

**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 C300)	Judge Walker
Knoxville, TN 37921)	
Debtors.)	Jointly Administered

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON MAY 9, 2019 AT 9:00 A.M. (CST)**

Please take notice that the hearing on all matters scheduled for May 9, 2019 in the above-captioned Chapter 11 cases shall be held at 9:00 a.m. (CST) in Courtroom 2, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203.

1. *Motion for Allowance and Immediate Payment of Administrative Expenses and Unsecured Claims* (the “**Motion**”) [Docket No. 927].

Related Document: *Agreed Order Extending Objection Deadline for Official Committee of Unsecured Creditors of Curae Health, Inc., et al., and the Debtors* [Docket No. 974].

Response: *Objection to Motion for Allowance and Immediate Payment of Administrative Expenses and Unsecured Claims* [Docket No. 989].

Status for Hearing: This matter has been resolved as provided in the Proposed Consent Order and will not go forward at the hearing.

2. *Hearing on Debtors’ Expedited Motion to Approve Stipulation with Magmutual Insurance Company* [Docket No. 982].

Related Document(s): *Expedited Order Scheduling Hearing and Objection Deadline on (A) Expedited Motion of Debtors' for Entry of an Order Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure Approving (I) the Amory MDOM Settlement Agreement and (II) the Batesville MDOM*

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); and Clarksdale Regional Medical Center, Inc. (4755); Amory Regional Physicians, LLC (5044); Batesville Regional Physicians, LLC (4952); Clarksdale Regional Physicians, LLC (5311).

Settlement Agreement, and (B) Debtors' Expedited Motion to Approve Stipulation With Magmutual Insurance Company [Docket No. 996].

Responses: None.

Status for Hearing: This matter will go forward at the Hearing.

3. Hearing on *Expedited Motion of Debtors for Entry of an Order Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure Approving (I) the Amory MDOM Settlement Agreement and (II) the Batesville MDOM Settlement Agreement [Docket No. 980].*

Related Document(s): *The State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings [Docket No. 758]; Joint Objection of the Debtors and Official Committee of Unsecured Creditors Opposing the State of Mississippi Division of Medicaid's Motion and Joint Cross Motion of the Debtors and Official Committee of Unsecured Creditors Seeking (A) Payment of Actual Damages for the State of Mississippi Division of Medicaid's Willful Violations of the Automatic Stay and (B) Turnover of Estate Funds [Docket No. 901]; Expedited Order Scheduling Hearing and Objection Deadline on (A) Expedited Motion of Debtors' for Entry of an Order Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure Approving (I) the Amory MDOM Settlement Agreement and (II) the Batesville MDOM Settlement Agreement, and (B) Debtors' Expedited Motion to Approve Stipulation With Magmutual Insurance Company [Docket No. 994].*

Responses: None.

Status for Hearing: This matter will go forward at the Hearing.

4. Hearing on *The State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings (the "Dom Motion") [Docket No. 758].*

Related Document(s): *Notice of Hearing of the Dom Motion (the "Notice") [Docket No. 761]; The Order Granting the Motion [Docket No. 760] (the "Order"); the Agreed Order (A) Adjourning*

the State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings; and (B) Setting Briefing Schedule With Respect Thereto (the "Scheduling Order") [Docket No. 781]; *the Agreed Order Granting Continuance of Hearing on the Dom Motion (A) Adjourning the State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings; and (B) Setting Briefing Schedule With Respect Thereto (the "Continuance Order")* [Docket No. 802]; *the Submitted Agreed Order (A) Adjourning the State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings; and (B) Setting Briefing Schedule With Respect Thereto (the "2nd Continuance Order")* [Docket No. 837]; *and Agreed Order Scheduling Hearing on the DOM Motion, Responses Filed by March 26, 2019, and all Replies to any Responses filed by April 2, 2019 (the "3rd Order")* [Docket No. 842].

