

**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
)	Judge Walker
1721 Midpark Road, Suite B200)	
Knoxville, TN 37921)	(Jointly Administered)
)	
Debtors.)	

**NOTICE OF ELECTION TO OPT OUT OF THIRD PARTY RELEASES,
EXCULPATION CLAUSE, AND RELATED INJUNCTIONS CONTAINED IN
THE DEBTORS' CHAPTER 11 PLAN OF LIQUIDATION
[RELATES TO DKT. NO. 698]**

HHS Culinary & Nutritional Solutions, LLC (“HHS Culinary”) and HHS Environmental Services LLC (“HHS Environmental”, and together with HHS Culinary and each of their affiliates, “HHS”), hereby file this *Notice of Election to Opt Out of Thirty Party Releases, Exculpation Clause, and Related Injunctions contained in the Debtors’ Chapter 11 Plan of Liquidation* (the “Opt Out Notice”). In support of this Opt Out Notice, HHS respectfully states as follows:

1. On August 24, 2018 (the “Petition Date”), Curae Health, Inc. and its affiliated debtors, including Panola, (collectively, the “Debtors”) each filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).
2. On December 21, 2018, HHS filed four proofs of claim against the Debtors:
 - Claim No. 78-00014 filed by HHS Environmental against Clarksdale Regional Medical Center, Inc. as a general unsecured claim in the amount of \$200,857.95;

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).

- Claim No. 76-00015 filed by HHS Environmental against Batesville Regional Medical Center, Inc. as a general unsecured claim in the amount of \$230,336.27;
- Claim No. 75-00013 filed by HHS Environmental against Amory Regional Medical Center, Inc. as a general unsecured claim in the amount of \$255,362.40; and
- Claim No. 75-00012 filed by HHS Culinary against Amory Regional Medical Center, Inc. as a general unsecured claim in the amount of \$179,900.47.

3. On January 22, 2019, the Debtors filed their *Chapter 11 Plan of Liquidation* (the “Plan”) [Dkt. No. 698].

4. To the extent that HHS falls within the definition of a “Releasing Party” contained in Section II.A. and Article XI of the Plan, HHS expressly opts out, objects to, and does not consent to the third party releases contained in Section XI.C. of the Plan.

5. HHS also expressly opts out of, objects to, and does not consent to the exculpation provisions contained in Section XI.B. of the Plan and the related injunction provisions contained in Section XI.E. of the Plan.

6. HHS reserves all other rights to may have, including, but not limited to, objecting to the confirmation of the Plan.

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Dated: April 17, 2019.

Respectfully submitted,

VEAZEY & TUCKER

By: /s/ Thomas W. Tucker III

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- and -

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Counsel For HHS Environmental Services LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 17, 2019, a true and correct copy of the above Notice of Appearance was served via the Bankruptcy Court's Electronic Case Filing System on those parties that have consented to such service and on the following Notice Parties:

- i. Counsel to the Debtors, Polsinelli P.C., 1201 West Peachtree Street NW, Suite 1100, Atlanta, GA 30309, Attn: David E. Gordon and Caryn Wang;
- ii. Counsel to the Committee, Sills Cummis & Gross P.C., One Riverfront Plaza, Newark, NJ 07102, Attn: Andrew H. Sherman and Boris I. Mankovetskiy, with a copy to Manier & Herod, P.C., Attn: Michael E. Collins and Robert W. Miller;
- iii. the Office of the United States Trustee for the Middle District of Tennessee, 701 Broadway, Suite 318, Nashville, TN 37203, Attn: Kim Swafford and Megan Reed Seliber; and
- iv. (iv) all parties that have requested notice in the Chapter 11 Cases pursuant to Bankruptcy Rule 2002 (collectively, the "Notice Parties").

/s/ Thomas W. Tucker III
Thomas W. Tucker III