

**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> <sup>1</sup>	)	Case No. 18-05665
	)	
1721 Midpark Road, Suite B200	)	Judge Walker
Knoxville, TN 37921	)	
Debtors.	)	Jointly Administered

**WITNESS AND EXHIBIT LIST FOR HEARING ON: (I) DEBTORS’ EXPEDITED MOTION TO APPROVE STIPULATION WITH MAGMUTUAL INSURANCE COMPANY (II) EXPEDITED MOTION OF DEBTORS FOR ENTRY ORDER APPROVING THE AMORY MDOM SETTLEMENT AND THE BATESVILLE MDOM SETTLEMENT (III) THE STATE OF MISSISSIPPI DIVISION OF MEDICAID’S MOTION TO APPROVE ITS ADMINISTRATIVE EXPENSE AND COMPEL PAYMENT (IV) THE JOINT OBJECTION OF DEBTORS AND THE COMMITTEE OPPOSING STATE OF MISSISSIPPI DIVISION OF MEDICAID’S MOTION AND JOINT CROSS MOTION OF DEBTORS’ AND COMMITTEE SEEKING PAYMENT OF ACTUAL DAMAGES (V) DEBTORS’ EXPEDITED MOTION AUTHORIZING SALE OF NORTHWEST MISSISSIPPI REGIONAL MEDICAL CENTER, AND (VI) CONFIRMATION OF JOINT CHAPTER 11 PLAN OF LIQUIDATION**

The above-captioned debtors and debtors-in-possession (collectively, the “**Debtors**”) in these jointly administered bankruptcy cases respectfully submit this witness and exhibit list in connection with the hearings set for May 9, 2019 (the “**Hearings**”) on (I) *Debtors’ Expedited Motion to Approve Stipulation with Magmutual Insurance Company* (the “**MagMutual Motion**”) [Docket No. 981]; (II) *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* (the “**Amory & Batesville Motion**”) [Docket No. 982]; (III) *the State of Mississippi Division of Medicaid’s*

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<sup>1</sup> 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).

*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]; (IV) the 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 (the “**Joint Cross Motion**”) [Docket No. 901]; (V) 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 (the “**Clarksdale Motion**”) [Docket No. 962]; and (VI) Confirmation of Joint Chapter 11 Plan of Liquidation (the “**Plan**”) [Docket No. 834].*

**A. Witness List**

The Debtors identify the following witnesses that may testify in the Hearing:

- a. **Stephen Clapp.** Mr. Clapp, on behalf of the Debtors, is expected to testify regarding any and all matters.
- b. **Brad Daniels.** Mr. Daniels, on behalf of the Debtors, is expected to testify regarding any and all matters relating to the tabulation of votes for plan confirmation.
- c. Any Witness necessary to authenticate a document.
- d. any rebuttal and/or impeachment witnesses.

- e. Any person listed on the witness list of another party.

**B. Exhibit List**

**Exhibits In Support of the Clarksdale Motion:**

- 1. Asset Purchase Agreement By and Among Clarksdale Regional Medical Center Inc., Clarksdale Regional Physicians, LLC, Curae Health, Inc. and CHS/Community Health Systems, Inc.

**Exhibits In Support of the Plan:**

- 2. Curae Health, Inc. Recovery Analysis.
- 3. Declaration of Stephen N. Clapp, Chief 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].
- 4. Declaration of Notice, Balloting and Claims Agent Regarding Solicitation and Tabulation of Votes In Connection With the Joint Chapter 11 Plan of Liquidation.
- 5. Any exhibits listed on any other parties' exhibit list.

The Debtors reserve the right to use additional exhibits for purposed of rebuttal or impeachment and to further supplement the foregoing list of witnesses and exhibits as appropriate. The Debtors also reserve the right to rely upon and use as evidence (i) additional documents produced by the Debtors, (ii) exhibits included on the exhibit lists any other parties in interest, and (iii) any pleading, hearing transcripts, or other document filed with the Court in the above-captioned matter. The Debtors reserve the right to upload amended exhibits to reflect any additional proposed revisions to the Plan to resolve any objections to the Debtors' Plan Confirmation.

Dated: May 7, 2019  
Nashville, Tennessee

Respectfully submitted,

**POLSINELLI PC**

/s/ Michael Malone

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