX Bar since 2022 and NY Bar since 2023; Bankruptcy & Financial Restructuring | 1,015.00                               | 1.40                      | \$1,421.00                |
| <b>Associate Total</b>        |  |  | <b>1.40</b>               | <b>\$1,421.00</b>         |
| Yolande Thompson              | Senior Paralegal; Bankruptcy & Financial Restructuring   | 710.00                                 | 7.20                      | \$5,112.00                |
| <b>Paraprofessional Total</b> |  |  | <b>7.20</b>               | <b>\$5,112.00</b>         |
| <b>TOTAL</b>                  |  |  | <b>20.70</b>              | <b>\$25,120.50</b>        |
| <b>Less 12.5% Discount</b>    |  |  |                           | <b>-\$3,140.06</b>        |
| <b>GRAND TOTAL</b>            |  |  | <b>20.70</b>              | <b>\$21,980.44</b>        |

**Blended Hourly Rate: \$1,213.55**

<sup>1</sup> WilmerHale's billing rates remained the same during the Application Period.  
{1394.002-W0075388.}

# EXHIBIT B

**COMPENSATION BY PROJECT CATEGORY**

| <b>Project Category</b>                              | <b>Total Hours</b> | <b>Total Fees</b>  |
|--|--------------------|--------------------|
| B110 - Case Administration                           | 0.80               | \$1,436.00         |
| B130 - Asset Disposition                             | 0.20               | \$272.00           |
| B150 - Meetings of and Communications with Creditors | 2.50               | \$4,487.50         |
| B160 - Fee/Employment Applications                   | 12.20              | \$12,042.50        |
| B185 - Assumption/Rejection of Leases and Contracts  | 1.90               | \$2,101.00         |
| B210 - Business Operations                           | 1.60               | \$2,219.50         |
| B220 - Employee Benefits/Pensions                    | 0.80               | \$1,436.00         |
| B260 - Board of Directors Matters                    | 0.40               | \$718.00           |
| B310 - Claims Administration and Objections          | 0.30               | \$408.00           |
| <b>TOTAL</b>   | <b>20.70</b>       | <b>\$25,120.50</b> |
| <b>Less 12.5% Discount</b>                           |                    | <b>-\$3,140.06</b> |
| <b>GRAND TOTAL</b>                                   | <b>20.70</b>       | <b>\$21,980.44</b> |

Client No. 2210508  
 Matter No. 2210508-00140

InVivo Therapeutics Corporation  
 Bankruptcy

Legal Services through March 31, 2024

| Date   | Timekeeper             | Hours       | Value           | Description   |
|--|------------------------|-------------|-----------------|---|
| <b>B110 - Case Administration</b>                          |                        |             |                 |   |
| 03/05/24   | Shuster Jr., George W. | 0.40        | 718.00          | Participate in case status call with working group  |
| 03/11/24   | Shuster Jr., George W. | 0.40        | 718.00          | Participate in case status call with working group  |
|  |                        | <b>0.80</b> | <b>1,436.00</b> |   |
| <b>B130 - Asset Disposition</b>                            |                        |             |                 |   |
| 03/26/24   | Lifland, Lauren        | 0.20        | 272.00          | Emails with WilmerHale team re bid procedures, sale status  |
|  |                        | <b>0.20</b> | <b>272.00</b>   |   |
| <b>B150 - Meetings of and Communications with Creditor</b> |                        |             |                 |   |
| 03/26/24   | Shuster Jr., George W. | 0.50        | 897.50          | Review and discuss equity committee formation requests with LRC   |
| 03/27/24   | Shuster Jr., George W. | 0.70        | 1,256.50        | Prepare for and participate in call with working group regarding response to requests to appoint equity committee |
| 03/28/24   | Shuster Jr., George W. | 0.50        | 897.50          | Attention to response to request to form equity committee   |
| 03/29/24   | Shuster Jr., George W. | 0.50        | 897.50          | Call with working group regarding response to UST inquiry regarding equity committee formation                    |
| 03/29/24   | Shuster Jr., George W. | 0.30        | 538.50          | Review revised draft UST response in connection with equity committee formation request                           |
|  |                        | <b>2.50</b> | <b>4,487.50</b> |   |

