

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

<p>In re: Curae Health, Inc., <i>et al.</i>¹ 1721 Midpark Road, Suite B200 Knoxville, TN 37921</p> <p style="text-align:center">Debtors.</p>	<p>Chapter 11</p> <p>Lead Case No. 18-05665 Judge Walker Jointly Administered</p>
<p>The Official Committee of Unsecured Creditors,</p> <p style="text-align:center">Plaintiff,</p> <p>vs.</p> <p>Stephen N. Clapp, Timothy S. Brown, Sarah N. Moore, Andrea Rich-McLerran, David A. Lopater, Leroy Vince Jarnagin, Joseph Dawson, James Decker, Christopher Sawyer, Anne Swartz, Warren Payne, Gregory Harb and Strategic Healthcare Resources, LLC,</p> <p style="text-align:center">Defendants.</p>	<p>Adv. Pro. No: 3:19-ap-90100</p>

**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: SEPTEMBER 3, 2019.
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: SEPTEMBER 10, 2019,
AT 9:00 A.M., COURTROOM 2, 701 BROADWAY, NASHVILLE, TENNESSEE 37203**

**NOTICE OF FIRST APPLICATION FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES TO
DUNHAM HILDEBRAND, PLLC AS SPECIAL COUNSEL FOR THE COMMITTEE**

Dunham Hildebrand, PLLC has asked the Court for the following relief: To approve the allowance of compensation and reimbursement of the expenses of Dunham Hildebrand, PLLC as special counsel for The Official Committee of Unsecured Creditors (the “Committee”) until Steven D Sass LLC substituted in place of the Committee as plaintiff in the above-styled adversary proceeding.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the Court to grant the attached application, or if you want the Court to consider your views on the application, then on or before the

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).

date set forth above, you or your attorney must:

1. File with the Court your response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <<https://ecf.tnmb.uscourts.gov>>.**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN (Monday - Friday, 8:00 A.M. - 4:00 P.M.).

2. **Your response must state that the application to which you are responding is Notice of First Application for Allowance of Compensation and Reimbursement of Expenses to Dunham Hildebrand, PLLC as Special Counsel for the Committee.**
3. You must serve your response or objection **by electronic service through the Electronic Filing system** described above.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by calling the Clerk's office at (615) 736-5584 or viewing the case on the Court's website at <www.tnmb.uscourts.gov>.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the application and may enter an order granting that relief.

Respectfully Submitted,

/s/ Griffin S. Dunham
Griffin S. Dunham
DUNHAM HILDEBRAND, PLLC
2416 21st Avenue South, Suite 303
Nashville, Tennessee 37212
615.933.5850
griffin@dhnashville.com
Special Counsel for the Committee

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FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

<p>In re: Curae Health, Inc., <i>et al.</i>¹ 1721 Midpark Road, Suite B200 Knoxville, TN 37921</p> <p style="text-align:center">Debtors.</p>	<p>Chapter 11</p> <p>Lead Case No. 18-05665 Judge Walker Jointly Administered</p>
<p>The Official Committee of Unsecured Creditors,</p> <p style="text-align:center">Plaintiff,</p> <p>vs.</p> <p>Stephen N. Clapp, Timothy S. Brown, Sarah N. Moore, Andrea Rich-McLerran, David A. Lopater, Leroy Vince Jarnagin, Joseph Dawson, James Decker, Christopher Sawyer, Anne Swartz, Warren Payne, Gregory Harb and Strategic Healthcare Resources, LLC,</p> <p style="text-align:center">Defendants.</p>	<p>Adv. Pro. No: 3:19-ap-90100</p>

**FIRST APPLICATION FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES TO DUNHAM HILDEBRAND, PLLC
AS SPECIAL COUNSEL FOR THE COMMITTEE**

Pursuant to 11 U.S.C. §§ 330, 331, 503(b)(2), and 507(a)(2), the law office of Dunham Hildebrand, PLLC (the “Firm”) hereby submits this application (the “Application”) for the legal services provided on behalf of The Official Committee of Unsecured Creditors (the “Committee”), and for expenses necessarily incurred in connection with the legal services for the period of May 9, 2019 to July 3, 2019 (at which time the Committee was substituted as plaintiff in the above-styled adversary proceeding for Steven D Sass LLC) (the “Application Period”).