Responses:

Joint Objection of the Debtors and Official Committee of Unsecured Creditors Opposing the State of Mississippi Division of Medicaid's Motion and Joint Cross Motion of the Debtors and Official Committee of Unsecured Creditors Seeking (A) Payment of Actual Damages for the State of Mississippi Division of Medicaid's Willful Violations of the Automatic Stay and (B) Turnover of Estate Funds [Docket No. 901]; *MEDHOST's Response to the State of Mississippi Division of Medicaid's Motion to Approve Administrative Expense Claim and Compel Payment Thereof and to Show Cause and Dismiss or Convert* [Docket No. 904]; *Limited Objection of CHS/Community Health Systems, Inc. to the State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for*

the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings [Docket No. 905]; Objection of By ServisFirst Bank to the State of Mississippi Division of Medicaid's Motion to (I) Approve its Administrative Expense, and Compel Payment Thereof, and (II) Upon Any Failure to Pay That the Debtors Be Required to Appear at a Hearing to Show Cause and for the Court to Hear and Consider Whether to Dismiss or Convert the Proceedings [Docket No. 907]; Response of Mississippi Emergency Physician Services, LLC and Comprehensive Hospitalists of MS, LLC to the State of Mississippi Division of Medicaid's Motion to Approve Administrative Expense Claim and Compel Payment Thereof and to Show Cause and Dismiss or Convert [Docket No. 908]; Statement of Interested Party North Mississippi Health Services in Response to the State of Mississippi Department of Medicaid's Motion Filed on the behalf of: Interested Party North Mississippi Health Services, Inc. [Docket No. 930].

Replies:

Reply of the State of Mississippi Division of Medicaid to Joint Objection of the Debtors and Official Committee of Unsecured Creditors and Objection to Cross-Claim [Docket No. 919].

Status for Hearing:

The Debtors believe this matter has been resolved pending final documentation and Court approval of such resolution.

5. Hearing on *Joint Objection of the Debtors and Official Committee of Unsecured Creditors Opposing the State of Mississippi Division of Medicaid's Motion and Joint Cross Motion of the Debtors and Official Committee of Unsecured Creditors Seeking (A) Payment of Actual Damages for the State of Mississippi Division of Medicaid's Willful Violations of the Automatic Stay and (B) Turnover of Estate Funds [Docket No. 901].*

Responses:

Reply of the State of Mississippi Division of Medicaid to Joint Objection of the Debtors and Official Committee of Unsecured Creditors and Objection to Cross-Claim [Docket No. 919].

Status for Hearing:

The Debtors believe this matter has been resolved pending final documentation and Court approval of such resolution.

6. Hearing on *Debtors' Expedited Motion for Entry of an Order (I) Authorizing the Sale of Northwest Mississippi Regional Medical Center Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (II) Approving the Clarksdale APA; (III) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 962].*

Related Documents:

Expedited Order Scheduling Hearing and Objection Deadline on Debtors' Expedited Motion for Entry of An Order (I) Authorizing the Sale of Northwest Mississippi Regional Medical Center Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (II) Approving the Clarksdale APA; (III) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief; and (B) Approving Assumption and Assignment Procedures [Docket No. 969]; Notice of Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 970].

Responses:

*Coahoma County, Mississippi's Objection to Notice of (I) Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 990] (the "**County Sale Objection**")*; *The State of Mississippi Division of Medicaid's Request for Adequate Assurance and limited Objection to (I) Authorizing the Sale of Northwest Mississippi Regional Medical Center Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (II) Approving the Clarksdale APA; and (III)-(IV) Granting Related Relief [Docket No. 991] (the "**MDOM Sale Objection**")*; *Limited Objection of De Lage Landen Financial Services, Inc. to Notice of (I) Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 1010] (the "**DLLFS Cure Objection**")*; *Limited Objection of Philips Medical Capital, LLC to Notice of (I) Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 1011] (the "**PMC Cure Objection**")*; *UnitedHealthcare Insurance Company's Limited Objection to Notice of (I) Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 1009] (the "**United Sale Objection**")*; *HHS Environmental*

