

Charles M. Walker
U.S. Bankruptcy Judge
Dated: 2/6/2019



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

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

AGREED ORDER REGARDING AGREEMENTS ON ASSUMPTION LIST

Before this Court is the objection filed by TCF Equipment Finance (“TCF”) [Docket No. 481] (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 Debtors, North Mississippi Health Services, Inc. (“NMHS”), and TCF agree that (1) NMHS, the purchaser of the Gilmore hospital facility, shall not assume the TCF lease, (2) the Debtors shall return all equipment related to the TCF lease used at the Gilmore facility to TCF by no later than Friday February 15, 2019, and NMHS shall cooperate in facilitating the return of this equipment to TCF (3) NMHS’s decision not to assume the TCF lease does not impact the post-petition continuation of that lease agreement

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).

while the Debtors remain in this Chapter 11 proceeding and the equipment and services related to the TCF lease continue to be used by other hospital facilities owned by the Debtors, (4) the Debtors shall continue to make full post-petition payments on the TCF lease, and maintain insurance on the leased equipment still retained by the Debtors, during this Chapter 11 proceeding while the Debtors use the equipment and services related to the TCF lease, until the Debtors decide to either assume or reject the TCF lease, and (5) TCF's Objection will remain on the docket until this matter is fully resolved. Therefore

IT IS ORDERED:

1. The Agreements subject to the Objection shall not be assigned to NMHS, and the Debtors shall return all equipment related to the TCF lease to TCF by no later than Friday February 15, 2019.
2. The Debtors shall continue to make full post-petition payments on the TCF lease, and maintain insurance on such equipment, during this Chapter 11 proceeding while the Debtors use the equipment and services related to the TCF lease, until the Debtors decide to either assume or reject the TCF lease. TCF's Objection will remain on the docket until this matter is fully resolved.

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

Approved for Entry:

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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February, 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.