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).

Summary of Fees Requested

Fees Previously Requested	\$0
Fees Previously Awarded	\$0
Expenses Previously Requested	\$0
Expenses Previously Awarded	\$0
Initial Retainer Paid	\$0
Balance of Retainer	\$0
Current Fees Requested	\$2,610.00
Current Expenses Requested	\$431.20
Current Total Award Requested	\$3,041.20

Statement in Support of Application

1. On June 4, 2019, the Committee filed the *Application for Order Approving Employment, and Retention of Dunham Hildebrand, PLLC, as Special Counsel for the Committee* (Docket No. 1108). The Firm's employment was approved on July 9, 2019. *See* Docket No. 1177.

2. During the Application Period, the Firm billed 9.8 hours in its representation of the Committee. Based upon the ordinary hourly rates in effect at the time the legal services were rendered, the total fees incurred by the Firm during the Application Period are \$2,610.00. The Firm also incurred \$431.20 in reimbursable expenses during the Application Period for which the Firm is seeking reimbursement.

3. Compensation for legal services rendered by the Firm on behalf of the Committee is sought pursuant to 11 U.S.C. §§ 330(a), 331, and 503(a) and (b), and pursuant to Fed. R. Bankr. P. 2016(a).

4. The Firm has not made any arrangements to share any compensation received by order of this Court with any party whatsoever, nor does it have any arrangements for sharing of any compensation awarded.

5. The Firm is not holding a retainer.

6. All legal services for which compensation is requested in this Application were

performed for or on behalf of the Committee.

7. A copy of the billing report, which itemizes the time spent by the Firm performing legal services for the Committee and expenses related to the representation, is attached to this Application as **Exhibit A**.

8. The Firm submits this Application as a detailed summary of the legal services performed during the Application Period, and states that the services rendered were reasonable and necessary for the administration of the estate.

9. During the Application Period, the Firm assisted the Committee by reviewing the complaint and proposing changes thereto, conducting research related to the complaint, conferring with lead counsel, effecting service of process, conferring with opposing counsel, and reviewing docket filings.

10. The results obtained within the Application Period demonstrate that the Firm: (a) used the skill required to perform the legal services properly, (b) provided services necessary to the administration of the case, and (c) performed the services within a reasonable amount of time commensurate with the complexity, importance, and nature of each task.

11. Based upon the results obtained within the Application Period and the rates charged by the Firm for the services performed, the compensation requested is reasonable based on the customary compensation charged by comparably skilled practitioners in non-bankruptcy cases.

WHEREFORE, the Firm hereby respectfully requests that this Court enter an order (a) approving compensation for legal services rendered and expenses incurred by the Firm as counsel for the Committee as set forth above for this Application Period; (b) authorizing and directing the Committee to pay the Firm the total requested award; and (c) granting such other and further relief as the Court deem appropriate and just.

SWORN DECLARATION OF GRIFFIN S. DUNHAM

By signature below, I, Griffin S. Dunham, do hereby declare under penalty of perjury that I have reviewed this Application with the attached billing statement, and the information contained therein is true and correct to the best of my knowledge, information, and belief.

Respectfully Submitted,

/s/ Griffin S. Dunham _____
Griffin S. Dunham
DUNHAM HILDEBRAND, PLLC
2416 21st Avenue South, Suite 303
Nashville, Tennessee 37212
615.933.5850
griffin@dhnashville.com
Special Counsel for the Committee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed electronically on August 12, 2019. Notice of this filing is given via regular mail pursuant to Local Rule 2016-1 to the United States Trustee, the Debtor, all secured claim holders, the Committee, and any party who has filed a written request for notices.