| <b>Date</b>                               | <b>Timekeeper</b> | <b>Hours</b> | <b>Value</b> | <b>Description</b>  |
|---|-------------------|--------------|--------------|---|
| <b>B160 - Fee/Employment Applications</b> |                   |              |              |   |
| 03/04/24                                  | Lifland, Lauren   | 0.20         | 272.00       | Emails with S. D'Alessandro re February invoice in connection with fee statement  |
| 03/05/24                                  | Lifland, Lauren   | 0.70         | 952.00       | Review and comment on February invoice in connection with fee app                 |
| 03/08/24                                  | Lifland, Lauren   | 0.40         | 544.00       | Review revised draft invoice in connection with first fee app                     |
| 03/11/24                                  | Lifland, Lauren   | 0.20         | 272.00       | Emails with accounting re February invoice  |
| 03/11/24                                  | Lifland, Lauren   | 0.70         | 952.00       | Further edits re February invoice in connection with fee statement                |
| 03/12/24                                  | Thompson, Yolande | 0.50         | 355.00       | Review docket and relevant pleadings to be cited in fee application               |
| 03/12/24                                  | Thompson, Yolande | 0.60         | 426.00       | Review invoice provided by L. Lifland in connection with preparing fee app        |
| 03/12/24                                  | Thompson, Yolande | 0.60         | 426.00       | Review sample monthly fee application provided by L. Lifland                      |
| 03/12/24                                  | Thompson, Yolande | 0.50         | 355.00       | Review firm internet to confirm bar admissions, etc. for timekeepers              |
| 03/12/24                                  | Lifland, Lauren   | 0.50         | 680.00       | Review revised February invoice in connection with fee app                        |
| 03/12/24                                  | Lifland, Lauren   | 0.20         | 272.00       | Emails with accounting re February invoice in connection with fee statement       |
| 03/12/24                                  | Thompson, Yolande | 2.80         | 1,988.00     | Prepare First Monthly Fee Application   |
| 03/12/24                                  | Thompson, Yolande | 0.50         | 355.00       | Prepare spreadsheet calculating certain amounts to be included in fee application |
| 03/12/24                                  | Lifland, Lauren   | 0.10         | 136.00       | Emails with local counsel re February fee app                                     |
| 03/12/24                                  | Thompson, Yolande | 0.10         | 71.00        | Emails with L. Lifland re preparing monthly fee application                       |

| <b>Date</b> | <b>Timekeeper</b>      | <b>Hours</b> | <b>Value</b>     | <b>Description</b>  |
|-------------|------------------------|--------------|------------------|---|
| 03/13/24    | Lifland, Lauren        | 0.20         | 272.00           | Emails with local counsel re fee app  |
| 03/13/24    | Thompson, Yolande      | 0.10         | 71.00            | Review emails from L. Lifland and G. Shuster re approval of First Fee Application |
| 03/13/24    | Lifland, Lauren        | 0.50         | 680.00           | Review draft fee app  |
| 03/13/24    | Thompson, Yolande      | 1.40         | 994.00           | Finalize First Monthly Fee Application  |
| 03/13/24    | Thompson, Yolande      | 0.10         | 71.00            | Email First Monthly Fee Application to L. Lifland for review                      |
| 03/14/24    | Shuster Jr., George W. | 0.30         | 538.50           | Attention to fee application review   |
| 03/14/24    | Lifland, Lauren        | 0.40         | 544.00           | Revise and finalize fee app per local counsel comments                            |
| 03/14/24    | Lifland, Lauren        | 0.30         | 408.00           | Emails with G. Shuster re local counsel comments to fee app                       |
| 03/28/24    | Lifland, Lauren        | 0.10         | 136.00           | Emails with local counsel re CNO for fee app                                      |
| 03/28/24    | Lifland, Lauren        | 0.20         | 272.00           | Emails with A. Chavez re CNO for first fee applications                           |
|             |                        | <b>12.20</b> | <b>12,042.50</b> |   |

