

Office of the United States Trustee
Northern District Of Texas
1100 Commerce Street, Room 976
Dallas, Texas 75242
Tel. No. (214) 767-8967

IN RE: § **Chapter 11**
§
Eiger BioPharmaceuticals, Inc. § **Case No. 24-80040-SGJ-11**
§ **(Jointly Administered)**
Debtors. §

Notice of Solicitation for Official Committee of Equity Security Holders

The above-named debtor(s) filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. In accordance with section 1102(a)(1) of the Bankruptcy Code, Kevin M. Epstein, the United States Trustee for Region 6, is considering appointing a committee of equity security holders, and the debtor's petition or other sources of information indicate that you may be a direct holder of equity eligible for appointment to the Official Committee of Equity Security Holders in this case.

This is to notify you that the United States Trustee is soliciting direct holders of equity interest in an equity security holders' committee.

If you wish to be considered for membership on any official committee that is appointed, please complete the enclosed questionnaire form and return it to the Office of the United States Trustee **as soon as possible and no later than** 4:00 p.m. (Central Standard Time) on June 17, 2024, by email to both Lisa.L.Lambert@usdoj.gov and Elizabeth.A.Young@usdoj.gov attention Lisa L. Lambert and Elizabeth A. Young. Please note that the U.S. Trustee may appoint a committee before June 17 but also may consider forms received after appointment but before June 17.

If you do not wish to serve on an official committee, your response is not required.

After receipt of a completed questionnaire, the United States Trustee Office may contact you to set up a telephonic interview.

KEVIN M. EPSTEIN
UNITED STATES TRUSTEE

/s/ Lisa L. Lambert
Lisa L. Lambert,
Assistant U. S. Trustee

Dated: June 10, 2024

Official Committee of Equity Holders' Committee Information Sheet

Purpose of Equity Holders' Committee. The United States Trustee is considering appointing a committee of equity security holders under section 1102 of the Bankruptcy Code. The Committee ordinarily consists of the persons, willing to serve, who hold the seven largest equity holdings of the kinds represented on such committee. The debtor has provided a list indicating that your equity holdings may be among the largest unsecured claims against the debtor, and for that reason, you may be eligible to serve on the Committee. There must be at least two equity holders willing to serve in order to form the Committee.

Powers and Duties of Equity Holders' Committees. Members of the Committee are fiduciaries who represent all equity holders as a group without regard to the types of equity holdings which individual equity holders may have. Section 1103 of the Bankruptcy Code provides that the Committee may consult with the debtor, investigate the debtor and its business operations and participate in the formulation of a plan of reorganization. The Committee may also perform such other services as are in the interests of the equity holders whom it represents.

Employment of Professionals. Section 1103 of the Bankruptcy Code provides that the Committee may, subject to the bankruptcy court's approval, employ one or more attorneys, accountants or other professionals to represent or perform services for the Committee. The decision to employ particular professionals should occur at a scheduled meeting of the Committee where a majority of the Committee is present. All professionals retained by the Committee may be compensated from assets of the debtor's estate pursuant to section 330 of the Bankruptcy Code. Applications for the payment of professional fees may be monitored by the Office of the United States Trustee and are subject to the Court's approval. However, the Committee should carefully review all applications and not rely on the Court or the United States Trustee to discover and object to excessive professional fees or costs.

Other Matters - The Committee should elect a chairperson and may adopt bylaws. As a party in interest, the Committee may be heard on any issue in the bankruptcy proceeding. Federal Bankruptcy Rule 2002(i) requires that the Committee (or its authorized agent) receive all notices concerning motions and hearings in the bankruptcy proceeding.

In the event you are appointed to an official committee of equity holders, the United States Trustee may require periodic certifications of your claims while the bankruptcy case is pending. Equity holders wishing to serve as fiduciaries on any official committee are advised that they may not purchase, sell or otherwise trade in or transfer equity holdings while they are committee members absent an order of the Court. By submitting the enclosed Questionnaire and accepting membership on an official committee of creditors, you agree to this prohibition. The United States Trustee reserves the right to take appropriate action, including removing an equity security holder from any committee, if the information provided in the Questionnaire is inaccurate, if the foregoing prohibition is violated, or for any other reason the United States Trustee believes is proper in the exercise of his discretion. You are hereby notified that the United States Trustee may share this information with the Securities and Exchange Commission if deemed appropriate.

Should you have any additional questions concerning the Committee or your membership on the Committee, please contact the Office of the United States Trustee.

Office of the United States Trustee
Region 6, Northern District of Texas

1100 Commerce Street, Room 976
Dallas, Texas 75242
Tel. No. (214) 767-8967

QUESTIONNAIRE FOR OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS

Eiger BioPharmaceuticals, Inc., Case No. 24-80040

Attention: Lisa L. Lambert, Assistant U. S. Trustee
Elizabeth A. Young, Trial Attorney

Return signed and scanned form to Lisa.L.Lambert@usdoj.gov and Elizabeth.A.Young@usdoj.gov

Please Type or Print Clearly.

I am willing to serve on a Committee of Equity Security Holders. Yes () No ()

A. Equity Security Holder's Name and Contact Information:

Name: _____ Phone: _____
Address: _____ Fax: _____
_____ E-mail: _____

B. Counsel (If Any) for Equity Security Holder and Contact Information:

Name: _____ Phone: _____
Address: _____ Fax: _____
_____ E-mail: _____

C. Amount of Shares _____

D. Describe the nature of your equity security holdings, i.e., whether held individually, in a trust, employee stock ownership plan, or in a corporation.

E. Representations:

1. Are you or the company you represent in any way: a creditor, including a tort claimant, of any of the debtors or related to the debtor(s)?

Yes () No () Explain amount and nature of relationship:

2. Do you, or the company you represent, engage in a business which directly or indirectly competes with any of the businesses of the debtor(s)? Yes () No ()

3. Have you ever been or are you an officer, director, agent, representative or employee of the debtor(s)? Yes () No () Does your equity holding arise from this relationship? Yes () No ()

4. Did you acquire any portion of your equity holdings after the bankruptcy filing? Yes () No () If so, set forth the date(s) acquired, the amount paid and the face amount of the claim: _____

5. Have you or your attorney entered into a settlement agreement with the debtor resolving any claim or equity security interest holding litigation issues? Yes () No ()
7. Do you have a claim against any entity affiliated with the debtor? Yes () No ()
State the name of the entity and the nature and amount of the claims: _____

8. Do you or any affiliated entities have any other claims against and/or debt or equity securities of the debtor(s)? Yes () No ()
- A. Do you or any affiliated entities have any financial arrangement that may affect the value of your claim(s) against or interest(s) in the debtor(s)? Yes () No ()

Description of Claims, Debt And/or Equity Securities/Other Financial Arrangement	Amount

9. If you are represented by counsel, does your attorney represent any other parties in this bankruptcy case? Yes () No () I do not know ()

You may attach a written statement to explain or respond to any responses.

If you are appointed to the Official Committee of Equity Security Holders, the United States Trustee may require periodic certifications of your equity holdings while the bankruptcy case is pending. Equity security holders wishing to serve as fiduciaries on an official committee are advised that they may not purchase, sell or otherwise trade in or transfer claims against the debtor while they are committee members absent an order of the court on application of the equity security holder.

I hereby certify that, to the best of my knowledge and belief, the answers to this Questionnaire are true and correct.

Date: _____

Signature

Print Name

Title

Note: This is not a Proof of Claim or Proof of Interest form. Proofs of Claim and Proofs of Interest are filed with the Clerk of the Bankruptcy Court, not with the United States Trustee.