United States Bankruptcy Court Middle District of Tennessee

In re: Curae Health Inc. Debtor Case No. 18-05665-CMW Chapter 11

### **CERTIFICATE OF NOTICE**

District/off: 0650-3

db

NONE.

User: bmp2450 Form ID: pdf001 Page 1 of 3 Total Noticed: 1 Date Rcvd: Jan 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 12, 2019.

+Curae Health Inc., 1721 Midpark Road, Suite B200, Knoxville, TN 37921-5977

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 12, 2019

Signature: /s/Joseph Speetjens

#### **CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 10, 2019 at the address(es) listed below: ANDREW H SHERMAN on behalf of Creditor Committee Official Committee of Unsecured Creditors of Curae Health, Inc., et al. asherman@sillscummis.com BORIS I MANKOVETSKIY on behalf of Creditor Committe on behalf of Creditor Committee Official Committee of Unsecured Creditors of Curae Health, Inc., et al. bmankovetskiy@sillscummis.com BRITTANY S OGDEN on behalf of Creditor Leaf Capital Funding, LLC Brittany.Ogden@quarles.com, Kristie.Knitter@quarles.com BRUCE ANTHONY SAUNDERS on behalf of Interested Party Cigna Health and Life Insurance Company tsaunders@wyattfirm.com CHARLES WILKERSON COOK on behalf of Creditor Leaf Capital Funding, LLC charlie.cook@arlaw.com, alexis.britt@arlaw.com;erin.edgell@arlaw.com CHRISTOPHER R MADDUX on behalf of Creditor University of Mississippi Medical Center chris.maddux@butlersnow.com, ecf.notices@butlersnow.com,velvet.johnson@butlersnow.com, mitch.carrington@butlersnow.com DANIEL HAYS PURYEAR on behalf of Creditor Cardinal Health 110, LLC dpuryear@puryearlawgroup.com, paralegalgroup@puryearlawgroup.com DAVID E. LEMKE on behalf of Creditor MidCap Funding IV Trust david.lemke@wallerlaw.com, Cathy.thomas@wallerlaw.com;Chris.Cronk@wallerlaw.com;bk@wallerlaw.com DAVID E. LEMKE on behalf of Creditor MidCapFinancial Trust david.lemke@wallerlaw.com, Cathy.thomas@wallerlaw.com;Chris.Cronk@wallerlaw.com;bk@wallerlaw.com DAVID G THOMPSON on behalf of Creditor ServisFirst Bank dthompson br@nealharwell.com, qfox@nealharwell.com DAVID M ANTHONY on behalf of Creditor DAVID M ANTHONY on behalf of Creditor CHG-MERIDIAN USA Corp. anthonybk@bonelaw.com on behalf of Creditor Cardinal Health 110, LLC anthonybk@bonelaw.com DAVID W HOUSTON, IV on behalf of Interested Party North Mississippi Health Services, Inc. dhouston@burr.com, mmayes@burr.com ERIKA R. BARNES on behalf of Interested Party Coahoma County, Mississippi ebarnes@stites.com, erikarbarnes@gmail.com;mdennis@stites.com;docketclerk@stites.com ERNO DAVID LINDNER on behalf of Creditor CHCT Mississippi, LLC on behalf of Creditor CHCT Mississippi, LLC. elindner@bakerdonelson.com, dspiegel@bakerdonelson.com G. RHEA BUCY on behalf of Creditor MEDHOST of Tennessee, Inc. Rbucy@GSRM.com, lcatabay@gsrm.com GILL ROBERT GELDREICH on behalf of Creditor Division of Medicaid State of Mississippi agbankcookeville@ag.tn.gov, gill.geldreich@ag.tn.gov JAMES A BOBO on behalf of Creditor Division of Medicaid State of Mississippi jbobo@aqo.state.ms.us JAMES E BAILEY, III on behalf of Creditor Methodist Healthcare - Memphis Hospitals, Inc. jeb.bailey@butlersnow.com, ecf.notices@butlersnow.com;mary.elam@butlersnow.com JAMES L POWELL on behalf of Creditor Mississippi Department of Revenue jim.powell@dor.ms.gov, renee.freeman@dor.ms.gov;Bankruptcy.Attorney@dor.ms.gov JAMES R. KELLEY on behalf of Creditor ServisFirst Bank jkelley\_br@nealharwell.com, JAMES R. KELLEY LBrian@NealHarwell.com Case 3:18-bk-05665 Doc 653 Filed 01/12/19 Entered 01/13/19 00:12:14 Desc

