

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

In re:

Curae Health, Inc., *et al.*¹

1721 Midpark Road, Suite B200
Knoxville, TN 37921,

Debtors.

Chapter 11

Case No. 18-05665

Judge Walker

Jointly Administered

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

**APPELLEE’S DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED
IN THE RECORD ON APPEAL AND STATEMENT WITH RESPECT TO
APPELLANT’S STATEMENT OF THE ISSUES ON APPEAL**

Steven D Sass LLC, as Debtor Representative and Liquidating Trustee appointed pursuant to the confirmed *Joint Chapter 11 Plan of Liquidation* [Docket No. 1074] in these chapter 11 cases, on behalf of Appellees Curae Health, Inc., *et al.* (“Appellees” or “Debtors”), respectfully submits the following (i) designation of additional items to be included in the record on appeal pursuant to Rule 8009(a)(2) of the Federal Rules of Bankruptcy Procedure and (ii) statement with respect to issues on appeal.

Designation of Additional Items to Be Included in the Record on Appeal

| Bankruptcy Docket No. | Date | Document Description |
|--------------------------|-----------|--|
| 10 | 8/24/2018 | <i>Expedited Motion of Debtors for Entry of Interim and Final Orders: (i) Authorizing the Debtors to (a) Obtain Postpetition Secured Financing and (b) Utilize Cash Collateral, (ii) Granting Liens and Superpriority Administrative Expense Status, (iii)</i> |

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).

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| | | <i>Granting Adequate Protection, (iv) Modifying the Automatic Stay, and (v) Scheduling a Final Hearing (“DIP Motion”), and accompanying exhibits</i> |
| 306 | 10/12/2018 | Objection of Official Committee of Unsecured Creditors (“Committee”) to DIP Motion, and accompanying exhibits |
| 307 | 10/12/2018 | <i>Objection of Official Committee of Unsecured Creditors to Expedited Motion of Debtors for an Order Authorizing (i) the Continued Use of Existing Cash Management System, Including Maintenance of Existing Bank Accounts, Checks, and Business Forms; (ii) Suspension of Certain U.S. Trustee Bank Account Requirements; and (iii) Continuation of Existing Deposit Practices, and accompanying exhibits</i> |
| 308 | 10/12/2018 | Committee’s witness and exhibit list for objection to DIP Motion |
| 311 | 10/12/2018 | Debtors’ witness and exhibit list for hearing on, <i>inter alia</i> , DIP Motion |
| 312 | 10/12/2018 | Committee’s amended witness and exhibit list for objection to DIP Motion |
| 436 | 11/9/2018 | Debtors’ witness and exhibit list for hearing on, <i>inter alia</i> , DIP Motion |
| 439 | 11/9/2018 | Committee’s witness and exhibit list for hearing on, <i>inter alia</i> , DIP Motion |
| N/A | 11/13/2018 | Transcript of hearing on, <i>inter alia</i> , DIP Motion (and any exhibits admitted into evidence at hearing) |
| 494 | 11/26/2018 | Debtors’ witness and exhibit list for hearing on, <i>inter alia</i> , Debtors’ 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 (“Member Substitution Motion”) |

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| N/A | 11/27/2018 | Transcript of hearing on, <i>inter alia</i> , Member Substitution Motion (and any exhibits admitted into evidence at hearing) |
| 808 | 2/25/2019 | Debtors' witness and exhibit list for hearing on, <i>inter alia</i> , Debtors' Disclosure Statement in Support of Debtors' Chapter 11 Plan of Liquidation (" Disclosure Statement ") [Docket No. 699] |
| N/A | 2/28/2019 | Transcript of hearing on, <i>inter alia</i> , Disclosure Statement (and any exhibits admitted into evidence at hearing) |
| N/A | 3/26/2019 | Transcript of hearing on <i>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 ("Expedited Cash Collateral Motion")</i> (and any exhibits admitted into evidence at hearing) |
| N/A | 4/9/2019 | Transcript of hearing on, <i>inter alia</i> , Expedited Cash Collateral Motion (and any exhibits admitted into evidence at hearing) |
| N/A | 5/9/2019 | Any exhibits admitted at hearing on, <i>inter alia</i> , Joint Chapter 11 Plan of Liquidation [Docket No. 834] |
| 1120 | 6/11/2019 | <i>Notice of (i) Entry of Findings of Fact, Conclusions of Law, and Order Confirming the Joint Chapter 11 Plan of Liquidation of Curae Health, Inc., et al. and (ii) Effective Date</i> |

Statement With Respect to Appellant's Statement of Issues on Appeal

Appellees (i) object to any issue raised in *Appellant's Statement of the Issues on Appeal* [Docket No. 1111] that was not raised before the United States Bankruptcy Court for the Middle District of Tennessee and (ii) reserve the right to raise in their opposing brief (a) any objections to the issues raised by Appellant ServisFirst Bank and (b) any and all other issues that are necessary to respond to the issues raised in Appellant's appellate brief.

Dated: June 19, 2019

/s/ Michael E. Collins

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CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2019, a copy of the foregoing was sent via ECF to all parties registered to receive electronic notice in the case and via U.S. mail, postage prepaid to the following:

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/s/ Michael E. Collins

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