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*Proposed Co-Counsel to the Debtors and
Debtors in Possession*

*Proposed Co-Counsel to the Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

INVITAE CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11362 (MBK)

(Jointly Administered)

**DECLARATION OF EDWARD R. REINES ON BEHALF OF PROPOSED
ORDINARY COURSE PROFESSIONAL WEIL, GOTSHAL & MANGES LLP**

Pursuant to 28 U.S.C. § 1746, I, Edward R. Reines, hereby declare as follows:

¹ The last four digits of Debtor Invitae Corporation's tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at www.kccllc.net/invitae. The Debtors' service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.



1. I am a partner of the firm of Weil, Gotshal & Manges LLP (“Weil” or the “Firm”), an international law firm with principal offices at 767 Fifth Avenue, New York, New York 10153; and regional offices in Washington, D.C.; Houston and Dallas, Texas; Miami, Florida; Boston, Massachusetts; Princeton, New Jersey; Redwood Shores, California; and foreign offices in London, United Kingdom; Frankfurt and Munich, Germany; Paris, France; and Hong Kong and Shanghai, China.

2. This Declaration is submitted in connection with an order of the United States Bankruptcy Court for the District of New Jersey authorizing Invitae Corporation and/or its affiliated debtors (collectively, the “Debtors”) to retain certain professionals in the ordinary course of business during the pendency of the Debtors’ chapter 11 cases [Docket No. 197] (the “Order”). Following the date that the Debtors commenced their chapter 11 cases (the “Petition Date”), the Debtors have requested that Weil continue to provide patent litigation legal services to the Debtors, and Weil has consented to provide such services. Accordingly, Weil is submitting this Declaration pursuant to the Order.

3. Weil, through me, and other partners, associates, or employees of Weil, has provided, or plans to provide, the following services to the Debtors from and after the Petition Date: representation of Invitae Corporation in connection with its patent infringement litigation against Natera, Inc.

4. Weil may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in these cases. As part of its customary practice, Weil is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these cases. Weil does not perform services for any such

person in connection with these cases. In addition, Weil does not have any relationship with any such person, their attorneys, or accountants that would be adverse to the Debtors or their estates.

5. Neither I, nor any principal of, or professional employed by Weil has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principals and regular employees of Weil.

6. Neither I, nor any principal of, or professional employed by Weil, insofar as I have been able to discover, holds or represents any interest adverse to the Debtors or their estates.²

7. As of the Petition Date, the Debtors owed Weil approximately \$92,734.20 for fees and expenses incurred prior to the Petition Date. For the avoidance of doubt, Weil is not seeking payment of its prepetition claim for fees and expenses other than as provided for under the Bankruptcy Code.

8. As of the Petition Date, which was the date on which the Debtors commenced these chapter 11 cases, Weil was not party to an agreement for indemnification with the Debtors.

9. At any time during the period of its employment, if Weil should discover any facts bearing on the matters described herein, Weil will supplement the information contained in this Declaration.

10. I, or a representative of Weil, have read and am familiar with the requirements of the *Order Authorizing Employment and Payment of Professionals Utilized in the Ordinary Course of Business*.

² In response to a Firm-wide inquiry relating to this paragraph 6, one Weil partner disclosed holding a *de minimis* number of shares of stock in Debtor Invitae Corporation. Out of an abundance of caution, going forward, this individual will be screened from all matters related to Weil's representation of the Debtors.

I declare under penalty of perjury that, to the best of my knowledge and after reasonable inquiry, the foregoing is true and correct.

Executed this April 5, 2024 in
Redwood Shores, California, USA

/s/ Edward R. Reines
Edward R. Reines
Partner, Weil, Gotshal & Manges LLP

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

INVITAE CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11362 (MBK)

(Jointly Administered)

RETENTION QUESTIONNAIRE

**TO BE COMPLETED BY EACH ORDINARY COURSE PROFESSIONAL
EMPLOYED BY THE DEBTORS**

Do not file this Questionnaire with the Court. Please return it to:

KIRKLAND & ELLIS LLP

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Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
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If more space is needed, please complete on a separate page and attach.

1. Name and address of firm:

Weil, Gotshal & Manges LLP, 201 Redwood Shores Parkway, Redwood Shores, CA 94065.

2. Date of retention:

October 1, 2020.

3. Type of services provided (accounting, legal, etc.):

Legal services.

4. Brief description of services to be provided:

Representation of Invitae Corporation in connection with its patent infringement litigation against Natera, Inc.

5. Prepetition claims against the Debtors held by the firm (if any):

\$92,734.20.

6. Arrangements for compensation (hourly, contingent, etc.):

Hourly.

(a) Average hourly rate (if applicable):

i. Partners and Counsel: \$1,595.00 - \$2,350.00.

ii. Associates: \$830.00 - \$1,470.00.

iii. Paralegals: \$350.00 - \$595.00.

(b) Estimated average monthly compensation:

\$350,000.

7. Prepetition claims against the Debtors held individually by any member, associate, or professional employee of the firm:

None.

8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to its estate with respect to the matters on which the above-named firm is to be employed:

N/A.

9. Name and title of individual completing this Retention Questionnaire:

Edward R. Reines; Partner.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information.

Dated: April 5, 2024

/s/ Edward R. Reines
Edward R. Reines
Partner, Weil, Gotshal & Manges LLP