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Form ID: pdf001 Total Noticed: 1 The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued) JOHN DOUGLAS ELROD on behalf of Health Care Ombudsman Suzanne Koenig, as Patient Care Ombudsman elrodj@gtlaw.com, fieldss@gtlaw.com JOHN L RYDER on behalf of Creditor Winthrop Resources Corporation jlr@harrisshelton.com TCF Equipment Finance jlr@harrisshelton.com JOHN L RYDER on behalf of Creditor JOHN LELAND MURPHREE on behalf of Creditor Northwest Medical Center, Inc. lmurphree@maynardcooper.com JOSEPH P RUSNAK on behalf of Creditor BOA VIDA HEALTHCARE, LLC JRUSNAK@TEWLAWFIRM.com, thobbs@tewlawfirm.com JOSHUA K CHESSER on behalf of Creditor LTC Rehab 2, LLC jchesser@smithcashion.com, THall@smithcashion.com;ssmith@smithcashion.com JUSTIN MICHAEL SVEADAS on behalf of Creditor CHCT Mississippi, LLC. jsveadas@bakerdonelson.com, dspiegel@bakerdonelson.com;elindner@bakerdonelson.com KATHLEEN G STENBERG on behalf of Creditor MidCap Funding IV Trust katie.stenberg@wallerlaw.com, deborah.liles@wallerlaw.com;chris.cronk@wallerlaw.com;bk@wallerlaw.com ATHLEEN G STENBERG on behalf of Creditor MidCapFinancial Trust katie.stenberg@wallerlaw.com, KATHLEEN G STENBERG deborah.liles@wallerlaw.com;chris.cronk@wallerlaw.com;bk@wallerlaw.com EE HART on behalf of Creditor Shumacher Clinical Partners lee.hart@nelsonmullins.com LEE HART on behalf of Creditor LINDA W. KNIGHT MEDHOST of Tennessee, Inc. LKNIGHT@GSRM.COM, lcatabay@gsrm.com LINDA W. KNIGHT on behalf of Creditor City of Amory, Mississippi LKNIGHT@GSRM.COM, lcatabay@gsrm.com MEGAN REED SELIBER on behalf of U.S. Trustee US TRUSTEE megan.seliber@usdoj.gov MICHAEL ANTHONY MALONE on behalf of Debtor Batesville Regional Physicians, LLC mmmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com, sjkennedy@polsinelli.com,mmillan@polsinelli.com MICHAEL ANTHONY MALONE on behalf of Debtor Amory Regional Medical Center, Inc. mmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com, sjkennedy@polsinelli.com,mmillan@polsinelli.com MICHAEL ANTHONY MALONE on behalf of Debtor Amory Regional Physicians, LLC mmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com, sjkennedy@polsinelli.com,mmillan@polsinelli.com MICHAEL ANTHONY MALONE on behalf of Debtor Clarksdale Regional Physicians, LLC mmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com, sjkennedy@polsinelli.com,mmillan@polsinelli.com MICHAEL ANTHONY MALONE on behalf of Debtor Batesville Regional Medical Center Inc.  ${\tt mmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com, and the state of the state$ sjkennedy@polsinelli.com,mmillan@polsinelli.com MICHAEL ANTHONY MALONE on behalf of Debtor Curae Health Inc. mmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com,sjkennedy@polsinelli.com, mmillan@polsinelli.com MICHAEL ANTHONY MALONE on behalf of Debtor Clarksdale Regional Medical Center Inc. mmalone@polsinelli.com, dgordon@polsinelli.com,cewang@polsinelli.com,sordaz@ecfalerts.com, sjkennedy@polsinelli.com,mmillan@polsinelli.com MICHAEL DAVID JANKOWSKI on behalf of Creditor STAT Informatic Solutions, LLC mjankowski@reinhartlaw.com on behalf of Creditor Committee Official Committee of Unsecured MICHAEL EDWARD COLLINS Creditors of Curae Health, Inc., et al. mcollins@manierherod.com, TN44@ecfcbis.com;acarper@manierherod.com;rmiller@manierherod.com MICHAEL G ABELOW on behalf of Creditor UnitedHealthcare Insurance Company mabelow@srvhlaw.com, scamp@srvhlaw.com PAUL G JENNINGS on behalf of Creditor CHSPSC, LLC pjennings@bassberry.com, bankr@bassberry.com PAUL G JENNINGS on behalf of Creditor CHS/Community Health Systems, Inc. pjennings@bassberry.com, bankr@bassberry.com ROBERT WILLIAM MILLER on behalf of Creditor Committee Official Committee of Unsecured Creditors of Curae Health, Inc., et al. rmiller@manierherod.com RONALD G STEEN, JR on behalf of Creditor Mississippi Blood Services ronn.steen@thompsonburton.com RONALD G STEEN, JR on behalf of Creditor Aesynt, Incorporated ronn.steen@thompsonburton.com RONALD G STEEN, JR on behalf of Creditor SpecialCare Hospital Management Corporation ronn.steen@thompsonburton.com RONALD G STEEN, JR on behalf of Creditor Owens & Minor Distribution, Inc. ronn.steen@thompsonburton.com RUSSELL EMERY STAIR on behalf of Creditor CHS/Community Health Systems, Inc. rstair@bassberry.com, bankr@bassberry.com;churley@bassberry.com RUSSELL EMERY STAIR on behalf of Creditor CHSPSC, LLC rstair@bassberry.com, bankr@bassberry.com;churley@bassberry.com SEAN CHARLES KIRK on behalf of Interested Party Progressive Medical Management of Batesville, LLC skirk@bonelaw.com SHANE GIBSON RAMSEY on behalf of Creditor GE HFS, LLC shane.ramsey@nelsonmullins.com, jennifer.murray@nelsonmullins.com SHANE GIBSON RAMSEY on behalf of Creditor Shumacher Clinical Partners shane.ramsey@nelsonmullins.com, jennifer.murray@nelsonmullins.com SHANE GIBSON RAMSEY on behalf of Creditor Change Healthcare Technologies, LLC shane.ramsey@nelsonmullins.com, jennifer.murray@nelsonmullins.com STEPHEN BARGANIER PORTERFIELD on behalf of Creditor MedPlan, Inc. sporterfield@sirote.com STEPHEN MICHAEL MONTGOMERY on behalf of Creditor ServisFirst Bank smontgomery@nealharwell.com e 3:18-bk-05665 Doc 653 Filed 01/12/19 Entered 01/13/19 00:12:14 Desc Case 3:18-bk-05665

