

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)

(Joint Administration Pending)

NOTICE OF FILING OF PROPOSED ORDER

PLEASE TAKE NOTICE that on February 1, 2024, the above captioned debtors and debtors-in-possession (the “Debtors”) filed the *Motion of the Debtors for Entry of an Order Directing Joint Administration of Related Chapter 11 Cases* [D.I. 4].

PLEASE TAKE FURTHER NOTICE that the Debtors hereby file the *Order Granting Motion of the Debtors for Entry of an Order Directing Joint Administration of Related Chapter 11 Cases* (the “Proposed Order”) attached hereto as **Exhibit A**.

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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.



Dated: February 1, 2024
Wilmington, Delaware

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EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Invivo Therapeutics Corporation,

Debtor.

Chapter 11

Case No. 24-10137 (MFW)

In re:

Invivo Therapeutics Holdings Corp.,

Debtor.

Chapter 11

Case No. 24-10138 (MFW)

Ref. No. ____

**ORDER GRANTING MOTION OF THE DEBTORS FOR ENTRY OF AN ORDER
DIRECTING JOINT ADMINISTRATION OF RELATED CHAPTER 11 CASES**

Upon the *Motion of the Debtors for Entry of an Order Directing Joint Administration of Related Chapter 11 Cases* (the “Motion”)¹ and upon the First Day Declaration; and it appearing that this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012; and it appearing that the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and the Court may enter an order consistent with Article III of the United States Constitution; and it appearing that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that sufficient notice of the Motion has been given; and it appearing that the relief requested by the Motion is in the best interests of the Debtors’ estates; and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.

¹ All capitalized terms not otherwise defined herein shall have the same meanings ascribed to them in the Motion.

2. The Debtors' Chapter 11 Cases shall be (a) jointly administered pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015-1 and (b) consolidated for procedural purposes only.

3. The Clerk of the Court shall maintain one (1) file and one (1) docket for all of the Debtors' Chapter 11 Cases, which file and docket shall be the file and docket for the Chapter 11 Case of debtor Invivo Therapeutics Corporation, Case No. 24-10137 (MFW).

4. The pleadings filed in the Debtors' Chapter 11 Cases shall bear a consolidated caption in the following form:

**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)

5. The Clerk of the Court shall make a separate docket entry on each of the dockets of each Debtor other than Invivo Therapeutics Corporation, substantially similar to the following to reflect the joint administration of the Chapter 11 Cases:

An order has been entered in this case directing the procedural consolidation and joint administration of the chapter 11 cases of Invivo Therapeutics Corporation and its affiliate. The docket in the chapter 11 case of InVivo Therapeutics Corporation, Case No. 24-10137 (MFW) should be consulted for all matters affecting this case.

6. Nothing in this Order shall cause a substantive consolidation of the Debtors' estates.

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.

7. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: _____, 2024
Wilmington, Delaware

UNITED STATES BANKRUPTCY JUDGE