

| | | |
|--|--|---|
| UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF TENNESSEE (NASHVILLE DIVISION) | | 503(b)(9) ADMINISTRATIVE EXPENSE CLAIM |
| In re: Batesville Regional Medical Center, Inc. | | Chapter 11 Case No. 18-05676 |
| Debtor. | | ADMINISTRATIVE BAR DATE: January 21, 2019 |
| NOTE: This form should be used <u>only</u> by claimants asserting an administrative expense claim arising under 11 U.S.C. § 503(b)(9). This form should not be used for any other types of claim. | | |
| Name of creditor: (The person or other entity to whom the debtor owed money or property.) Owens & Minor, Inc. | Name of debtor: (The entity owing money or property) <input type="checkbox"/> Curae Health, Inc. <input type="checkbox"/> Amory Regional Medical Center, Inc. <input checked="" type="checkbox"/> Batesville Regional Medical Center, Inc. <input type="checkbox"/> Clarksdale Regional Medical Center, Inc. <input type="checkbox"/> Amory Regional Physicians, LLC <input type="checkbox"/> Batesville Regional Physicians, LLC <input type="checkbox"/> Clarksdale Regional Physicians, LLC | |
| Name and addresses where notices should be sent: Owens & Minor / ATT: Credit Team 9120 Lockwood Blvd. Mechanicsville, VA 23116 Telephone number: (804) 723-7532 Email: bill.ray@owens-minor.com | <input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if your address differs from the address on the envelope sent to you by the court. | |
| Last four digits of account or other number by which creditor identifies debtor: 0025 | | <input type="checkbox"/> Check this box if this claim amends a previously filed claim. Claim number (if known): _____. Filed on: _____. |
| 1. Basis for claim: <input checked="" type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Other (describe briefly) | | 2. Date debt was incurred: August 14, 2018. |
| 3. Date goods were received by debtor: August 14, 2018. | | |
| 4. Total amount of claim as of the date the debt was incurred: \$236.55 _____. | | |

THIS SPACE IS FOR
COURT USE ONLY

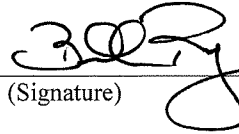
| | |
|---|---|
| <input type="checkbox"/> Check this box if the request includes interest or other charges in addition to the principal amount of the request. Attach itemized statement of all interest or additional charges. | |
| 5. Brief description of claim (attach any additional information): Type(s) of goods received by debtor within twenty (20) days before the August 24, 2018 petition date: Medical and surgical goods. Shipment date of goods: August 14, 2018. Place of delivery of goods: Panola Medical Center, 303 Medical Center Drive, Batesville, MS 38606 Method of delivery of goods: FedEx Ground. Name of carrier of goods: FedEx. Value of goods: \$236.55. Whether the value of goods listed in this claim relates to services and goods: Value relates to goods. The percentage of value related to services and the percentage of value related to goods: 100% Whether claimant has filed any other claim against debtor relating to goods underlying this claim: Only as asserted in Claim No. 13-1 <u>Attach supporting materials required by field 8 and instructions below. Attached as Exhibit A (certification of counsel) and Exhibit B (supporting documentation).</u> | |
| 6. Credits, setoffs, and counterclaims: All payments made on this claim by the debtor have been credited and deducted from the amount claimed hereon. <input type="checkbox"/> This claim is subject to setoff or counterclaim as follows: | 7. Assignment: <input type="checkbox"/> Check this box if claimant has obtained this claim by assignment and attached a copy of assignment. |
| 8. Supporting documents: <u>Attach redacted copies of supporting documents</u> , such as promissory notes, purchaser orders, invoices, itemized statements of running accounts, or contracts. <u>All proofs of claim for 503(b)(9) claims must be accompanied by copies of: (i) the particular invoices, receipts, bills of lading, and similar materials identifying the goods underlying the claim; (ii) any demand to reclaim the goods under 11 U.S.C. § 546(c); and (iii) documents demonstrating the date the goods were actually received by the debtor.</u> <u>Any claimant asserting a 503(b)(9) claim must certify that the goods were sold in the ordinary course of the debtor's business.</u> <u>Do not send original documents. Attached documents may be destroyed after scanning. If the documents are not available, explain. If the documents are voluminous, attach a summary.</u> | |
| 9. Date-stamped copy: To receive an acknowledgement of the filing of your claim, submit a copy of your proof of claim in a self-addressed, stamped return envelope along with your original claim. | |
| 10. Signature: Check the appropriate box. <input checked="" type="checkbox"/> I am the creditor. <input type="checkbox"/> I am the creditor's authorized agent. <input type="checkbox"/> I am the trustee, or the debtor, or their authorized agent (see Bankruptcy Rule 3004). <input type="checkbox"/> I am a guarantor, surety, indorser, or other codebtor (see Bankruptcy Rule 3005). I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief. | |

Print name: Bill Ray

Title: Credit Manager

Company: Owens & Minor, Inc.

Address and telephone number (if different from notice address above):



1/16/19

(Date)

Telephone number: 804-723-7532 Email: bill.ray@owens-minor.com

Penalty for presenting a fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Definitions.

503(b)(9) Claim.

A 503(b)(9) claim is a claim entitled to treatment in accordance with 11 U.S.C. § 503(b)(9). Specifically, 503(b)(9) claims are those claims for the “value of any goods received by the debtor, within 20 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of such debtor’s business.”

503(b)(9) Bar Date.

By order of the United States Bankruptcy Court for the Middle District of Tennessee (Nashville Division), all claimants asserting 503(b)(9) claims must be filed electronically using the Court’s CM/ECF by **January 21, 2019**.

Claim.

A claim is the creditor’s right to receive payment for a debt owed by the debtor as defined in 11 U.S.C. § 101(5).

Creditor.

A creditor is a person, corporation, or other entity to whom the debtor owes a debt.

Debtor.

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Proof of Claim.

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor. The creditor must file the form with the claims agent retained in this case as provided below.

Redacted.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted certain information. A creditor must show only the last four digits of any social-security, individual’s tax-identification, or financial-account number, only the initials of a minor’s name, and only the year of any person’s date of birth. If the claim is based on the delivery of healthcare goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential healthcare information.

General instructions and filing instructions.

1. Please read this proof of claim form carefully and fill it in completely and accurately.
2. Print legibly. Your claim may be disallowed if it cannot be read or understood.
3. The proof of claim form must be completed in English. The amount of the claim must be denominated in United States currency.
4. Attach additional pages if more space is required to complete the proof of claim.

5. This form should only be used by claimants asserting administrative expense claims arising under 11 U.S.C. § 503(b)(9). All other administrative expense claims must be asserted on a separate form.

6. All proofs of claim for 503(b)(9) claims must set forth with specificity: (i) the amount of the claim; (ii) the type(s) of goods claimant asserts were received by the debtor within twenty (20) days before the August 24, 2018 petition date; (iii) the shipment date of the goods; (iv) the date on which the claimant asserts the relevant debtor received the goods; (v) the place of delivery of the goods; (vi) the method of delivery of the goods; (vii) the name of the carrier of the goods; (viii) the alleged value of the goods; (ix) whether the value of the goods listed in the proof of claim represents a combination of services and goods; (x) the percentage of value related to services and the percentage of value related to goods; and (xi) whether the claimant has filed any other claim against the debtor regard the goods underlying this claim.