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)	District/off: 0650-3	User: bmp2450 Form ID: pdf001	Page 3 of 3 Total Noticed: 1	Date Rcvd: Jan 10, 2019
<pre>System (continued) System (continued) STEVEN EDWARD ANDERSON on behalf of Interested Party HealthTrust Purchasing Group, L.P. tmitchell@andersonreynolds.com THOMAS H. FORRESTER on behalf of Creditor City of Amory, Mississippi TForrester@GSRM.COM, lcatabay@gsrm.com,asowney@gsrm.com THOMAS H. FORRESTER on behalf of Creditor MEDHOST of Tennessee, Inc. TForrester@GSRM.COM, lcatabay@gsrm.com,asowney@gsrm.com THOMAS H. FORRESTER on behalf of Creditor Tallahatchie Valley Electric Power Association TForrester@GSRM.COM, lcatabay@gsrm.com,asowney@gsrm.com THOMAS H. FORRESTER on behalf of Creditor Tallahatchie Valley Electric Power Association TForrester@GSRM.COM, lcatabay@gsrm.com,asowney@gsrm.com THOMAS W TUCKER, III on behalf of Creditor HHS Culinary &amp; Nutritional Services, LLC ttucker@veazeytucker.com THOMAS W TUCKER, III on behalf of Creditor HHS Environmental Solutions LLC ttucker@veazeytucker.com THOMAS W TUCKER, III on behalf of Creditor Hospital Housekeeping Systems, LLC ttucker@veazeytucker.com US TRUSTEE ustpregion08.na.ecf@usdoj.gov WAVERLY ALMON HARKINS on behalf of Attorney c/o Waverly Harkins Coahoma County Board of Supervisors scook@watkinseager.com WILLIAM L NORTON, III on behalf of Creditor Athenahealth bnorton@babc.com WILLIAM L NORTON, III on behalf of Creditor BECKMAN COULTER, INC. bnorton@babc.com TOTAL: 70</pre>	system (continued) STEVEN EDWARD tmitchell@and THOMAS H. FORF lcatabay@gsrm THOMAS H. FORF lcatabay@gsrm THOMAS H. FORF TForrester@GS THOMAS W TUCKE ttucker@veaze THOMAS W TUCKE ttucker@veaze US TRUSTEE u WAVERLY ALMON Supervisors s WILLIAM L NORT	ANDERSON on behalf of Inter lersonreynolds.com LESTER on behalf of Creditor LCOM, asowney@gsrm.com LESTER on behalf of Creditor LCOM, asowney@gsrm.com LESTER on behalf of Creditor RM.COM, lcatabay@gsrm.com,as RR, III on behalf of Credito Lytucker.com RR, III on behalf of Credito Lytucker.com LR, III on behalf of Credito Lytucker.com LSTPregion08.na.ecf@usdoj.gov HARKINS on behalf of Attorn LCOMWatkinseager.com	ested Party HealthTrust Pur City of Amory, Mississipp: MEDHOST of Tennessee, Inc Tallahatchie Valley Electron owney@gsrm.com r HHS Culinary & Nutritiona r HHS Environmental Solution r HOSpital Housekeeping System ey c/o Waverly Harkins Coaho or Athenahealth bnorton@bal	rchasing Group, L.P. i TForrester@GSRM.COM, . TForrester@GSRM.COM, ric Power Association al Services, LLC ons LLC stems, LLC stems, LLC oma County Board of bc.com norton@babc.com

