

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

In re:

BIND THERAPEUTICS, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 16-11084 (BLS)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON JULY 7, 2016 AT 10:00 A.M.(EDT)<sup>2</sup>**

**I. MATTER GOING FORWARD:**

1. Debtors' Motion, Pursuant to Bankruptcy Code Sections 105(a), 363, 365, 503, and 507 and Bankruptcy Rules 2002, 3007, 6004, 6006, 9007, and 9014, for Entry of (A) Order (I) Approving Bidding Procedures in Connection with Sale of Assets of the Debtors, (II) Approving Form and Manner of Notice, (III) Scheduling Auction and Sale Hearing, (IV) Authorizing Procedures Governing Assumption and Assignment of Certain Contracts and Unexpired Leases, and (V) Granting Related Relief and (B) Order (I) Approving Purchase Agreement, (II) Authorizing Sale Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (III) Granting Related Relief [Docket No. 209, filed July 1, 2016]

Objection / Response Deadline: At the hearing.

Objections / Responses Received: None at this time.

Related Documents:

- i. Debtors' Motion Pursuant to Fed. R. Bankr. P. 9006 and Bankr. D. Del. LR 6004-1 and 9006-1 for Order Expediting Consideration of, and Shortening the Notice Period Applicable to, the Bidding Procedures Component of the Debtors' Motion for Entry of Orders: (I) Establishing Bidding and Sale Procedures; (II) Approving the Sale of Assets; and (III) Granting Related Relief [Docket No. 210, filed July 1, 2016]

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<sup>1</sup> The Debtors, together with the last four digits of each Debtor's U.S. federal tax identification number, are: BIND Therapeutics, Inc. (6148) and BIND Biosciences Security Corporation (3208). The address for the Debtors is 325 Vassar Street, Cambridge, MA 02139.

<sup>2</sup> The hearing will be held before The Honorable Brendan L. Shannon at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6<sup>th</sup> Floor, Courtroom 1, Wilmington, Delaware 19801. Any person who wishes to appear telephonically at the July 7, 2016 hearing must contact COURTCALL, LLC at 866-582-6878 prior to 12:00 p.m. (noon) (EDT) on Wednesday, July 6, 2016 to register his/her telephonic appearance in accordance with the *Instructions for Telephonic Appearance Effective January 5, 2005, Revised April 27, 2009*.

- ii. Order Granting Expedited Consideration of, and Shortening the Notice Period Applicable to, the Bidding Procedures Component of the Debtors' Motion for Entry of Orders: (I) Establishing Bidding and Sale Procedures; (II) Approving the Sale of Assets; and (III) Granting Related Relief [Docket No. 214 - entered July 5, 2016]

Status: The hearing regarding the Bidding Procedures Relief as requested in the motion will go forward.

## **II. CONTESTED MATTER GOING FORWARD:**

2. Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 9 - filed May 1, 2016]

Objection / Response Deadline: May 11, 2016 at 4:00 p.m. (EDT); extended until May 15, 2016 at 5:00 p.m. (EDT) for Hercules Technology III, L.P. ("Hercules")

Objections / Responses Received: None to date.

### Related Documents:

- i. Preliminary Objection of Hercules Technology III, L.P. to Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 25 - filed May 2, 2016]
- ii. Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No 31 - entered May 3, 2016]
- iii. Notice of (A) Entry of Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No 37 - filed May 3, 2016]
- iv. Supplemental Objection of Hercules Technology III, L.P. to Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 77 - filed May 15, 2016]
- v. Order Approving Stipulations for the Final Hearing on Use of Cash Collateral [Docket No. 81 - entered May 16, 2016]

- vi. Reply in Support of Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [REDACTED] [Docket No. 90 - filed May 16, 2016]
- vii. Supplemental Objection of Hercules Technology III, L.P. to Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [SEALED] [Docket No. 98 - filed May 17, 2016]
- viii. Declaration of Stephan Gauldie, Ph.D. in Lieu of Direct Testimony [REDACTED] [Docket No. 100 - filed May 17, 2016]
- ix. Declaration of Gregory Benning in Lieu of Direct Testimony [REDACTED] [Docket No. 102 - filed May 17, 2016]
- x. Declaration of Michael J. DiProspero, ASA, in Lieu of Direct Testimony [REDACTED] [Docket No. 104 - filed May 17, 2016]
- xi. Declaration of Scott Bluestein in Lieu of Direct Testimony [Docket No. 105 - filed May 17, 2016]
- xii. Supplemental Objection (Second) of Hercules Technology III, L.P. to Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [REDACTED] [Docket No. 107 - filed May 17, 2016]
- xiii. Declaration of Andrew Hirsch, President and Chief Executive Officer of Bind Therapeutics, Inc., in Support of Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [REDACTED] [Docket No. 111 - filed May 17, 2016]
- xiv. Declaration of Daryl Martin, Managing Principal of Ipmetrics LLC, in Support of Reply in Support of Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [REDACTED] [Docket No. 113 - filed May 17, 2016]
- xv. Declaration of Lorie Beers, Managing Director of Cowen and Company, LLC in Support of Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use

of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [REDACTED] [Docket No. 115 - filed May 17, 2016]

- xvi. Sur-Reply in Support of Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (I) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [REDACTED] [Docket No. 121 - filed May 17, 2016]
- xvii. Final Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (I) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 129 - entered May 19, 2016]
- xviii. Amended Final Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (I) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 188 - entered June 20, 2016]
- xix. Supplement to Motion of Debtors for Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 (I) Authorizing Use of Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing and (IV) Granting Related Relief [Docket No. 9] [Docket No. 213 - filed July 2, 2013]

Status: The Debtors' authorized use of cash collateral expires on July 8, 2016. The Debtors and Hercules are working to resolve any objection to the continued use of cash collateral. The hearing on this matter will go forward.

Dated: July 5, 2016  
Wilmington, Delaware

/s/ Amanda R. Steele

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