In addition, all proofs of claim for 503(b)(9) claims must be accompanied by copies of (x) the particular invoices, receipts, bills of lading, and similar materials identifying the goods underlying the claim; (y) any demand to reclaim the goods under 11 U.S.C. § 546(c); and (z) documents demonstrating the date the goods were actually received by the debtor.

Any claimant asserting a 503(b)(9) claim must certify that the goods were sold in the ordinary course of the debtor's business.

7. To be deemed properly filed, this proof of claim must contain an original signature and must be filed electronically using the Court's CM/ECF by **January 21, 2019**. If the claimant has five (5) or fewer proofs of claim, the claimant may mail this proof of claim form, so as to be actually received on or before **January 21, 2019**, to the following address:

Office of the Clerk of the United States Bankruptcy Court
for the Middle District of Tennessee
(Nashville Division)
Customs House Room 170
701 Broadway
Nashville, TN 37203

Items to be completed in proof of claim form.

Creditor's name and address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

Debtor's name:

Check the box next to the debtor from whom the debt is owed.

Account or other number by which creditor identifies debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

1. Basis for claim:

State the type of debt or how it was incurred. Examples include goods sold and services performed. If the claim is based on delivering healthcare goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential healthcare information. You may be required to provide additional disclosure if an interested party objects to the claim.

2. Date debt was incurred:

State the date or dates on which the debt was incurred.

3. Date goods received by debtor:

State the date or dates on which the goods underlying the claim were received by the debtor.

4. Total amount of claim as of the date the debt was incurred:

State the total amount owed to the creditor on the date or dates on which the debt was incurred. Check the box if interest or other charges are included in the claim.

5. Brief description of claim (attach any additional information):

Briefly describe the nature of the claim and attach any additional relevant information. Claimants must provide all requested information, including (i) the amount of the claim; (ii) the type(s) of goods claimant asserts were received by the debtor within twenty (20) days before the August 24, 2018 petition date; (iii) the shipment date of the goods; (iv) the date on which the claimant asserts the relevant debtor received the goods; (v) the place of delivery of the goods; (vi) the method of delivery of the goods; (vii) the name of the carrier of the goods; (viii) the alleged value of the goods; (ix) whether the value of the goods listed in the proof of claim represents a combination of services and goods; (x) the percentage of value related to services and the percentage of value related to goods; and (xi) whether the claimant has filed any other claim against the debtor regard the goods underlying this claim.

6. Credits, setoffs, and counterclaims:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt. If claim is subject to setoff or counterclaim, check box and provide an explanation.

7. Assignment:

Check box and include copy of assignment if claimant obtained claim by way of assignment.

8. Supporting documents:

Attach redacted copies of any documents that show the debt exists. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If claim is based on delivering healthcare goods or services, limit disclosing confidential healthcare information. Do not send original documents, as attachments may be destroyed after scanning. If the documents are not available, provide explanation. If the documents are voluminous, attach a summary.

Claimants must provide all requested supporting documentation, including: copies of (x) the particular invoices, receipts, bills of lading, and similar materials identifying the goods underlying the claim; (y) any demand to reclaim the goods under 11 U.S.C. § 546(c); and (z) documents demonstrating the date the goods were actually received by the debtor.

Claimants must certify that the goods were sold in the ordinary course of the debtor's business.

9. Date and signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). If your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for the purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

Exhibit A

Alexander R. Kalyniuk (VSB No. 92325)
HIRSCHLER FLEISCHER, A Professional Corporation
The Edgeworth Building
2100 East Cary Street
Richmond, Virginia 23223
P.O. Box 500
Richmond, Virginia 23218-0500
Telephone: (804) 771-9500
Facsimile: (804) 644-0957
Email: akalyniuk@hf-law.com

Counsel for Owens & Minor Distribution, Inc.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

| | | |
|--|---|----------------------|
| In re: |) | |
| |) | Chapter 11 |
| Curae Health, Inc., <i>et al.</i> ¹ |) | Case No. 18-05665 |
| |) | |
| 1721 Midpark Road, Suite B200 |) | Judge Walker |
| Knoxville, TN 37921 |) | |
| Debtors. |) | Jointly Administered |

DECLARATION OF ALEXANDER R. KALYNIUK, ESQUIRE

I, Alexander Roy Kalyniuk, Esquire, hereby certify, under penalty of perjury, that the following facts are true and correct to the best of my information and belief:

1. I am counsel for Owens & Minor, Inc. (“**O&M**”) and I am aware of the facts regarding this 503(b)(9) Administrative Expense Claim.

2. I hereby certify that the goods identified in this claim were sold in the ordinary course of the Debtor’s business.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and accurate.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are Curae Health, Inc. (5638); Amory Regional Medical Center, Inc. (2640); Batesville Regional Medical Center, Inc. (7929); Clarksdale Regional Medical Center, Inc. (4755); Amory Regional Physicians, LLC (5044); Batesville Regional Physicians, LLC (4952); and Clarksdale Regional Physicians, LLC (5311).

O&M RESERVES THE RIGHT TO SUPPLEMENT AND/OR AMEND THIS CLAIM AND TO ADD AND ASSERT CLAIM AMOUNTS NOT STATED OR INCLUDED ABOVE OR IN THE PROOF OF CLAIM, INCLUDING, WITHOUT LIMITATION, INTEREST, ATTORNEYS' FEES, ADMINISTRATIVE EXPENSE PRIORITY CLAIMS, AND ANY AND ALL AMOUNTS TO THE EXTENT ALLOWED BY APPLICABLE BANKRUPTCY AND NON-BANKRUPTCY LAW.

Dated: January 16, 2019

Respectfully Submitted,

/s/ Alexander R. Kalyniuk

Alexander R. Kalyniuk (VSB No. 92325)

HIRSCHLER FLEISCHER, P.C.

The Edgeworth Building

2100 East Cary Street

Post Office Box 500

Richmond, Virginia 23218-0500

Telephone: (804) 771-9500

Facsimile: (804) 644-0957

Email: akalyniuk@hirschlerlaw.com

Counsel for Owens & Minor, Inc.

Exhibit B



Invoice

Remit To:
OWENS & MINOR

P.O. BOX 841420
DALLAS, TX 75284-1420

Shipped To:

PANOLA MEDICAL CENTER
303 MEDICAL CENTER DR
BATESVILLE MS 386068608

Billed To:

EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL

**** INVOICE ****

01753999

PLEASE REPORT ALL
DISCREPANCIES WITHIN
24 HRS. REASONS SHOULD
BE REPORTED TO ACCT RECV.