Charles M. Walker U.S. Bankruptcy Judge Dated: 1/10/2019



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

IN RE:	)
	) Chapter 11
CURAE HEALTH INC., et al. <sup>1</sup>	) Case No.: 3:18-bk-05665
1721 Midpark Road, Suite B200	) ) Judge Walker
Knoxville, TN 37921	)
	) Jointly Administered
Debtors.	)

# AGREED ORDER REGARDING CURE AMOUNTS

Before this Court is the objection filed by Beckman Coulter, Inc. ("Beckman Coulter") [Docket No. 407] (hereinafter, the "Objection") with respect to the Notice of [I] Debtors' Intent to Assume and Assign Certain Executory Contracts, Unexpired Leases of Personal Property, and Unexpired Leases of Nonresidential Real Property and (II) Cure Amounts Related to the Foregoing [Docket No. 371]. Based upon the signatures of counsel below, the Objection has been resolved pursuant to a stipulation by and among the Debtors, North Mississippi Health Services, Inc., and Beckman Coulter, based upon an agreement as to the terms and amounts for curing Beckman Coulter's respective agreements with one or more of the Debtors, and the Court finding good cause therefor it is hereby ORDERED:

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<sup>&</sup>lt;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. (4755); Amory Regional Physicians, LLC (5044); Batesville Regional Physicians, LLC (4952) Clarksdale Regional Physicians, LLC (5311).

1. The Objection is resolved in accordance with the stipulation by and among Beckman

Coulter, Debtors, and North Mississippi Health Services.

2. The agreements subject to the Objection shall be assigned to North Mississippi Health

Services upon the terms of the stipulation and in accordance with the Sales Procedure Order.

This Order Was Signed And Entered Electronically As Indicated At The Top Of The First Page

/s/David W. Houston, IV David W. Houston, IV (BPR# 20802) BURR & FORMAN LLP 222 Second Ave. South, Suite 2000 Nashville, TN 37201 Telephone: (615) 724-3215 Facsimile: (615) 724-3315 Email: dhouston@burr.com

Counsel for North Mississippi Health Services, Inc.

/s/ Michael Malone (with permission) Michael Malone POLSINELLI PC 401 Commerce Street, Suite 900 Nashville, TN 37219 Telephone: (615) 259-1510 Facsimile: (615) 259-1573 mmalone@polsinelli.com

-and-

David E. Gordon (*Pro Hac Vice*) Caryn E. Wang (*Pro Hac Vice*) POLSINELLI PC 1201 West Peachtree Street NW, Suite 1100 Atlanta, Georgia Telephone: (404) 253-6000 Facsimile: (404) 684-6060 dgordon@polsinelli.com cewang@polsinelli.com

Counsel to the Debtors and Debtors in Possession

32775793 v1

<u>/s/ Mark A. Lindsay (with permission)</u> Mark A. Lindsay, Esq. Bertnstein-Burkley, P.C. 707 Grant Street, Ste 2200, Gulf Tower Pittsburgh, PA 15219 T: (412) 456-8121 F: (412) 456-8135 mlindsay@bernsteinlaw.com

- and -

William L. Norton III Bradley 1600 Division St., Suite 700 Nashville, TN 37203 T: (615) 252-2397 bnorton@bradley.com

Attorneys for Beckman Coulter, Inc.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of January, 2019, a true and correct copy of the foregoing document was filed electronically. Notice of this filing was 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/David W. Houston, IV David W. Houston, IV (BPR# 20802)

> This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page. United States Bankruptcy Court.

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