

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re)	
)	Case No. 18-05665
Curae Health, Inc., <i>et.al</i> ¹ ,)	Chapter 11
)	
1721 Midpark Road, Suite B200)	Judge Walker
Knoxville, TN 37921)	
)	Jointly Administered
Debtors.)	

**JOINT MOTION OF THE MEDHOST ENTITIES AND THE LIQUIDATING TRUSTEE TO
ESTABLISH A DEADLINE FOR FILING CONTRACT-REJECTION DAMAGE CLAIMS**

Come Steven D Sass LLC, the Liquidating Trustee herein (the “Liquidating Trustee”), and certain MedHost Entities (described below) (collectively, the “Movants”), and respectfully request the entry of an Agreed Order establishing a deadline for the MedHost Entities to file damage claims arising from the rejection of the MedHost Agreements, defined below. The Movants respectfully request that the Court establish a deadline of thirty (30) days after the entry of the Agreed Order approving this Joint Motion for filing said claims. In support hereof, the Liquidating Trustee and the MedHost Entities respectfully represent as follows:

1. On May 13, 2019, this Court confirmed the Joint Chapter 11 Plan of Liquidation filed herein by the Debtors and the Official Committee of Unsecured Creditors (Docket No. 1074) (the “Joint Plan”). Pursuant to the Joint Plan, Steven D Sass LLC was appointed as the Liquidating Trustee as of the date of the execution of a Liquidating Trust Agreement. The Liquidating Trustee was also appointed the Debtor Representative under the Joint Plan, as of the Effective Date of the Joint Plan.

2. By Notice dated June 11, 2019 (Docket No. 1120), June 11, 2019 was established as the Effective Date of the Joint Plan.

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

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3. As of the petition date herein, Debtor Curae Health, Inc. was a party to three (3) separate executory contracts with certain MedHost Entities, pursuant to 11 U.S.C. § 365. Specifically, Debtor Curae Health, Inc. was a party to executory contracts with MedHost of Tennessee, Inc., MedHost Direct, Inc. and MedHost Cloud Services, Inc., formerly known as YourCareUniverse, Inc. (collectively the “MedHost Entities”). These executory contracts are referred to herein as the “MedHost Agreements.”

4. On June 3, 2019, this Court entered its Agreed Order Resolving MedHost’s Limited Objections to the Clarksdale Sale Motion (the “Agreed Order”) (Docket No. 1106). Pursuant to the Agreed Order, the MedHost Agreements would be deemed rejected pursuant to 11 U.S.C. § 365(a) if Community Health Systems, Inc. (“CHS”) did not accept assignment of the MedHost Agreements from the Debtor Curae Health, Inc. CHS did not accept assignment of the MedHost Agreements from the Debtor Curae Health, Inc., and consequently, the MedHost Agreements were deemed rejected as of June 14, 2019.

5. The Liquidating Trustee and the MedHost Entities have agreed that a deadline for filing the MedHost Entities’ contract-rejection damage claims should be established and approved by the Court.

6. The Liquidating Trustee and the MedHost Entities have agreed that the MedHost Entities shall file their contract-rejection damage claims arising from the rejection of the MedHost Agreements not later than thirty (30) days from the entry of the Agreed Order approving this Joint Motion. The Liquidating Trustee and the MedHost Entities respectfully submit herewith a proposed Agreed Order that establishes a thirty (30) day deadline for the MedHost Entities to file their contract-rejection damage claims pursuant to 11 U.S.C. § 502(g).

WHEREFORE, the Liquidating Trustee and the MedHost Entities respectfully request the entry of the proposed Agreed Order submitted herewith, establishing a deadline of thirty (30) days

for the MedHost Entities to file their contract-rejection damage claims pursuant to 11 U.S.C. § 502(g), and approving such deadline.

This 10th day of July, 2019.

/s/ Andrew H. Sherman
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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2019, a true and correct copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ Thomas H. Forrester

Thomas H. Forrester