THANK YOU
FOR YOUR BUSINESS
OWENS & MINOR DISTRIBUTION, INC
EIN 54-2049200

Shipped From:

OWENS & MINOR - MEMPHIS
67 - OLIVE BRANCH - OWENS & MINOR -
MEMPHIS
BRANCH
OWENS & MINOR
OLIVE BRANCH, TN 38654

Invoice No: 2040206485
Customer PO 00735
Number:
Item Date: 8/14/18
Order Date: 8/10/18
Date Shipped: 8/14/18
Customer: 67-000025-000
O&M SO #: 27941-11
Shipped Via: FedEx Ground
Telephone Number: TEL 901-794-9448
Representative: 6721
Payment Terms: NET 30

| B/O | Order | Sent | Package | Product | Item Description | Unit Price | Tax Code | Extension | Line |
|-----|-------|------|---------|-------------|-------------------------------|------------|----------|-----------|------|
| * | | | CS | 0707HIELD50 | SHIELD SECURE GUARD FULL EYE | | | | 1G |
| * | | | CS | 0707029443 | TIBURON CESARAEAN BIRTH DRAPE | | | | 2G |
| | | | | | KEYED BY CCUNNI 08/10 | | | | 3 |
| | | | | | RECEIVED VIA EMAIL | | | | 4 |
| | | | | | CASE 402059 | | | | 5 |
| | | | | | PER AMANDA COOK 662-712-2277 | | | | 6 |
| | | | | | TRACKING# 456418595743 ✓ | | | | 7 |
| | | | | | TRACKING# 456418595754 ✓ | | | | 8 |
| | | | | | TRACKING# 456418595765 ✓ | | | | 9 |

5:31

| | | |
|---|-------------------------|----------|
| * | SubTotal: | \$197.07 |
| * | 0.00% Sales Tax: | \$0.00 |
| | Delivery Charge: | \$0.00 |
| | Total: | \$197.07 |

Codes:

N or R Non Taxable
E or F Taxed at Reduced
Rate
Z - Delivered Manufacturer -
Owned Product
*- Price Change

A service charge not to exceed 1.5% per month (18% per annum), or the maximum allowable
by law will be assessed on balances not paid within terms
AA/EEO, M/F/D/V

This online invoice, including any printed copies, is a legal document and is in lieu of an invoice that otherwise would be sent to
you by Owens & Minor via U.S. mail.



December 30, 2018

Dear Customer:

The following is the proof-of-delivery for tracking number **456418595743**. ✓

Delivery Information:

| | | | |
|--------------------------|--------------|---------------------------|--------------------|
| Status: | Delivered | Delivery location: | Batesville, MS |
| ✓ Signed for by: | EMCJUNKIN | Delivery date: | Aug 14, 2018 14:15 |
| Service type: | FedEx Ground | | |
| Special Handling: | | | |

Signature image is available. In order to view image and detailed information, the shipper or payor account number of the shipment must be provided.

Shipping Information:

| | | | |
|-------------------------|--------------|-------------------|-----------------|
| Tracking number: | 456418595743 | Ship date: | Aug 13, 2018 |
| | | Weight: | 11.9 lbs/5.4 kg |

Recipient:
BATESVILLE, MS US

Shipper:
OLIVE BRANCH, MS US

Reference

OM67 67 2794111

Thank you for choosing FedEx.



December 30, 2018

Dear Customer:

The following is the proof-of-delivery for tracking number **456418595754**. ✓

Delivery Information:

| | | | |
|--------------------------|--------------|---------------------------|--------------------|
| Status: | Delivered | Delivery location: | Batesville, MS |
| Signed for by: | ✓ EMCJUNKIN | Delivery date: | Aug 14, 2018 14:15 |
| Service type: | FedEx Ground | | |
| Special Handling: | | | |

Signature image is available. In order to view image and detailed information, the shipper or payor account number of the shipment must be provided.

Shipping Information:

| | | | |
|-------------------------|--------------|-------------------|----------------|
| Tracking number: | 456418595754 | Ship date: | Aug 13, 2018 |
| | | Weight: | 3.9 lbs/1.8 kg |

Recipient:
BATESVILLE, MS US

Shipper:
OLIVE BRANCH, MS US

Reference

OM67 67 2794111

Thank you for choosing FedEx.



Invoice

Remit To:
OWENS & MINOR

**** INVOICE ****

P.O. BOX 841420
DALLAS, TX 75284-1420

01753999

PLEASE REPORT ALL
DISCREPANCIES WITHIN
24 HRS. REASONS SHOULD
BE REPORTED TO ACCT RECV.

THANK YOU
FOR YOUR BUSINESS
OWENS & MINOR DISTRIBUTION, INC
EIN 54-2049200

Invoice No: 2039900872
Customer PO
Number: 00600
Item Date: 8/3/18
Order Date: 7/18/18
Date Shipped: 8/3/18
Customer: 67-000025-000
O&M SO #: 25629-12
Shipped Via: FEDEX GROUND
Telephone Number: TEL 901-794-9448
Representative: 6721
Payment Terms: NET 30

Shipped To:

PANOLA MEDICAL CENTER
303 MEDICAL CENTER DR
BATESVILLE MS 386068608

Billed To:

EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL
EDI ORDER DO NOT MAIL

EDI ORDER DO NOT MAIL

Shipped From:

OWENS & MINOR - MEMPHIS
67 - OLIVE BRANCH - OWENS & MINOR -
MEMPHIS
BRANCH
OWENS & MINOR
OLIVE BRANCH,TN 38654

| B/O | Order | Sent | Package | Product | Item Description | Unit Price | Tax Code | Extension | Line |
|-----|-------|------|---------|------------------|-------------------------------------|------------|----------|-----------|------|
| * | | | EA | 4350MTTG320 C | METAL CAGE APPLICATOR - STAINLESS S | | | | 1G |
| * | | | EA | 4350MTTG319 C | APPLICATOR METAL CAGE STAINLESS | | | | 2G |
| | | | | | TRACKING# 452000105389 | | | | 3 |
| | | | | | PER AMANDA COOK | | | | 4 |
| | | | | | DFARRU CASE#00309101 | | | | 5 |

3 : 27

| | | |
|---|-------------------------|---------|
| * | SubTotal: | \$28.72 |
| * | 0.00% Sales Tax: | \$0.00 |
| | Delivery Charge: | \$10.76 |
| | Total: | \$39.48 |

Codes:

N or R Non Taxable
E or F Taxed at Reduced
Rate
Z - Delivered Manufacturer -
Owned Product
*- Price Change

A service charge not to exceed 1.5% per month (18% per anum), or the maximum allowable
by law will be assessed on balances not paid within terms
AA/EEO, M/F/D/V

This online invoice, including any printed copies, is a legal document and is in lieu of an invoice that otherwise would be sent to
you by Owens & Minor via U.S. mail.



Owens & Minor

9120 Lockwood Boulevard
Mechanicsville, VA 23116-2015

August 28, 2018

Mr. Stephen Clapp, Chief Executive Officer
Curae Health Inc., et al.
1721 Midpark Road, Suite B200
Knoxville, TN 37921
UPS Next Day Air

Mr. Tim Brown, Chief Financial Officer
Curae Health Inc., et al.
1721 Midpark Road, Suite B200
Knoxville, TN 37921
UPS Next Day Air

Bankruptcy Case # 18-05665

Curae Health Inc., et al.

Reclamation Demand by Owens & Minor Distribution, Inc. for \$273,700.08

Dear Mr. Clapp and Mr. Brown:

Demand is hereby made upon you by Owens & Minor Distribution, Inc. ("Owens & Minor") pursuant to Section 2-702 of the Uniform Commercial Code and Section 546(c) of the United States Bankruptcy Code for the reclamation and return of all goods consisting of general medical/surgical supplies received during the applicable time periods referred to in the above cited sections and specifically including but not limited to goods described in Schedule A enclosed herewith. All shipments of the medical/surgical supplies were delivered to Curae Health Inc., et al. facilities within the 45-day period prior to the filing of the bankruptcy petition by Curae Health Inc., et al. on August 24, 2018. The aggregate amount of the shipments is \$273,700.08.

