

09/16/2016

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

IN RE

ABC DENTISTRY, P.A., et al.<sup>1</sup>

DEBTORS.

Chapter 11

Case No. 16-34221

Jointly Administered

## ORDER FINDING THAT PURSUANT TO 11 U.S.C. § 333(A)(1) AND BANKRUPTCY RULE 2007.2 A PATIENT CARE OMBUDSMAN IS NOT NECESSARY

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Upon the motion (the "Motion")<sup>2</sup> of ABC Dentistry, P.A. and its debtor affiliates, as debtors and debtors-in-possession in the above-captioned chapter 11 cases (collectively, the "Debtors"), for an order finding that a patient care ombudsman is not necessary, as more fully set forth in the Motion; the Court HEREBY FINDS AS FOLLOWS:

- (a) This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334;
- (b) Venue of this proceeding and the Motion in this district is proper pursuant to
  28 U.S.C. §§ 1408 and 1409;
- (c) The relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and
- (d) The Debtors provided adequate and appropriate notice of the Motion under the circumstances.

<sup>&</sup>lt;sup>1</sup> 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.

<sup>&</sup>lt;sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Motion.

#### Case 16-34221 Document 69 Filed in TXSB on 09/18/16 Page 2 of 3 Case 16-34221 Document 47-1 Filed in TXSB on 09/09/2016 Page 2 of 2

Therefore, having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. Subject to further order of this Court, no patient care ombudsman is necessary for the protection of patients under the specific facts of this case.

2. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this order.

3. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this order.

Dated: 9-16-16

The Honorable Maryin Isgur United States Bankruptcy Judge

Case 16-34221 Document 69 Filed in TXSB on 09/18/16 Page 3 of 3

United States Bankruptcy Court Southern District of Texas

In re: ABC Dentistry, P.A. Debtor Case No. 16-34221-mi Chapter 11

# **CERTIFICATE OF NOTICE**

District/off: 0541-4 User: mrios Page 1 of 1 Date Rcvd: Sep 16, 2016 Form ID: pdf002 Total Noticed: 4 Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 18, 2016. db +ABC Dentistry, P.A., 1500 Southmore Avenue, Pasadena, TX 77502-1307 +Saeed Rohi, DDS, c/o Charles Long, 5851 San Felipe, Suite 950, Houston, TX 77057-8021 cr Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. +E-mail/Text: jking@offermanking.com Sep 16 2016 20:34:24 First Banl c/o James W. King, 6420 Wellington Place, Beaumont, TX 77706-3206 cr First Bank & Trust East Texas, E-mail/Text: houston\_bankruptcy@LGBS.com Sep 16 2016 20:35:16 Harris County, CI Post Office Box 3064, Houston, TX 77253-3064 c/o John P. Dillman, TOTAL: 2 \*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\* TOTAL: 0 NONE. Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 18, 2016

Signature: /s/Joseph Speetjens

## **CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 16, 2016 at the address(es) listed below: Charles E Long on behalf of Creditor Saeed Rohi, DDS clong@cagehill.com, cagehill@cagehill.com US Trustee christine.a.march@usdoj.gov Christine A March on behalf of U.S. Trustee J Mark Brewer on behalf of Plaintiff Saeed Rohi brewer@bplaw.com, winans@bplaw.com;hickman@bplaw.com James W King on behalf of Creditor First Bank & Trust East Texas jking@offermanking.com John P Dillman on behalf of Creditor Harris County Houston\_bankruptcy@publicans.com Omar Jesus Alaniz on behalf of Defendant ABC Dentistry Pasadena, PA omar.alaniz@bakerbotts.com Omar Jesus Alaniz on behalf of Defendant ABC Dentistry Old Spanish Trail, PLLC omar.alaniz@bakerbotts.com Omar Jesus Alaniz on behalf of Debtor ABC Dentistry, P.A. omar.alaniz@bakerbotts.com on behalf of Defendant ABC Dentistry, PA omar.alaniz@bakerbotts.com Omar Jesus Alaniz Omar Jesus Alaniz on behalf of Defendant Iraj S Jabbary omar.alaniz@bakerbotts.com on behalf of Defendant ABC Dentistry West Orem, PLLC Omar Jesus Alaniz omar.alaniz@bakerbotts.com Omar Jesus Alaniz on behalf of Defendant ABC Dentistry, P.A. omar.alaniz@bakerbotts.com ABC Dentistry Hillcroft, PLLC on behalf of Defendant Omar Jesus Alaniz omar.alaniz@bakerbotts.com on behalf of Defendant Omar Jesus Alaniz ABC Dentistry West Orem, P.L.L.C. omar.alaniz@bakerbotts.com Omar Jesus Alaniz on behalf of Defendant ABC Dentistry Old Spanish Trail, P.L.L.C. omar.alaniz@bakerbotts.com Russell Warren Hall on behalf of Defendant ABC Dentistry, P.A. rwhall@rwhpc.com, caschuler@rwhpc.com Russell Warren Hall on behalf of Defendant ABC Dentistry Old Spanish Trail, P.L.L.C. rwhall@rwhpc.com, caschuler@rwhpc.com Russell Warren Hall on behalf of Defendant ABC Dentistry West Orem, P.L.L.C. rwhall@rwhpc.com, caschuler@rwhpc.com on behalf of Defendant Russell Warren Hall ABC Dentistry Pasadena, PA rwhall@rwhpc.com, caschuler@rwhpc.com Russell Warren Hall on behalf of Defendant ABC Dentistry Hillcroft, PLLC rwhall@rwhpc.com, caschuler@rwhpc.com Russell Warren Hall on behalf of Defendant Iraj S Jabbary rwhall@rwhpc.com, caschuler@rwhpc.com Timothy L. Wentworth on behalf of Creditor Saeed Rohi, DDS tim.wentworth@cagehill.com, staff@cagehill.com US Trustee USTPRegion07.HU.ECF@USDOJ.GOV TOTAL: 23