

**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
	§	

DECLARATION OF BRAD DANIEL OF BMC GROUP, INC. REGARDING THE SOLICITATION OF VOTES FOR THE SECOND AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF ABC DENTISTRY, P.A. AND ITS DEBTOR AFFILIATES

I, Brad Daniel, declare, under the penalty of perjury:

1. I am a director at BMC Group, Inc. (“**BMC**”),² located at 3732 West 120th Street, Hawthorne, CA 90250. I am over the age of eighteen years and not a party to the above-captioned action. Unless otherwise noted, I have personal knowledge of the facts set forth herein.

2. I submit this declaration with respect to the solicitation of votes for the *Second Amended Joint Chapter 11 Plan of Reorganization of ABC Dentistry, P.A., and its Debtor Affiliates*, dated October 6, 2017 [Docket No. 312] (as amended, supplemented, or modified from time to time, the “**Plan**”). Except as otherwise noted, all facts set forth herein are based on my personal knowledge, knowledge that I acquired from individuals under my supervision, and my review of relevant documents. I am authorized to submit this declaration on behalf of BMC. If I were called to testify, I could and would testify competently as to the facts set forth herein.

3. On October 4, 2016, this Court authorized BMC’s retention as the Debtors’ noticing agent pursuant to the *Order Approving Application to Appoint BMC Group, Inc. as*

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.

² All capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Plan or Disclosure Statement Order (as defined below).

Noticing Agent of the Court Pursuant to 28 U.S.C. § 156(c) [Docket No. 96] (the “**Retention Order**”). The Retention Order authorizes BMC to assist the Debtors with, among other things, the service of solicitation materials. BMC and its employees have considerable experience in soliciting votes to accept or reject Chapter 11 plans.

Service and Transmittal of Solicitation Packages

4. Pursuant to the *Order (A) Approving Debtors Second Amended Disclosure Statement; (B) Fixing Voting Record Date; (C) Approving Solicitation Materials and Procedures for Distribution Thereof; (D) Approving Forms of Ballots and Establishing Procedures for Voting on Plan; (E) Scheduling Hearing and Establishing Notice and Procedures for Filing Objections to Confirmation of the Plan, and (F) Granting Related Relief*, dated October 7, 2017 [Docket No. 339] (the “**Disclosure Statement Order**”), the Court established procedures to solicit votes from and tabulate Ballots submitted by holders entitled to vote on the Plan (the “**Solicitation Procedures**”). BMC adhered to the Solicitation Procedures outlined in the Disclosure Statement Order and distributed the approved ballots to parties entitled to vote on the Plan. I supervised the solicitation performed by BMC’s employees.

5. The Solicitation Procedures established November 7, 2017 as the record date (the “**Voting Record Date**”) for determining which creditors were entitled to vote on the Plan. Pursuant to the Plan and the Solicitation Procedures, only holders as of the Voting Record Date in the following classes were entitled to vote to accept or reject the Plan (the “**Voting Classes**”):

Plan Class	Class Description
3	First Bank Secured Claim
4	General Unsecured Claims
6	Rohi Personal Claims
7	Rohi Qui Tam Claims

No other classes were entitled to vote on the Plan.

6. In accordance with the Solicitation Procedures, BMC worked closely with the Debtors' advisors to identify and classify the holders entitled to vote in the Voting Classes as of the Voting Record Date, and to coordinate the distribution of solicitation materials to these holders. A detailed description of BMC's distribution of solicitation materials is set forth in the *Certificate of Service* of the Solicitation Materials, which was filed with this Court on November 17, 2017 [Docket No. 342].

The Plan Solicitation was Conducted in Good Faith

7. The solicitation of the Plan was conducted in good faith and in compliance with the Bankruptcy Code and all applicable Orders of this Court. As stated in my testimony above, BMC adhered to the Solicitation Procedures outlined in the Disclosure Statement Order. The Solicitation Procedures, moreover, were implemented in a transparent manner that promoted inclusiveness. BMC responded to creditor questions honestly, timely, and to the best of its ability; no request for information was refused. Finally, the Solicitation Parties were supportive of the process, conducted themselves in a good-faith, professional manner, and did not in any way interfere with or hamper the implementation of the Solicitation Procedures.

To the best of my knowledge, information and belief, I declare under penalty of perjury that the foregoing information is true and correct.

Dated: December 11, 2017



Brad Daniel
Director
BMC Group, Inc.