Reclamation Demand by Owens & Minor Distribution, Inc. for \$273,700.08
Page 2 Continued

In light of Curae Health Inc., et al.'s recent bankruptcy filing, demand is hereby made that all goods subject to Owens & Minor's right of reclamation should be protected and segregated by you and are not to be used for any purpose whatsoever, except as specifically authorized following notice and a hearing by the Bankruptcy Court. Nothing herein constitutes a waiver or modification of, or election with respect to, any of Owens & Minor's rights and remedies and claims under applicable law, with respect to the shipments referred to herein, or with respect to any other transaction with Curae Health Inc., et al., and Owens & Minor hereby expressly reserves all such rights and remedies and claims in their entirety.

Please contact the undersigned for instructions in connection with the return of the goods subject to this demand.

Sincerely,



Bill Ray
Corporate Credit Manager
Owens & Minor
Phone: 804-723-7532 Fax: 804-723-7124
bill.ray@owens-minor.com

Attachment

cc: Michael Anthony Malone, Esquire (via email)
Polsinelli PC
401 Commerce Street, Suite 900
Nashville, TN 37219
Fax: 615.259.1573
mmalone@polsinelli.com
Counsel for Debtors

Robert Westermann, Esquire (via e-mail)
Hirschler Fleischer, P.C.
The Edgeworth Building
2100 E. Cary St.
Richmond, VA 23223-7078
Fax: 804.644.0957
rwestermann@hf-law.com
Counsel for Owens & Minor



9120 Lockwood Boulevard, Mechanicsville, VA 23116

Schedule A - Itemized Statement of Account - As of 8/24/18**Curae Health Inc., et al.**

| | |
|--|-------------------|
| # 67-000028 Amory Regional Medical Center Inc. ("Amory") | 141,621.62 |
| # 67-000025 Batesville Regional Medical Center Inc. ("Batesville") | 1,066.47 |
| # 67-000029 Clarksdale Regional Medical Center Inc. dba Northwest Mississippi Medical Center ("Clarksville") | 131,011.99 |
| Total Reclamation | 273,700.08 |

| Account # | Account Name | Type of Invoice | Invoice # | PO # | Date | Original Amount | Balance Due |
|-----------|--------------|-----------------|------------|-------|----------|-----------------|-------------|
| 67000028 | Amory | Product | 2040476136 | 01814 | 08/24/18 | 11.36 | 11.36 |
| 67000028 | Amory | Product | 2040477142 | 01923 | 08/24/18 | 13.03 | 13.03 |
| 67000028 | Amory | Product | 2040476744 | 01893 | 08/24/18 | 90.55 | 90.55 |
| 67000028 | Amory | Product | 2040476382 | 01837 | 08/24/18 | 110.06 | 110.06 |
| 67000028 | Amory | Product | 2040477153 | 01923 | 08/24/18 | 148.40 | 148.40 |
| 67000028 | Amory | Product | 2040475606 | 00990 | 08/24/18 | 157.16 | 157.16 |
| 67000028 | Amory | Product | 2040475698 | 01592 | 08/24/18 | 157.16 | 157.16 |
| 67000028 | Amory | Product | 2040475688 | 01177 | 08/24/18 | 237.46 | 237.46 |
| 67000028 | Amory | Product | 2040476726 | 01893 | 08/24/18 | 354.00 | 354.00 |
| 67000028 | Amory | Product | 2040480643 | 01952 | 08/24/18 | 4,991.05 | 4,991.05 |
| 67000028 | Amory | Product | 2040367053 | 01920 | 08/21/18 | 20.38 | 20.38 |
| 67000028 | Amory | Product | 2040363737 | 01814 | 08/21/18 | 70.13 | 70.13 |
| 67000028 | Amory | Product | 2040363246 | 01742 | 08/21/18 | 206.41 | 206.41 |
| 67000028 | Amory | Product | 2040364142 | 01837 | 08/21/18 | 544.41 | 544.41 |
| 67000028 | Amory | Product | 2040365118 | 01916 | 08/21/18 | 1,017.78 | 1,017.78 |
| 67000028 | Amory | Product | 2040366997 | 01920 | 08/21/18 | 1,364.76 | 1,364.76 |
| 67000028 | Amory | Product | 2040367549 | 01923 | 08/21/18 | 11,443.00 | 11,443.00 |
| 67000028 | Amory | Product | 2040285245 | 01633 | 08/17/18 | 8.17 | 8.17 |
| 67000028 | Amory | Product | 2040286636 | 01837 | 08/17/18 | 45.95 | 45.95 |
| 67000028 | Amory | Product | 2040286236 | 01814 | 08/17/18 | 57.21 | 57.21 |
| 67000028 | Amory | Product | 2040285494 | 01721 | 08/17/18 | 186.09 | 186.09 |
| 67000028 | Amory | Product | 2040287549 | 01837 | 08/17/18 | 194.89 | 194.89 |
| 67000028 | Amory | Product | 2040286645 | 01837 | 08/17/18 | 781.46 | 781.46 |
| 67000028 | Amory | Product | 2040289875 | 01893 | 08/17/18 | 5,327.38 | 5,327.38 |
| 67000028 | Amory | Product | 2040205834 | 01664 | 08/14/18 | 31.38 | 31.38 |
| 67000028 | Amory | Product | 2040206115 | 01742 | 08/14/18 | 140.17 | 140.17 |
| 67000028 | Amory | Product | 2040205963 | 01714 | 08/14/18 | 168.68 | 168.68 |
| 67000028 | Amory | Product | 2040205849 | 01665 | 08/14/18 | 462.38 | 462.38 |
| 67000028 | Amory | Product | 2040205967 | 01721 | 08/14/18 | 1,523.76 | 1,523.76 |
| 67000028 | Amory | Product | 2040206983 | 01837 | 08/14/18 | 5,570.41 | 5,570.41 |
| 67000028 | Amory | Product | 2040117913 | 01814 | 08/10/18 | 2.87 | 2.87 |
| 67000028 | Amory | Product | 2040115914 | 01665 | 08/10/18 | 9.99 | 9.99 |
| 67000028 | Amory | Product | 2040115685 | 01509 | 08/10/18 | 35.82 | 35.82 |
| 67000028 | Amory | Product | 2040115701 | 01570 | 08/10/18 | 43.38 | 43.38 |
| 67000028 | Amory | Product | 2040116237 | 01742 | 08/10/18 | 45.19 | 45.19 |
| 67000028 | Amory | Product | 2040117867 | 01814 | 08/10/18 | 47.87 | 47.87 |
| 67000028 | Amory | Product | 2040115729 | 01592 | 08/10/18 | 48.06 | 48.06 |
| 67000028 | Amory | Product | 2040115910 | 01664 | 08/10/18 | 73.29 | 73.29 |
| 67000028 | Amory | Product | 2040116249 | 01742 | 08/10/18 | 180.65 | 180.65 |
| 67000028 | Amory | Product | 2040115796 | 01633 | 08/10/18 | 337.07 | 337.07 |
| 67000028 | Amory | Product | 2040117786 | 01814 | 08/10/18 | 13,241.41 | 13,241.41 |
| 67000028 | Amory | Product | 2040011313 | 01406 | 08/07/18 | 8.08 | 8.08 |
| 67000028 | Amory | Product | 2040011317 | 01441 | 08/07/18 | 24.24 | 24.24 |
| 67000028 | Amory | Product | 2040011435 | 01633 | 08/07/18 | 103.79 | 103.79 |
| 67000028 | Amory | Product | 2040013011 | 01742 | 08/07/18 | 522.90 | 522.90 |
| 67000028 | Amory | Product | 2040012937 | 01742 | 08/07/18 | 6,118.32 | 6,118.32 |
| 67000028 | Amory | Product | 2039900671 | 01509 | 08/03/18 | 62.25 | 62.25 |
| 67000028 | Amory | Product | 2039900569 | 01177 | 08/03/18 | 148.40 | 148.40 |
| 67000028 | Amory | Product | 2039901005 | 01570 | 08/03/18 | 173.44 | 173.44 |
| 67000028 | Amory | Product | 2039900677 | 01527 | 08/03/18 | 194.89 | 194.89 |
| 67000028 | Amory | Product | 2039900583 | 01441 | 08/03/18 | 585.15 | 585.15 |
| 67000028 | Amory | Product | 2039904816 | 01721 | 08/03/18 | 3,644.99 | 3,644.99 |
| 67000028 | Amory | Product | 2039904688 | 01714 | 08/03/18 | 7,267.65 | 7,267.65 |
| 67000028 | Amory | Product | 2039805185 | 01509 | 07/31/18 | 4.14 | 4.14 |

