

**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
)	
)	On appeal to the United States District
)	Court for the Middle District of
)	Tennessee: Case No. 3:19-cv-00432

APPELLANT’S DESIGNATION OF THE RECORD ON APPEAL

Pursuant to Federal Rule of Bankruptcy Procedure 8009(a)(1), Appellant ServisFirst Bank respectfully submits the following Designation of the Record on Appeal, all of which comes from the Bankruptcy Court Docket for Case No. 18-05665.

Docket No.	Date Entered	Document description
1	08/24/18	Chapter 11 Voluntary Petition Non-Individual
49	08/29/18	Affidavit Re: First Day Declaration of Stephen N. Clapp
59	08/29/18	Expedited Final Order Granting Debtors’ Motion for Joint Administration on Case 3:18-bk-5665 of Related Chapter 11 Cases; Approving Case Management Procedures, and (III) Granting Related Relief
60	08/29/18	Interim Order Granting Debtors’ Motion for Post-Petition Financing/Secured Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Status, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Scheduling a Final Hearing

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).

112	09/06/18	Notice of Appointment of Unsecured Creditors Committee
193	09/18/18	Motion to Reject Lease or Executory Contract of CHS
223	09/21/18	Summary of Assets and Liabilities Schedules for Non-Individual
224	09/21/18	Original Schedule(s) Schedule A/B, Schedule D, Schedule E/F, Schedule G, Schedule H
225	09/21/18	Statement of Financial Affairs for Non-Individual
250	09/27/18	Notice of Filing of Missing Exhibit to Interim Order Authorizing the Debtors to Obtain Post-Petition Secured Financing
410	11/07/18	Amended Schedule(s) Schedule D
455	11/15/18	Final Order Granting Debtor's Expedited Motion for Post-Petition Financing (I) Authorizing the Debtors to (A) Obtain Postpetition Secured Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Status, (III) Granting Adequate Protection, and (IV) Modifying the Automatic Stay
461	11/15/18	Expedited Motion for Entry of an Order (I) Authorizing Debtors to Enter into a Member Substitution Agreement with Respect to the Russellville Hospital, and (II) Granting Related Relief
485	11/20/18	Limited Objection to Expedited Motion for Entry of an Order (I) Authorizing Debtors to Enter into a Member Substitution Agreement with Respect to the Russellville Hospital, and (II) Granting Related Relief
511	11/30/18	Expedited Order Granting Debtors' Motion (I) Authorizing the Debtors to enter into the Member Substitution Agreement with Respect to the Russellville Hospital and (II) Granting Related Relief
669	1/16/19	Adversary Case 3:19-ap-90010. Complaint by Official Committee of Unsecured Creditors of Curare Health, Inc., et al. against ServisFirst Bank
698	1/22/19	Debtors' Chapter 11 Plan of Liquidation

699	1/22/19	Disclosure Statement for Debtors' Chapter 11 Plan of Liquidation
700	1/22/19	Debtors' Notice of Hearing on Adequacy of Disclosure Statement and Motion for an Order (I) Approving the Disclosure Statement; (ii) Establishing Forms and Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan; (III) Establishing Deadline and Procedures for Filing Objections to the Confirmation of the Plan; and (IV) Granting Related Relief
722	1/30/19	The Official Committee of Unsecured Creditors' Motion for (I) Termination of Debtors' Exclusivity Periods to Permit the Committee to File a Plan of Liquidation, and (II) For Leave, Standing and Authority to Commence, Prosecute and, If Appropriate, Settle Causes of Action on Behalf of the Debtors' Estates
771	2/18/19	Debtors' Notice of Filing of Exhibit B to Debtors' Disclosure Statement: Schedule of the Estimated Potential Range of Recovery to Holders of Allowed Claims and Interests in Impaired Classes
779	2/21/19	Amended Statement of Financial Affairs for Non-Individual
780	2/21/19	Objection to Debtors' Disclosure Statement (CHS/Community Health Systems, Inc.)
782	2/21/19	MEDHOST's Objection to Disclosure Statement Accompanying Debtors' Chapter 11 Plan of Liquidation
783	2/21/19	The Official Committee of Unsecured Creditors' Objection to Disclosure Statement for Debtors' Chapter 11 Plan of Liquidation
784	2/21/19	Objection to Disclosure Statement (Division of Medicaid State of Mississippi)
785	2/21/19	Debtors' Reply to United States Trustee's Objection to Disclosure Statement and Proposed Solicitation Procedures
786	2/21/19	Debtors' Objection to The Official Committee of Unsecured Creditors' Motion (i) to Terminate the Debtors' Exclusivity Periods to Permit the Committee to File of Plan of Liquidation, and (II) for Leave, Standing and Authority to Commence, Prosecute, and if Appropriate, Settle Certain

