

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

In re:

Curae Health, Inc., *et al.*<sup>1</sup>

1721 Midpark Road, Suite B200  
Knoxville, TN 37921

Debtors.

Chapter 11

Case No. 18-05665

Judge Walker

Jointly Administered

**NOTICE OF REVISED PROPOSED ORDER GRANTING THE TRUSTEE'S  
MOTION FOR ENTRY OF AN ORDER AUTHORIZING ABANDONMENT  
AND DESTRUCTION OF BUSINESS DOCUMENTS**

Comes now, Steven D Sass LLC, in its capacity as Liquidating Trustee and Debtor Representative (the "Trustee"), by and through counsel, and respectfully submits this *Notice of Revised Proposed Order Granting the Trustee's Motion for Entry of an Order Authorizing Abandonment and Destruction of Business Documents*.

On December 23, 2020, the Trustee filed the *Motion for Order Authorizing Abandonment and Destruction of Business Documents* [Dkt Entry No. 1379] (the "Destruction Motion"). A proposed order was attached to the Destruction Motion as Exhibit A (the "Proposed Destruction Order").

Following the filing of the Destruction Motion, the Trustee received informal comments from certain parties and has, accordingly, revised the Proposed Destruction Order. A clean version of the revised Proposed Destruction Order is attached as **Exhibit A**. A redline reflecting a

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<sup>1</sup> The Debtors in these chapter 11 cases (the "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); and Clarksdale Regional Medical Center, Inc. (4755); Amory Regional Physicians, LLC (5044); Batesville Regional Physicians, LLC (4952); Clarksdale Regional Physicians, LLC (5311).

comparison of the original Proposed Destruction Order and the revised Proposed Destruction Order is attached as **Exhibit B**.

Dated: January 27, 2021

Respectfully submitted,

**MANIER & HEROD, P.C.**

/s/ Robert W. Miller

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and

**SILLS CUMMIS & GROSS P.C.**

Andrew H. Sherman (admitted *pro hac vice*)  
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*Co-Counsel to Steven D Sass LLC, in its capacity as  
Liquidating Trustee and Debtor Representative*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 26, 2021, a copy of the foregoing was sent via ECF to all parties registered to receive electronic notice in the case.

/s/ Robert W. Miller  
Robert W. Miller

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Re: Docket No.

**ORDER GRANTING THE MOTION FOR ENTRY OF AN ORDER AUTHORIZING  
ABANDONMENT AND DESTRUCTION OF BUSINESS DOCUMENTS**

Before the Court is the *Motion For Entry of an Order Authorizing Abandonment and Destruction of Business Documents* (the “Motion”), and the Court having concluded that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b), (iii) venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409, (iv) good and sufficient notice of the Motion has been given and a reasonable opportunity to object to, or be heard has been afforded to all interested persons and entities, (v) any objections to the relief requested in the Motion have been withdrawn or overruled, and (vi) the legal and factual bases set forth in the Motion establish just cause for the relief granted herein,

IT IS THEREFORE ORDERED THAT:

1. The Motion is granted.

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2. The Trustee is authorized, but not directed, to abandon and securely destroy or otherwise dispose of the Records<sup>2</sup>, as more particularly set forth in the Motion. For the avoidance of doubt, the Trustee may not abandon and securely destroy or otherwise dispose of any patient records without further order of the Court.

3. The Trustee is authorized, but not directed, to abandon and securely destroy or otherwise dispose of any Additional Records without further notice or application to the Court, as more particularly set forth in the Motion.

4. The Trustee shall provide (a) counsel to CHS/Community Health Systems, Inc. (Paul Jennings, Esq., Bass, Berry & Sims PLC, [pjennings@bassberry.com](mailto:pjennings@bassberry.com)) and (b) counsel to Progressive Medical Management of Batesville, LLC (Crane Kipp, Esq., Wise Carter, [cdk@wisecarter.com](mailto:cdk@wisecarter.com)) with ten (10) days' prior notice of the Trustee's intent to abandon and securely destroy or otherwise dispose of Records or Additional Records.

5. This Order shall be effective immediately.

6. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

IT IS SO ORDERED.

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<sup>2</sup> Capitalized terms used but otherwise undefined in this Order shall have the meanings ascribed to them in the Motion.

Submitted for Entry By:

**MANIER & HEROD, P.C.**

/s/ Robert W. Miller

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Robert W. Miller (Bar No. 31918)

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3. The Trustee is authorized, but not directed, to abandon and securely destroy or otherwise dispose of any Additional Records without further notice or application to the Court, as more particularly set forth in the Motion.

4. The Trustee shall provide (a) counsel to CHS/Community Health Systems, Inc. (Paul Jennings, Esq., Bass, Berry & Sims PLC, pjennings@bassberry.com) and (b) counsel to Progressive Medical Management of Batesville, LLC (Crane Kipp, Esq., Wise Carter, cdk@wisecarter.com) with ten (10) days' prior notice of the Trustee's intent to abandon and securely destroy or otherwise dispose of Records or Additional Records.

5. ~~4.~~This Order shall be effective immediately.

6. ~~5.~~The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

IT IS SO ORDERED.

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