| Account # | Account Name | Type of Invoice | Invoice # | PO # | Date | Original Amount | Balance Due |
|-----------|--------------|-----------------|------------|-------|----------|-----------------|-------------|
| 67000028 | Amory | Product | 2039805909 | 01633 | 07/31/18 | 6.85 | 6.85 |
| 67000028 | Amory | Product | 2039805133 | 01484 | 07/31/18 | 35.82 | 35.82 |
| 67000028 | Amory | Product | 2039805417 | 01570 | 07/31/18 | 52.65 | 52.65 |
| 67000028 | Amory | Product | 2039805550 | 01592 | 07/31/18 | 76.46 | 76.46 |
| 67000028 | Amory | Product | 2039805096 | 01441 | 07/31/18 | 107.46 | 107.46 |
| 67000028 | Amory | Product | 2039807448 | 01665 | 07/31/18 | 278.72 | 278.72 |
| 67000028 | Amory | Product | 2039807287 | 01664 | 07/31/18 | 7,307.23 | 7,307.23 |
| 67000028 | Amory | Product | 2039730194 | 00621 | 07/27/18 | 11.95 | 11.95 |
| 67000028 | Amory | Product | 2039730781 | 01592 | 07/27/18 | 27.33 | 27.33 |
| 67000028 | Amory | Product | 2039730215 | 01103 | 07/27/18 | 36.86 | 36.86 |
| 67000028 | Amory | Product | 2039730762 | 01592 | 07/27/18 | 73.24 | 73.24 |
| 67000028 | Amory | Product | 2039730773 | 01592 | 07/27/18 | 142.78 | 142.78 |
| 67000028 | Amory | Product | 2039730461 | 01509 | 07/27/18 | 182.23 | 182.23 |
| 67000028 | Amory | Product | 2039730404 | 01484 | 07/27/18 | 198.16 | 198.16 |
| 67000028 | Amory | Product | 2039730263 | 01441 | 07/27/18 | 1,709.56 | 1,709.56 |
| 67000028 | Amory | Product | 2039730206 | 00778 | 07/27/18 | 1,840.42 | 1,840.42 |
| 67000028 | Amory | Product | 2039732281 | 01633 | 07/27/18 | 7,504.05 | 7,504.05 |
| 67000028 | Amory | Product | 2039670046 | 01441 | 07/26/18 | 2,979.48 | 2,979.48 |
| 67000028 | Amory | Product | 2039606367 | 01270 | 07/24/18 | 4.71 | 4.71 |
| 67000028 | Amory | Product | 2039606784 | 01527 | 07/24/18 | 8.08 | 8.08 |
| 67000028 | Amory | Product | 2039607054 | 01570 | 07/24/18 | 36.14 | 36.14 |
| 67000028 | Amory | Product | 2039606311 | 00758 | 07/24/18 | 173.59 | 173.59 |
| 67000028 | Amory | Product | 2039606339 | 01103 | 07/24/18 | 196.42 | 196.42 |
| 67000028 | Amory | Product | 2039606776 | 01509 | 07/24/18 | 548.86 | 548.86 |
| 67000028 | Amory | Product | 2039606678 | 01484 | 07/24/18 | 883.22 | 883.22 |
| 67000028 | Amory | Product | 2039608712 | 01592 | 07/24/18 | 9,495.61 | 9,495.61 |
| 67000028 | Amory | Product | 2039513113 | 01509 | 07/20/18 | 8.08 | 8.08 |
| 67000028 | Amory | Product | 2039513199 | 01527 | 07/20/18 | 10.46 | 10.46 |
| 67000028 | Amory | Product | 2039513136 | 01509 | 07/20/18 | 10.46 | 10.46 |
| 67000028 | Amory | Product | 2039512021 | 01236 | 07/20/18 | 11.94 | 11.94 |
| 67000028 | Amory | Product | 2039512405 | 01441 | 07/20/18 | 48.53 | 48.53 |
| 67000028 | Amory | Product | 2039513145 | 01509 | 07/20/18 | 100.64 | 100.64 |
| 67000028 | Amory | Product | 2039511905 | 00758 | 07/20/18 | 172.56 | 172.56 |
| 67000028 | Amory | Product | 2039511916 | 00990 | 07/20/18 | 287.60 | 287.60 |
| 67000028 | Amory | Product | 2039512882 | 01484 | 07/20/18 | 498.31 | 498.31 |
| 67000028 | Amory | Product | 2039513155 | 01527 | 07/20/18 | 1,137.69 | 1,137.69 |
| 67000028 | Amory | Product | 2039516444 | 01570 | 07/20/18 | 5,326.57 | 5,326.57 |
| 67000028 | Amory | Product | 2039395565 | 01270 | 07/17/18 | 4.71 | 4.71 |
| 67000028 | Amory | Product | 2039395683 | 01332 | 07/17/18 | 6.42 | 6.42 |
| 67000028 | Amory | Product | 2039396672 | 01484 | 07/17/18 | 17.31 | 17.31 |
| 67000028 | Amory | Product | 2039396280 | 01441 | 07/17/18 | 20.42 | 20.42 |
| 67000028 | Amory | Product | 2039396262 | 01441 | 07/17/18 | 55.02 | 55.02 |
| 67000028 | Amory | Product | 2039396029 | 01406 | 07/17/18 | 251.85 | 251.85 |
| 67000028 | Amory | Product | 2039396645 | 01484 | 07/17/18 | 950.37 | 950.37 |
| 67000028 | Amory | Product | 2039395857 | 01372 | 07/17/18 | 1,147.03 | 1,147.03 |
| 67000028 | Amory | Product | 2039399591 | 01509 | 07/17/18 | 10,495.96 | 10,495.96 |
| 67000028 | Amory | Product | 2039342757 | 01177 | 07/13/18 | 13.03 | 13.03 |
| 67000028 | Amory | Product | 2039342740 | 01166 | 07/13/18 | 39.09 | 39.09 |
| 67000028 | Amory | Product | 2039343198 | 01406 | 07/13/18 | 72.88 | 72.88 |
| 67000028 | Amory | Product | 2039343161 | 01406 | 07/13/18 | 86.22 | 86.22 |
| 67000028 | Amory | Product | 2039343776 | 01441 | 07/13/18 | 99.08 | 99.08 |
| 67000028 | Amory | Product | 2039343339 | 01441 | 07/13/18 | 142.78 | 142.78 |
| 67000028 | Amory | Product | 2039342827 | 01270 | 07/13/18 | 166.18 | 166.18 |
| 67000028 | Amory | Product | 2039343048 | 01372 | 07/13/18 | 201.95 | 201.95 |
| 67000028 | Amory | Product | 2039342944 | 01332 | 07/13/18 | 251.55 | 251.55 |
| 67000028 | Amory | Product | 2039343331 | 01441 | 07/13/18 | 630.84 | 630.84 |
| 67000028 | Amory | Product | 2039344930 | 01484 | 07/13/18 | 9,679.67 | 9,679.67 |
| 67000028 | Amory | Credit | 2039230528 | 01166 | 07/10/18 | (33.93) | (33.93) |
| 67000028 | Amory | Product | 2039230881 | 01372 | 07/10/18 | 30.92 | 30.92 |
| 67000028 | Amory | Product | 2039231016 | 01406 | 07/10/18 | 149.33 | 149.33 |
| 67000028 | Amory | Product | 2039230736 | 01332 | 07/10/18 | 194.89 | 194.89 |
| 67000028 | Amory | Product | 2039230658 | 01270 | 07/10/18 | 400.83 | 400.83 |
| 67000028 | Amory | Product | 2039231009 | 01406 | 07/10/18 | 1,170.30 | 1,170.30 |
| 67000028 | Amory | Product | 2039231587 | 01441 | 07/10/18 | 5,487.33 | 5,487.33 |
| 67000025 | Batesville | Product | 2040206485 | 00735 | 08/14/18 | 197.07 | 197.07 |
| 67000025 | Batesville | Product | 2039900872 | 00600 | 08/03/18 | 39.48 | 39.48 |