#### **B185 - Assumption/Rejection of Leases and Contracts**

|          |                   |             |                 |   |
|----------|-------------------|-------------|-----------------|---|
| 03/29/24 | Chavez, Austin M. | 1.40        | 1,421.00        | Draft and revise summary of Oracle's objection to sale motion   |
| 03/29/24 | Lifland, Lauren   | 0.20        | 272.00          | Emails with Wilmer team re Oracle limited objection/reservation of rights to sale motion/notice of assumption |
| 03/29/24 | Lifland, Lauren   | 0.30        | 408.00          | Review and analyze Oracle limited objection/reservation of rights to sale motion/notice of assumption         |
|          |                   | <b>1.90</b> | <b>2,101.00</b> |   |

| <b>Date</b>  | <b>Timekeeper</b>      | <b>Hours</b>        | <b>Value</b>            | <b>Description</b>  |
|--|------------------------|---------------------|-------------------------|---|
| <b>B210 - Business Operations</b>                  |                        |                     |                         |   |
| 03/04/24   | Shuster Jr., George W. | 0.10                | 179.50                  | Emails with H. Hamel regarding cash status                |
| 03/05/24   | Lifland, Lauren        | 1.30                | 1,768.00                | Draft itemized budget in connection with bankruptcy cases |
| 03/07/24   | Lifland, Lauren        | 0.20                | 272.00                  | Emails with client re budget                              |
|  |                        | <b>1.60</b>         | <b>2,219.50</b>         |   |
| <b>B220 - Employee Benefits/Pensions</b>           |                        |                     |                         |   |
| 03/04/24   | Shuster Jr., George W. | 0.40                | 718.00                  | Attention to 401(k) plan and other benefits issues        |
| 03/05/24   | Shuster Jr., George W. | 0.20                | 359.00                  | Attention to DOL issues                                   |
| 03/06/24   | Shuster Jr., George W. | 0.20                | 359.00                  | Emails with Department of Labor regarding 401(k) plan     |
|  |                        | <b>0.80</b>         | <b>1,436.00</b>         |   |
| <b>B260 - Board of Directors Matters</b>           |                        |                     |                         |   |
| 03/25/24   | Shuster Jr., George W. | 0.40                | 718.00                  | Review and edit draft board minutes                       |
|  |                        | <b>0.40</b>         | <b>718.00</b>           |   |
| <b>B310 - Claims Administration and Objections</b> |                        |                     |                         |   |
| 03/12/24   | Lifland, Lauren        | 0.10                | 136.00                  | Review bar date motion                                    |
| 03/12/24   | Lifland, Lauren        | 0.20                | 272.00                  | Emails with A. Chavez re bar date motion                  |
|  |                        | <b>0.30</b>         | <b>408.00</b>           |   |
| <b>Total</b>                                       |                        | <b><u>20.70</u></b> | <b><u>25,120.50</u></b> |   |

**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)

**CERTIFICATION OF GEORGE W. SHUSTER, JR.**

George W. Shuster, Jr., an attorney at law, duly admitted and in good standing to practice in the State of New York and the Commonwealth of Massachusetts, hereby certifies that:

1. I am a partner in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) and I am duly authorized to make this certification on behalf of WilmerHale. WilmerHale was retained by the above-captioned Debtors and Debtors-in-Possession as its special corporate counsel pursuant to an order of the Bankruptcy Court. This certification is made in support of the *Second Monthly Application 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. §§ 330 and 331 for the Period from March 1, 2024 through March 31, 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 (the “Rule 2016-2”).

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

Dated: April 12, 2024

/s/ George W. Shuster, Jr.  
George W. Shuster, Jr.

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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. {1394.002-W0075388.}