		Causes of Action on Behalf of the Debtors' Estates
806	2/25/19	Debtors' Reply to the Disclosure Statement Objections of Medhost of Tennessee, CHS/Community Health Systems, and the Mississippi Division of Medicaid
834	3/4/19	Joint Chapter 11 Plan of Liquidation
835	3/4/19	Disclosure Statement For Joint Chapter 11 Plan of Liquidation
841	3/7/19	Order Approving Disclosure Statement and Fixing Time for Filing Acceptances or Rejections of Plan with Notice
847	3/8/19	Debtors' Expedited Motion for Authority to Use Cash Collateral, Authority to Pay the DIP Obligations, and Related Relief
866	3/12/19	ServisFirst Bank's Response to Expedited Motion of Debtors for Entry of an Order (I) Authorizing Payment of the DIP Obligations, (II) Authorizing the Use of Cash Collateral, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief
899	3/26/19	Expedited Agreed Interim Order Granting Debtors' Motion to Use Cash Collateral (I) Authorized Debtors' to Pay the DIP Obligations, (II) Authorizing the Use of Cash Collateral, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief
952	4/17/19	Objection to Confirmation of Plan (CHS/Community Health Systems, Inc.)
953	4/17/19	ServisFirst Bank's Objection to Confirmation of Plan
962	4/24/19	Expedited Motion and Notice to Sell Property Free and Clear of Liens under Section 363(f) – Property Description: Northwest Mississippi Regional Medical Center
973	4/26/19	Expedited Agreed Order Granting (I) Debtors' Motion to Use Cash Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief

1012	5/3/19	Plan Proponents' Brief/Memorandum in Support of Entry of an Order Confirming the Joint Chapter 11 Plan of Liquidation of Curae Health, Inc., et al.
1013	5/3/19	Plan Proponents' Notice of Proposed Confirmation Order
1014	5/3/19	Plan Proponents' Notice of Proposed Liquidating Trust Agreement
1015	5/3/19	Affidavit Re: Declaration of Notice, Balloting, and Claims Agent Regarding Solicitation and Tabulation of Votes in Connection with the Joint Chapter 11 Plan of Liquidation
1016	5/3/19	Affidavit Re: 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.
1019	5/3/19	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
1021	5/3/19	Affidavit Re: 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.
1043	5/7/19	Notice of Agenda of Matters Scheduled for Hearing on May 9, 2019 at 9:00 A.M. (CST)
1044	5/7/19	Debtors' Exhibit and Witness List (for May 9, 2019 hearings)
1045	5/7/19	Notice of Appointment of Liquidating Trustee and Debtor Representative
1049	5/8/19	ServisFirst Bank's Exhibit and Witness List for Hearings Scheduled for May 9, 2019
1050	5/8/19	Notice of Amended Agenda of Matters Scheduled For Hearing on May 9, 2019 At 9:00 A.M. (CST)

1053	5/8/19	Notice of Filing of Revised Proposed Clarksdale Sale Order
1054	5/8/19	Notice of Filing of Revised Proposed Confirmation Order
1057	5/9/19	Order Granting The Official Committee of Unsecured Creditors Standing to Pursue Certain Estate-Based Claims
N/A	5/9/19	Transcript of the Hearing on Confirmation of the Plan of Liquidation Proposed Jointly by the Debtors and the Official Committee of Unsecured Creditors
1065	5/10/19	Order Granting Debtors' Expedited Motion to Sell Property Free and Clear of Liens under Section 363(f) (I) Authorizing, Approving, and Directing the Sale of Substantially All Of The Assets of Northwest Mississippi Regional Medical Center to CHS Free and Clear of All Liens, Claims, Encumbrances, and Other Interests: (II) Authorizing and Approving The Clarksdale APA; (III) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; and (IV) Granting Related Relief
1074	5/13/19	Findings Of Fact, Conclusions Of Law, and Order Confirming Chapter 11 Plan (Joint) of Liquidation of Curae Health, Inc., et al.
1085	5/20/19	Debtors' Motion for Entry of the Agreed Order Regarding the Settlement with CHS/Community Health Systems, Inc. of Any and All Estate Claims or Causes of Action
1094	5/24/19	Agreed Order Granting Debtors' Motion Regarding the Settlement With CHS/Community Health Systems, Inc. of any and all Estate Claims or Causes of Action

Respectfully submitted,

NEAL & HARWELL, PLC

By: /s/ Stephen M. Montgomery
David G. Thompson, BPR #20309
James R. Kelley, BPR #5525
Stephen M. Montgomery, BPR #26489
Neal & Harwell, PLC
1201 Demonbreun Street, Suite 1000
Nashville, TN 37203
dthompson@nealharwell.com
jkelley@nealharwell.com
smontgomery@nealharwell.com
(615) 244-1713 Telephone
(615) 726-0573 Facsimile

Counsel for ServisFirst Bank

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellant's Statement of the Issues on Appeal has been served through the Bankruptcy Court's ECF system on all parties registered to receive electronic notice in this case on this the 5th day of June, 2019.

/s/ Stephen M. Montgomery