| Account # | Account Name | Type of Invoice | Invoice # | PO # | Date | Original Amount | Balance Due |
|-----------|--------------|-----------------|------------|-------------|----------|-----------------|-------------|
| 67000025 | Batesville | Product | 2039805352 | 00600 | 07/31/18 | 25.21 | 25.21 |
| 67000025 | Batesville | Product | 2039807058 | 00663 | 07/31/18 | 97.31 | 97.31 |
| 67000025 | Batesville | Product | 2039510042 | 00583 | 07/19/18 | 175.84 | 175.84 |
| 67000025 | Batesville | Product | 2039342838 | 00479 | 07/13/18 | 111.61 | 111.61 |
| 67000025 | Batesville | Product | 2039259499 | 00551 | 07/11/18 | 185.95 | 185.95 |
| 67000025 | Batesville | Product | 2039258254 | 00479 | 07/11/18 | 234.00 | 234.00 |
| 67000029 | Clarksdale | Product | 2040439519 | 749-6783323 | 08/23/18 | 9.12 | 9.12 |
| 67000029 | Clarksdale | Product | 2040439976 | 749-6787383 | 08/23/18 | 18.95 | 18.95 |
| 67000029 | Clarksdale | Product | 2040439495 | 749-6783323 | 08/23/18 | 125.06 | 125.06 |
| 67000029 | Clarksdale | Product | 2040439938 | 749-6787247 | 08/23/18 | 138.98 | 138.98 |
| 67000029 | Clarksdale | Product | 2040443588 | 749-6790883 | 08/23/18 | 1,045.92 | 1,045.92 |
| 67000029 | Clarksdale | Product | 2040364372 | 749-6787247 | 08/21/18 | 502.43 | 502.43 |
| 67000029 | Clarksdale | Product | 2040364418 | 749-6787247 | 08/21/18 | 918.58 | 918.58 |
| 67000029 | Clarksdale | Product | 2040363504 | 749-6783323 | 08/21/18 | 1,262.69 | 1,262.69 |
| 67000029 | Clarksdale | Product | 2040367413 | 749-6789343 | 08/21/18 | 2,412.06 | 2,412.06 |
| 67000029 | Clarksdale | Credit | 2040286042 | 749-6783323 | 08/17/18 | (871.52) | (871.52) |
| 67000029 | Clarksdale | Product | 2040259876 | 749-6777433 | 08/16/18 | 4.56 | 4.56 |
| 67000029 | Clarksdale | Product | 2040259849 | 749-6775175 | 08/16/18 | 43.60 | 43.60 |
| 67000029 | Clarksdale | Product | 2040260102 | 749-6783323 | 08/16/18 | 148.84 | 148.84 |
| 67000029 | Clarksdale | Product | 2040259951 | 749-6779170 | 08/16/18 | 355.17 | 355.17 |
| 67000029 | Clarksdale | Product | 2040261436 | 749-6783323 | 08/16/18 | 871.52 | 871.52 |
| 67000029 | Clarksdale | Product | 2040261344 | 749-6787247 | 08/16/18 | 15,263.88 | 15,263.88 |
| 67000029 | Clarksdale | Product | 2040205851 | 749-6777433 | 08/14/18 | 8.08 | 8.08 |
| 67000029 | Clarksdale | Product | 2040205743 | 749-6775175 | 08/14/18 | 24.78 | 24.78 |
| 67000029 | Clarksdale | Product | 2040205749 | 749-6775175 | 08/14/18 | 47.55 | 47.55 |
| 67000029 | Clarksdale | Product | 2040206312 | 749-6784016 | 08/14/18 | 53.23 | 53.23 |
| 67000029 | Clarksdale | Product | 2040205666 | 749-6742424 | 08/14/18 | 163.12 | 163.12 |
| 67000029 | Clarksdale | Product | 2040206229 | 749-6783323 | 08/14/18 | 178.24 | 178.24 |
| 67000029 | Clarksdale | Product | 2040205839 | 749-6777433 | 08/14/18 | 911.77 | 911.77 |
| 67000029 | Clarksdale | Product | 2040205899 | 749-6779170 | 08/14/18 | 3,700.73 | 3,700.73 |
| 67000029 | Clarksdale | Product | 2040206187 | 749-6783323 | 08/14/18 | 10,686.74 | 10,686.74 |
| 67000029 | Clarksdale | Credit | 2040065654 | 749-6754395 | 08/09/18 | (147.68) | (147.68) |
| 67000029 | Clarksdale | Product | 2040065771 | 749-6770036 | 08/09/18 | 109.17 | 109.17 |
| 67000029 | Clarksdale | Product | 2040065835 | 749-6773652 | 08/09/18 | 123.68 | 123.68 |
| 67000029 | Clarksdale | Product | 2040066050 | 749-6779170 | 08/09/18 | 200.07 | 200.07 |
| 67000029 | Clarksdale | Product | 2040066081 | 749-6779554 | 08/09/18 | 594.46 | 594.46 |
| 67000029 | Clarksdale | Product | 2040065942 | 749-6777433 | 08/09/18 | 622.53 | 622.53 |
| 67000029 | Clarksdale | Product | 2040011530 | 749-6777433 | 08/07/18 | 59.05 | 59.05 |
| 67000029 | Clarksdale | Product | 2040011545 | 749-6777433 | 08/07/18 | 104.78 | 104.78 |
| 67000029 | Clarksdale | Product | 2040011411 | 749-6775175 | 08/07/18 | 125.08 | 125.08 |
| 67000029 | Clarksdale | Product | 2040011606 | 749-6779170 | 08/07/18 | 419.86 | 419.86 |
| 67000029 | Clarksdale | Product | 2039884766 | 749-6770023 | 08/02/18 | 17.49 | 17.49 |
| 67000029 | Clarksdale | Product | 2039885152 | 749-6777433 | 08/02/18 | 32.55 | 32.55 |
| 67000029 | Clarksdale | Product | 2039884995 | 749-6775175 | 08/02/18 | 34.19 | 34.19 |
| 67000029 | Clarksdale | Product | 2039885226 | 749-6777752 | 08/02/18 | 49.58 | 49.58 |
| 67000029 | Clarksdale | Product | 2039884685 | 749-6747701 | 08/02/18 | 88.96 | 88.96 |
| 67000029 | Clarksdale | Product | 2039884680 | 749-6720329 | 08/02/18 | 246.81 | 246.81 |
| 67000029 | Clarksdale | Product | 2039884762 | 749-6770023 | 08/02/18 | 266.82 | 266.82 |
| 67000029 | Clarksdale | Product | 2039884934 | 749-6773652 | 08/02/18 | 617.11 | 617.11 |
| 67000029 | Clarksdale | Product | 2039885173 | 749-6777433 | 08/02/18 | 1,824.26 | 1,824.26 |
| 67000029 | Clarksdale | Product | 2039886281 | 749-6779170 | 08/02/18 | 3,325.58 | 3,325.58 |
| 67000029 | Clarksdale | Product | 2039886110 | 749-6779170 | 08/02/18 | 3,886.73 | 3,886.73 |
| 67000029 | Clarksdale | Product | 2039805833 | 749-6775175 | 07/31/18 | 5.45 | 5.45 |
| 67000029 | Clarksdale | Product | 2039805541 | 749-6773515 | 07/31/18 | 11.20 | 11.20 |
| 67000029 | Clarksdale | Product | 2039805189 | 749-6770023 | 07/31/18 | 44.92 | 44.92 |
| 67000029 | Clarksdale | Product | 2039805098 | 749-6765582 | 07/31/18 | 44.92 | 44.92 |
| 67000029 | Clarksdale | Product | 2039805571 | 749-6773652 | 07/31/18 | 44.92 | 44.92 |
| 67000029 | Clarksdale | Product | 2039805187 | 749-6770036 | 07/31/18 | 53.40 | 53.40 |
| 67000029 | Clarksdale | Product | 2039806008 | 749-6762434 | 07/31/18 | 143.17 | 143.17 |
| 67000029 | Clarksdale | Product | 2039805559 | 749-6773652 | 07/31/18 | 196.47 | 196.47 |
| 67000029 | Clarksdale | Product | 2039805181 | 749-6770023 | 07/31/18 | 307.35 | 307.35 |
| 67000029 | Clarksdale | Product | 2039807329 | 749-6777433 | 07/31/18 | 26,540.66 | 26,540.66 |
| 67000029 | Clarksdale | Product | 2039670427 | 749-6771071 | 07/26/18 | 51.04 | 51.04 |
| 67000029 | Clarksdale | Product | 2039669741 | 749-6703140 | 07/26/18 | 78.16 | 78.16 |
| 67000029 | Clarksdale | Product | 2039670820 | 749-6773515 | 07/26/18 | 90.46 | 90.46 |
| 67000029 | Clarksdale | Product | 2039669795 | 749-6751851 | 07/26/18 | 102.08 | 102.08 |

