



ENTERED
09/16/2016

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

IN RE	§	Chapter 11
	§	
ABC DENTISTRY, P.A., <i>et al.</i> ¹	§	Case No. 16-34221
	§	
DEBTORS.	§	Jointly Administered
	§	
	§	

**ORDER GRANTING DEBTORS' EMERGENCY MOTION FOR AUTHORIZATION
TO: (1) CONTINUE PRE-PETITION INSURANCE PROGRAM AND
(2) PAY ANY PRE-PETITION AND POST-PETITION
PREMIUMS AND RELATED OBLIGATIONS**

Upon the emergency motion of the Debtors in the above-captioned cases for authorization to: (i) continue their pre-petition insurance program and (ii) pay any pre-petition and post-petition premiums or other related obligations (the "Motion");² and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and the Motion being a core proceeding under 28 U.S.C. § 157(b); and due and proper notice of the Motion having been provided; and the relief requested being in the best interests of the Debtors and their estates and creditors; and the Court having reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause therefore; it is hereby

ORDERED that the Debtors are authorized, but not required, to maintain at their discretion the Insurance Program; and it is further

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 Capitalized terms used but not defined herein have the meaning given in the Motion.

ORDERED that the Debtors are authorized, but not required, to pay all amounts necessary to maintain the Insurance Program, including, but not limited to, any pre-petition or post-petition premium, deductible or other amount that is due or will become due during these chapter 11 cases in respect of any of the Policies; and it is further

ORDERED that, subject to the availability of funds, the Debtors' banks and financial institutions (collectively, the "Banks") are authorized and directed to process, honor and pay any and all checks or electronic transfers issued in connection with the Insurance Program; and it is further

ORDERED that all Banks that process, honor and pay any and all checks or electronic transfers on account of the Insurance Program may rely on the representations of the Debtors as to which checks or electronic transfers are issued and authorized to be paid in accordance with this Order without any duty of further inquiry and without liability for following the Debtors instructions; and it is further


ORDERED that authorization of the payments shall not be deemed to constitute the post-petition assumption of any executory contract pursuant to Section 365 of the Bankruptcy Code; and it is further

ORDERED that nothing in this Order shall affect the Debtors' rights to contest the amount or validity of any amounts claimed to be due by any of the Debtors under or with respect to any aspect of Insurance Program, in whole or in part; and it is further

ORDERED that, notwithstanding the relief granted herein or any actions taken hereunder, nothing contained in this Order shall create any rights in favor of, or enhance the status of any claim held by, any of the Debtors' Carriers, any other agents or brokers employed by the Debtors, or any other third party relating to the Insurance Program; and it is further

ORDERED that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: 9-16-16



The Honorable Marvin Isgur
United States Bankruptcy Judge