IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
ABC DENTISTRY, P.A., *et al.*,[1]	§	**Chapter 11**
Debtors.	§	
	§	**Case No. 16-34221**
	§	
	§	**Jointly Administered**

JOINT EMERGENCY MOTION TO CONTINUE TELEPHONIC STATUS CONFERENCE AND HEARING ON THE DEBTORS' OBJECTION TO THE STATE OF TEXAS'S PROOFS OF CLAIM

The Debtors and the State of Texas through the Civil Medical Fraud Division (the "State of Texas") (collectively, the "Movants") file this Motion to Continue Telephonic Status Conference and Hearing on the Debtors' Objection to the State of Texas's Proofs of Claim (the "Motion") and would respectfully show as follows:

BACKGROUND

1. On June 27, 2017, the Court ordered Dr. Saeed Rohi ("Dr. Rohi") and the Movants (collectively, the "Parties") to attend mediation and to attempt to negotiate a consensual resolution of their various disputes. Further, the Court ordered the Parties to attend a telephonic status conference on August 1, 2017 at 3:00 PM (the "Status Conference") in order to report the results of the mediation and determine whether a contested or agreed confirmation hearing would need to be scheduled.

2. On July 26, 2017, the Parties attended the Court-ordered mediation session in Austin Texas, with Barbara Radnofsky. There, the Movants believe that the Parties made substantial progress towards a global resolution of their various disputes and, as a result, only a few procedural issues remain. While the Parties have yet to reach a definitive resolution of all

[1] The Debtors in these chapter 11 cases are: ABC Dentistry, P.A.; ABC Dentistry West Orem, P.L.L.C.; and ABC Dentistry Old Spanish Trail, P.L.L.C.

issues, the Movants believe that the Debtors will be able to file a plan of reorganization within a matter of days, which either resolves all disputes or significantly narrows the remaining obstacles to an agreed confirmation hearing to those narrow procedural issues referenced above. However, the Debtors believe that the best (and most cost-efficient) course is to socialize the plan changes with Dr. Rohi and the State of Texas with sufficient time for them to comment prior to the Debtors' filing of the amended plan.

3. Further, the Movants believe that their ongoing negotiations could resolve the issues surrounding the Debtors' objection to the State of Texas's proofs of claim filed on April 28, 2017.[2]

4. Therefore, the Movants request that the Status Conference and hearing on the Proofs of Claim be continued until a later date so that they may continue to progress towards a consensual resolution. Because Dr. Rohi's counsel will be out of the country between August 4 and August 20, 2017 and because the State of Texas' counsel will be unavailable from August 20 to August 22, 2017, the Movants request that the Status Conference be continued until a date after August 22, 2017. By such date, the Debtors will have filed a plan of reorganization that either resolves all of the Parties' outstanding issues or that greatly narrows the remaining issues to be resolved at confirmation.

5. Dr. Rohi neither opposes nor supports the Motion.

BASIS FOR EMERGENCY CONSIDERATION

6. The Status Conference is set for August 1, 2017. Given the progress made at the Court-ordered mediation, the Parties require a few additional days to determine whether their

[2] The State of Texas timely filed Amended Claim #6 related to case number 16-34222 against ABC Dentistry Old Spanish Trail, P.L.L.C. and Amended Claim #6 related to case number 16-34225 against ABC Dentistry West Orem, P.L.L.C. On June 26, 2017, the Debtors filed an objection to the Proofs of Claim (*Dkt. No. 251*) and hearing on the Debtors' objection was set for August 1, 2017 at 3:00 PM.

remaining issues can be resolved consensually. The Movants prefer that the Debtors have filed an amended plan prior to the Court's status conference on plan confirmation, and the Parties will need some time to review and comment on the amended plan. As such, the Movants request emergency relief to continue the Status Conference. The Movants are not requesting a hearing on this emergency request.

REQUEST FOR RELIEF

WHEREFORE, for the reasons set forth herein, the Movants respectfully request that the Court continue the Status Conference and the hearing on the Debtors' objection to the State of Texas's proofs of claim to a later date, occurring after August 22, 2017.

Dated: July 28, 2017

Respectfully submitted,

BAKER BOTTS L.L.P.

/s/ Omar J. Alaniz
Omar J. Alaniz, State Bar No. 24040402
Chad Barton, State Bar No. 24100417
2001 Ross Avenue
Dallas, Texas 75201
Telephone: 214.953.6593
Facsimile: 214.661.4593
Email: *omar.alaniz@bakerbotts.com*
chad.barton@bakerbotts.com

COUNSEL TO DEBTORS-IN-POSSESSION

/s/ Hal. F. Morris
Hal F. Morris, State Bar No. 14485410
Ashley F. Bartram, State Bar No. 24045883
Bankruptcy & Collections Division
P.O. Box 12458
Austin, Texas 78711-2548
Telephone: 512-475-2173
Facsimile: 512-936-1409
Email: *hal.morris@oag.texas.gov*
ashley.bartram@ oag.texas.gov

ATTORNEYS FOR THE STATE OF TEXAS

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
ABC DENTISTRY, P.A., *et al.*,[1]	§	**Chapter 11**
Debtors.	§	
	§	**Case No. 16-34221**
	§	
	§	**Jointly Administered**

PROPOSED ORDER CONTINUING TELEPHONIC STATUS CONFERENCE AND HEARING ON THE DEBTORS' OBJECTION TO THE STATE OF TEXAS'S PROOFS OF CLAIM

This matter is before this Court upon the Joint Emergency Motion to Continue Telephonic Status Conference and Hearing on the Debtors' Objection to the State of Texas's Proofs of Claim (the "Motion") [Dkt. _____], dated July 28, 2017, filed by the Debtors and the State of Texas through the Civil Medical Fraud Division (the "State of Texas") (collectively, the "Movants"). This Court is of the opinion that the Motion is reasonable, necessary, and in the best interest of all concerned parties, and should be granted.

It is therefore ORDERED that the Motion is GRANTED; and

It is further ORDERED that the telephonic status conference set for August 1, 2017 has been reset to _____, 2017 at _____, in Courtroom 404, 4th Floor, 515 Rusk Avenue, Houston, Texas. The Debtors shall immediately serve a copy of this notice on all parties entitled to notice of this hearing and file a certificate of services with the clerk's office.

[1] The Debtors in these chapter 11 cases are: ABC Dentistry, P.A.; ABC Dentistry West Orem, P.L.L.C.; and ABC Dentistry Old Spanish Trail, P.L.L.C.