| Account # | Account Name | Type of Invoice | Invoice # | PO # | Date | Original Amount | Balance Due |
|-----------|--------------|-----------------|------------|-------------|----------|-----------------|-------------|
| 67000029 | Clarksdale | Product | 2039673477 | 749-6775175 | 07/26/18 | 122.40 | 122.40 |
| 67000029 | Clarksdale | Product | 2039670304 | 749-6770023 | 07/26/18 | 287.51 | 287.51 |
| 67000029 | Clarksdale | Product | 2039670761 | 749-6773652 | 07/26/18 | 1,187.70 | 1,187.70 |
| 67000029 | Clarksdale | Product | 2039673395 | 749-6775175 | 07/26/18 | 1,397.54 | 1,397.54 |
| 67000029 | Clarksdale | Product | 2039670712 | 749-6773515 | 07/26/18 | 4,196.10 | 4,196.10 |
| 67000029 | Clarksdale | Product | 2039606396 | 749-6762434 | 07/24/18 | 5.23 | 5.23 |
| 67000029 | Clarksdale | Product | 2039606351 | 749-6754395 | 07/24/18 | 11.30 | 11.30 |
| 67000029 | Clarksdale | Product | 2039606316 | 749-6732376 | 07/24/18 | 13.00 | 13.00 |
| 67000029 | Clarksdale | Product | 2039606512 | 749-6765748 | 07/24/18 | 20.92 | 20.92 |
| 67000029 | Clarksdale | Product | 2039606486 | 749-6765582 | 07/24/18 | 602.51 | 602.51 |
| 67000029 | Clarksdale | Product | 2039606549 | 749-6763708 | 07/24/18 | 893.92 | 893.92 |
| 67000029 | Clarksdale | Product | 2039510026 | 749-6770023 | 07/19/18 | 32.55 | 32.55 |
| 67000029 | Clarksdale | Product | 2039509952 | 749-6765582 | 07/19/18 | 106.63 | 106.63 |
| 67000029 | Clarksdale | Product | 2039510029 | 749-6770036 | 07/19/18 | 301.59 | 301.59 |
| 67000029 | Clarksdale | Product | 2039510027 | 749-6770023 | 07/19/18 | 503.82 | 503.82 |
| 67000029 | Clarksdale | Product | 2039510228 | 749-6771071 | 07/19/18 | 673.00 | 673.00 |
| 67000029 | Clarksdale | Product | 2039396384 | 749-6762434 | 07/17/18 | 15.06 | 15.06 |
| 67000029 | Clarksdale | Product | 2039395502 | 749-6754395 | 07/17/18 | 27.87 | 27.87 |
| 67000029 | Clarksdale | Product | 2039396253 | 749-6765748 | 07/17/18 | 63.69 | 63.69 |
| 67000029 | Clarksdale | Product | 2039395544 | 749-6758347 | 07/17/18 | 69.73 | 69.73 |
| 67000029 | Clarksdale | Product | 2039395555 | 749-6758447 | 07/17/18 | 114.44 | 114.44 |
| 67000029 | Clarksdale | Product | 2039396185 | 749-6765582 | 07/17/18 | 164.83 | 164.83 |
| 67000029 | Clarksdale | Product | 2039395949 | 749-6763708 | 07/17/18 | 226.12 | 226.12 |
| 67000029 | Clarksdale | Product | 2039395810 | 749-6762434 | 07/17/18 | 278.46 | 278.46 |
| 67000029 | Clarksdale | Product | 2039399737 | 749-6770036 | 07/17/18 | 2,249.54 | 2,249.54 |
| 67000029 | Clarksdale | Product | 2039399537 | 749-6770023 | 07/17/18 | 8,822.08 | 8,822.08 |
| 67000029 | Clarksdale | Product | 2039287509 | 749-6762999 | 07/12/18 | 3.09 | 3.09 |
| 67000029 | Clarksdale | Product | 2039287241 | 749-6758447 | 07/12/18 | 159.74 | 159.74 |
| 67000029 | Clarksdale | Product | 2039287494 | 749-6762787 | 07/12/18 | 260.53 | 260.53 |
| 67000029 | Clarksdale | Product | 2039288274 | 749-6765582 | 07/12/18 | 776.85 | 776.85 |
| 67000029 | Clarksdale | Product | 2039287551 | 749-6763708 | 07/12/18 | 838.64 | 838.64 |
| 67000029 | Clarksdale | Product | 2039287570 | 749-6763749 | 07/12/18 | 1,014.32 | 1,014.32 |
| 67000029 | Clarksdale | Product | 2039287854 | 749-6765748 | 07/12/18 | 5,335.77 | 5,335.77 |
| 67000029 | Clarksdale | Product | 2039287788 | 749-6765582 | 07/12/18 | 9,002.72 | 9,002.72 |
| 67000029 | Clarksdale | Product | 2039287438 | 749-6762434 | 07/12/18 | 11,094.06 | 11,094.06 |
| 67000029 | Clarksdale | Product | 2039258398 | 749-6759671 | 07/11/18 | 53.40 | 53.40 |
| 67000029 | Clarksdale | Product | 2039258246 | 749-6758447 | 07/11/18 | 112.91 | 112.91 |
| 67000029 | Clarksdale | Product | 2039258109 | 749-6754395 | 07/11/18 | 217.92 | 217.92 |
| 67000029 | Clarksdale | Product | 2039258239 | 749-6758347 | 07/11/18 | 1,415.14 | 1,415.14 |