*Services LLC's Limited Objection and Reservation with Respect to Notice of (I) Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 1018] (the "**HHS Cure Objection**")*; *GE HFS, LLC's Limited Objection to Notice of (I) Debtors Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Leases of Non- Residential Property; and (II) Cure Amounts Related to the Foregoing [Docket No. 1005] (the "**GE HFS Cure Objection**")*; *Medhost's Limited Objection to Debtors' Expedited Motion for Entry of an Order (I) Authorizing the Sale of Northwest Mississippi Regional Medical Center Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (II) Approving the Clarksdale APA; (III) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 1020] (the "**Medhost Cure Objection**")*; *ServisFirst Bank's Objection to Debtors' Expedited Motion for Entry of an Order (I) Authorizing the Sale of Northwest Mississippi Regional Medical Center Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (II) Approving the Clarksdale APA; (III) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 1019] (the "**ServisFirst Sale Objection**")*; *Objection of Cigna to Debtors' Expedited Motion for Entry of an Order (I) Authorizing the Sale of Northwest Mississippi Regional Medical Center Free and Clear of All Liens, Claims, Encumbrances and Other Interests, (II) Approving the Clarksdale APA; (III) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (IV) Granting Related Relief [Docket No. 1017] (the "**Cigna Sale Objection**")*; the informal objection of Nuance Communications, Inc. (the "**Nuance Cure Objection**")"; and the Objection of Bio-Medical Applications of Mississippi, Inc. d/b/a Clarksdale MS Inpatient Services to the Assumption and Assignment of its Executory Contracts with the Debtors [Docket No. 1042] (the "**BMA Cure Objection**").

Status of Responses:

The Debtors believe that the County Sale Objection, MDOM Sale Objection, BMA Cure Objection, and Cigna

Sale Objection have been resolved pending final documentation.

The DLLFS Cure Objection, PMC Cure Objection, Medhost Cure Objection, United Cure Objection, HHS Cure Objection, GE HFS Cure Objection, and Nuance Cure Objection shall be adjourned to a later date.

The ServisFirst Sale Objection has not been resolved.

Status for Hearing:

This matter will go forward at the Hearing.

7. Hearing on Confirmation of *Joint Chapter 11 Plan of Liquidation* [Docket No. 834].

Related Documents:

Disclosure Statement in Support of Joint Chapter 11 Plan of Liquidation [Docket No. 835]; *Declaration of Notice, Balloting, and Claims Agent Regarding Solicitation and Tabulation of Votes in Connection with the Joint Chapter 11 Plan of Liquidation* [Docket No. 1015]; *Amended Declaration of Stephen N. Clapp, Chief Executive Officer of Curae Health, Inc. in Support of Confirmation of the Joint Chapter 11 Plan of Liquidation of Curae Health, Inc., et al.* [Docket No. 1021]; *Proposed Findings of Fact, Conclusions of Law, and Order Confirming the Joint Chapter 11 Plan of Liquidation of Curae Health, Inc., Et Al.* [Docket No. 1013] (the “**Proposed Confirmation Order**”).

Responses:

Coahoma County’s *Objection to Joint Chapter 11 Plan of Liquidation of the Debtors* [Docket No. 949] (the “**County Plan Objection**”); *Objection of CHS/Community Health Systems, Inc. to Confirmation of Joint Chapter 11 Plan of Liquidation* [Docket No. 952] (“**CHS Plan Objection**”); The State of Mississippi Division of Medicaid’s *Objection to Proposed Plan and Certificate of Service* [Docket No. 948] (the “**DOM Plan Objection**”); HHS’ *Notice of Election of Opt Out of Third Party Releases, Exculpation Clause, and Related Injunctions Contained in the Debtors’ Chapter 11 Plan of Liquidation* [Docket No. 947] (the “**HHS Plan Objection**”); UnitedHealthcare Insurance Company’s *Limited Objection to Joint Chapter 11 Plan of Liquidation* [Docket No. 950] (the “**United Plan Objection**”); and *Objection of ServisFirst Bank to Confirmation of Joint Chapter 11 Plan of Liquidation* [Docket No. 953] (“**ServisFirst Plan Objection**”).

Replies:

Plan Proponents' Memorandum in Support of Entry of an Order Confirming the Joint Chapter 11 Plan of Liquidation of Curae Health, Inc., et al. [Docket No. 1012].

Status of Responses:

The County Plan Objection, the United Plan Objection, and the HHS Plan Objection have been resolved as set forth in the Proposed Confirmation Order.

The Debtors believe the DOM Plan Objection and CHS Plan Objection have been resolved pending final documentation and Court approval of such resolution.

The ServisFirst Plan Objection has not been resolved.

Status for Hearing:

This matter will go forward at the Hearing.

Dated: May 7, 2019
Nashville, Tennessee

Respectfully submitted,

POLSINELLI PC

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