/s/ Griffin S. Dunham _____
Griffin S. Dunham

Dunham Hildebrand, PLLC
 2416 21st Avenue South,
 Suite 303
 Nashville, TN 37212
 admin@dhnashville.com
 www.dhnashville.com



Invoice

BILL TO

The Official Unsecured
 Creditors Committee, In re
 Curae

INVOICE # 2148

DATE 08/11/2019

DATE	ACTIVITY	QTY	RATE	AMOUNT
	05/09/2019			
05/09/2019	Review complaint and track changes for lead counsel review. - Griffin S. Dunham	1:36	300.00	480.00
	05/10/2019			
05/10/2019	Conduct final review of complaint package; file and ensure hand-delivery to Chubb. - Griffin S. Dunham	1:24	300.00	420.00
	05/13/2019			
05/13/2019	Draft notices of appearance for R. Brennan; B. Mankovetskiy, and A. Sherman; confer with counsel to discuss and obtain approval. - Griffin S. Dunham	1:06	300.00	330.00
	05/14/2019			
05/14/2019	Work on service of complaint package via certified mail and hand-delivery; identify process servers for each of the defendants. - Griffin S. Dunham	1:24	200.00	280.00
	05/15/2019			
05/15/2019	Correspondence with S. McSween regarding service of Dawson, Decker, Sawyer, Swartz, Payne, and Harb defendants. - Griffin S. Dunham	0:18	300.00	90.00
05/15/2019	Service of Process Fee - Invoice Nos. 3123, 3124, 3125, 3126,			321.20
05/15/2019	Service of Process Fee - Invoice 90139			110.00
	05/16/2019			
05/16/2019	Work with process servers related to hand-delivery of defendants. - Griffin S. Dunham	0:36	200.00	120.00
	05/23/2019			
05/23/2019	Confer with process servers and provide team update on status of service. - Griffin S.	0:48	200.00	160.00

DATE	ACTIVITY	QTY	RATE	AMOUNT
	Dunham			
	05/30/2019			
05/30/2019	Review and track changes to employment application. - Griffin S. Dunham	0:30	300.00	150.00
	06/04/2019			
06/04/2019	Draft lengthy certificate of service for adversary filing. - Griffin S. Dunham	1:18	300.00	390.00
	06/10/2019			
06/10/2019	Receive phone call from FBT regarding representation of defendants; pass along message to lead counsel. - Griffin S. Dunham	0:18	300.00	90.00
	06/19/2019			
06/19/2019	Confer with court and clerk regarding ECF delivery of documents. - Griffin S. Dunham	0:30	200.00	100.00
			BALANCE DUE	\$3,041.20

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In re: Curae Health, Inc., <i>et al.</i> ¹ 1721 Midpark Road, Suite B200 Knoxville, TN 37921 Debtors.
The Official Committee of Unsecured Creditors, Plaintiff, vs. Stephen N. Clapp, Timothy S. Brown, Sarah N. Moore, Andrea Rich-McLerran, David A. Lopater, Leroy Vince Jarnagin, Joseph Dawson, James Decker, Christopher Sawyer, Anne Swartz, Warren Payne, Gregory Harb and Strategic Healthcare Resources, LLC, Defendants.

Chapter 11

Lead Case No. 18-05665
Judge Walker
Jointly Administered

Adv. Pro. No: 3:19-ap-90100

**ORDER GRANTING FIRST APPLICATION FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES TO DUNHAM
HILDEBRAND, PLLC AS SPECIAL COUNSEL FOR THE COMMITTEE**

THIS MATTER IS BEFORE THE COURT upon the *First Application for Allowance of Compensation and Reimbursement of Expenses to Dunham Hildebrand, PLLC as Special Counsel for the Committee* (the “Application”) for the legal services provided on behalf of The Official Committee of Unsecured Creditors (the “Committee”), and for expenses necessarily incurred in connection with the legal services for the Application Period (as that term is defined in the

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Application). It appearing to the Court that proper notice was given in accordance with Local Rule 9013, that no timely objections having been filed, and for good cause shown, it is hereby ORDERED that the Application is approved in its entirety, and Dunham Hildebrand, PLLC is awarded fees and expenses of \$3,041.20. The Committee is hereby authorized and directed to pay this amount to Dunham Hildebrand, PLLC.

IT IS SO ORDERED.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY
AS INDICATED AT THE TOP OF THE FIRST PAGE.

APPROVED FOR ENTRY:

/s/ Griffin S. Dunham
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Special Counsel for the Committee