1201 West Peachtree Street
Suite 1100, Atlanta, GA 30309 • (404) 253-6000

September 10, 2018

David E. Gordon
(404) 253-6005
(404) 745-8403 Direct Fax
dgordon@polsinelli.com

Via Facsimile, E-mail, and First Class Mail

Mr. Bill Ray
Owens & Minor
9120 Lockwood Boulevard
Mechanicsville, VA 23116-2015
Fax: (804) 723-7124
E-mail: bill.ray@owens-minor.com

**Re: In re Curae Health, Inc. et al., Case No. 18-05665 (Bankr. M.D. Tenn.)
(Jointly Administered)**

Dear Mr. Ray:

We represent Curae Health, Inc. and its affiliated debtors (collectively, the “**Debtors**”) in connection with the above-captioned chapter 11 cases, and are writing to advise you of the Debtors’ position concerning your letter dated August 28, 2018 (the “**Reclamation Letter**”), in which Owens & Minor Distribution, Inc. requests reclamation of certain goods delivered to the Debtors pursuant to section 546(c) of the Bankruptcy Code and section 2-702 of the Uniform Commercial Code.

Section 546(c)(1) of the Bankruptcy Code expressly provides that reclamation claims are “subject to the prior rights of a holder of a security interest in such goods.” Section 2-702 of the Uniform Commercial Code likewise provides that a “seller’s right to reclaim . . . is subject to the rights of a buyer in the ordinary course or other good faith purchaser under this Article.” *See In re Child World, Inc.*, 145 B.R. 5, 7 (Bankr. S.D.N.Y. 1992) (“The holder of a perfected security interest will be treated as a good faith purchaser with rights superior to the seller’s right of reclamation under U.C.C. §2-702.”); *see also* UCC § 1-201(32) (defining “purchase” to mean “taking by sale . . . security interest . . . or any other voluntary transaction creating an interest in property.”). As a result, a vendor is not entitled to reclaim goods that are subject to a prior, perfected security interest. *See id.*

In this case, all of the Debtors’ inventory and other personal property assets, including the goods referenced in your Reclamation Letter, are subject to first priority, senior security interests and liens pursuant to: that certain Loan Agreement, dated as of May 1, 2017, as amended,

polsinelli.com

Atlanta Boston Chicago Dallas Denver Houston Kansas City Los Angeles Nashville New York Phoenix
St. Louis San Francisco Seattle Washington, D.C. Wilmington
Polsinelli PC, Polsinelli LLP in California

September 10, 2018

Page 2

restated, supplemented, or otherwise modified from time to time (the “**Prepetition Senior Term Loan Agreement**” and, together with all other loan and security documents executed in connection therewith, the “**Prepetition Senior Term Loan Documents**”) between Debtors Amory Regional Medical Center, Batesville Regional Medical Center, and Clarksdale Regional Medical Center (collectively, the “**Prepetition Term Loan Borrowers**”), and ServisFirst Bank, ServisFirst Bank provided a term loan to the Prepetition Term Loan Borrowers, and which is guaranteed by Debtor Curae Health, Inc., in the aggregate principal amount of \$18,783,000 (the “**Prepetition Senior Term Loan Facility**”). To secure Debtors’ obligations under the Prepetition Senior Term Loan Facility, Debtors granted security interests in and liens on substantially all of their assets. Thus, the Prepetition Senior Term Loan Facility is fully secured by substantially all of Debtors’ assets, including the goods referenced in your Reclamation Letter.

If the value of any reclaiming supplier’s goods does not exceed the amount of debt secured by the secured lenders’ prior liens, the reclamation claim is valueless. *In re Dana Corp.*, 367 B.R. 409, 419 (Bankr. S.D.N.Y. 2007). The aggregate amount of pre-petition debt owing to the Debtors’ secured lenders exceeds the value of the collateral securing such liens, including the goods which are referenced in the Reclamation Letter. Accordingly, because the goods referenced in the Reclamation Letter are subject to prior security interests in favor of the Debtors’ secured lenders, the Debtors simply cannot agree to return—or to permit you to reclaim—the subject goods.

Sincerely,


David E. Gordon

DEG:

MIDDLE DISTRICT OF TENNESSEE

Claims Register

[3:18-bk-05676 Batesville Regional Medical Center Inc.](#)

Judge: Charles M Walker

Chapter: 11

Office: Nashville

Last Date to file claims:

Trustee:

Last Date to file (Govt):

Creditor: (6802684)

Claim No: 29

Status:

Owens & Minor, Inc.

Original Filed

Filed by: CR

ATT: Credit Team

Date: 01/17/2019

Entered by: RONALD G

9120 Lockwood Blvd

Original Entered

STEEN, JR

Mechanicsville, VA 23116

Date: 01/17/2019

Modified:

Amount claimed: \$236.55

History:

[Details](#) [29-1](#) 01/17/2019 Claim #29 filed by Owens & Minor, Inc., Amount claimed: \$236.55 (STEEN, RONALD)

Description:

Remarks:

Claims Register Summary

Case Name: Batesville Regional Medical Center Inc.

Case Number: 3:18-bk-05676

Chapter: 11

Date Filed: 08/24/2018

Total Number Of Claims: 1

| | |
|------------------------------|----------|
| Total Amount Claimed* | \$236.55 |
| Total Amount Allowed* | |

*Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

| | Claimed | Allowed |
|----------------|---------|---------|
| Secured | | |
| Priority | | |
| Administrative | | |