

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

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

EXPEDITED MOTION FOR ENTRY OF AN AGREED ORDER (A) ADJOURNING THE EVIDENTIARY HEARING ON DEBTORS’ MOTION FOR ENTRY OF AN ORDER (I) AUTHORIZING DEBTORS TO PAY THE DIP OBLIGATIONS, (II) AUTHORIZING THE USE OF CASH COLLATERAL, (III) GRANTING ADEQUATE PROTECTION, (IV) MODIFYING THE AUTOMATIC STAY, AND (V) GRANTING RELATED RELIEF; AND (B) ADJOURNING THE BRIEFING DEADLINES WITH RESPECT THERETO

The above captioned debtors and debtors-in-possession (collectively, the “**Debtors**”) in the above-captioned jointly administered chapter 11 cases (these “**Chapter 11 Cases**”), respectfully move the Court (this “**Motion for Adjournment**”) for entry of an order (the “**Order**”) in substantially the form filed contemporaneously herewith, adjourning the evidentiary hearing on the *Expedited Motion of Debtors for Entry of an Order (I) Authorizing Debtors to Pay the DIP Obligations, (II) Authorizing the Use of Cash Collateral, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* (the “**Motion**”)² and adjourning the briefing deadlines with respect thereto.

On March 8, 2019, Debtors filed the Motion, and the Court granted Debtors’ request to set a hearing on the Motion for March 12, 2019 at 1:00 p.m. (the “**Hearing**”).

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).

² Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Motion.

On March 11, 2019, Medhost of Tennessee, Inc. (together with its affiliates, “**Medhost**”) filed *Medhost’s Objection to Debtors’ Motion for Entry of an Order (I) Authorizing Debtors to Pay the DIP Obligations, (II) Authorizing the Use of Cash Collateral, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief, and Objection to Expedited Consideration of Said Motion* [Docket No. 859] (the “**Medhost Objection**”).

On March 11, 2019, Mississippi Emergency Physician Services, LLC (“**MEPS**”) and Comprehensive Hospitalists of MS, LLC (“**Comprehensive**”, together with MEPS, “**Schumacher**”) file the *Objection of Mississippi Emergency Physician Services, LLC and Comprehensive Hospitalists of MS, LLC to Debtors’ Motion (I) Authorizing Debtors to Pay the DIP Obligations, et al.* [Docket No. 862] (the “**Schumacher Objection**”, together with the Medhost Objection, the “**Objections**”).

On March 11, 2019, ServisFirst Bank (“**ServisFirst**”) filed the *Response of ServisFirst Bank to Expedited Motion of Debtors for Entry of an Order (I) Authorizing Debtors to Pay the DIP Obligations, (II) Authorizing the Use of Cash Collateral, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 866] (the “**ServisFirst Response**”).

On March 12, 2019, the Court held the Hearing on Debtors’ Motion. At the Hearing, in addition to hearing the statements of counsel regarding the ServisFirst Response and the Objections, counsel to the official committee of unsecured creditors (the “**Committee**”) raised additional issues regarding the Motion on the record. At the hearing, the Court scheduled an evidentiary hearing on Debtors’ Motion for Monday March 18, 2019 at 1:00 p.m. (the “**Evidentiary Hearing**”) with briefs due by March 15, 2019 and responses to briefs due by 10:00 a.m. on March 18, 2019 (collectively, the “**Briefing Deadlines**”).

In support of this Motion for Adjournment, the Debtors respectfully state as follows:

NEED FOR EXPEDITED RELIEF PURSUANT TO LOCAL RULE 9075-1

1. Expedited Relief Requested. Local Rule 9075-1 allows the Court to grant emergency orders for expedited motions. Pursuant to Local Rule 9075-1(b), the Debtors request the Court adjourn the hearing on the Motion for the reasons set forth herein.

2. Basis for Urgency. Debtors, the Committee, Servisfirst, Schumacher, and Medhost (collectively, the “**Parties**”) have discussed a potential agreement in principal resolving the issues raised in the Objections, the ServisFirst Response, and on the record at the Hearing. The Parties believe it is in the best interests of Debtors, their estates, and all interested parties to adjourn the Evidentiary Hearing and the Briefing Schedule to allow the Parties to focus their efforts on finalizing and memorializing a consensual resolution. Therefore, Debtors respectfully request an adjournment of the Evidentiary Hearing and the Briefing Deadlines pending the expectation of a consensual resolution of the Parties.

3. Notice. Concurrently with the filing of this Motion, the Debtors shall provide notice of this Motion to: (a) the Office of the United States Trustee for the Middle District of Tennessee; (b) Centers for Medicare and Medicaid Services; (c) State of Tennessee Department of Health Division of Licensure and Regulation Office of Health Care Facilities; (d) Mississippi State Department of Health; (e) counsel to the official committee of unsecured creditors established in these cases pursuant to Section 1102 of the Bankruptcy Code; (f) ServisFirst Bank and its counsel; (g) Midcap Financial Trust and its counsel; (h) CHS/Community Health Systems, Inc. and its counsel (i) all Tennessee local counsel having entered a notice of appearance in these cases; (j) the Internal Revenue Service; (k) the Tennessee Attorney General’s Office; (l) the Mississippi Attorney General’s Office; (m) the Tennessee Secretary of

State; (n) the patient care ombudsman and her counsel; (o) Medhost and its counsel; (p) Schumacher and its counsel, and (q) any party that has requested notice pursuant to Bankruptcy Rule 2002. Service is being executed via the Court's CM/ECF system, email, hand delivery, and/or overnight mail.

4. Suggested Hearing Date. Debtors respectfully request that the Evidentiary Hearing be adjourned to **March 26, 2019 at 11:00 a.m (CST)** with briefs due on or before Friday March 22, 2019 and replies to briefs due by 4:00 p.m. (CST) on March 25, 2019. In the event the Parties reach a consensual resolution, the Parties shall file an agreed order by 5:00 p.m. (CST) on Thursday March 21, 2019.

5. Support. As provided in Paragraph two of this Motion for Adjournment, the Parties discussed a potential agreement in principal resolving the issues raised in the Objections, the ServisFirst Response, and on the record at the Hearing. Debtors believe a consensual resolution, if reached among the parties, is in the best interests of the Debtors and their estates. The expedited relief requested herein will facilitate the Parties' ability to resolve the objections and allow Debtors to pay the DIP Loan and move these Chapter 11 cases forward.

WHEREFORE, Debtors request that this Court enter an order adjourning the Evidentiary Hearing and the Briefing Deadlines and granting such other and further relief as this Court may deem just and proper.

Dated: March 15, 2019
Nashville, Tennessee

Respectfully submitted,

POLSINELLI PC

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