

**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 REQUESTING AN EXPEDITED HEARING AND OBJECTION
DEADLINE BE SET ON (A) EXPEDITED MOTION OF DEBTORS FOR ENTRY OF
AN ORDER PURSUANT TO RULE 9019 OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE APPROVING (I) THE AMORY MDOM SETTLEMENT
AGREEMENT AND (II) THE BATESVILLE MDOM SETTLEMENT AGREEMENT,
AND (B) DEBTORS' EXPEDITED MOTION TO APPROVE STIPULATION WITH
MAGMUTUAL INSURANCE COMPANY**

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 Hearing**”) for entry of an order (the “**Order**”), in substantially the form filed contemporaneously herewith, setting an expedited hearing on the *Expedited Motion of Debtors for Entry of an Order Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure Approving (I) the Amory MDOM Settlement Agreement and (II) the Batesville MDOM Settlement Agreement* (the “**MDOM Settlement Motion**”)² and the *Debtors’ Expedited Motion to Approve Stipulation with Magmutual Insurance Company* (the “**Magmutual Settlement Motion**”, together with the MDOM Settlement Motion, 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).

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

“**Settlement Motions**”) filed contemporaneously herewith. In support of this Motion for Hearing, 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 set a hearing on and deadline to object to the Settlement Motions on an expedited basis.

2. Basis for Urgency. An expedited hearing on the Settlement Motions is necessary because the Debtors have urgent need for relief to resolve, *inter alia*, the MDOM Claims and Estate Claims. The MDOM Settlement Agreements result in, *inter alia*, (i) elimination of the Amory MDOM Claim and the Batesville MDOM Claim, (ii) reduction of MDOM’s total alleged administrative expense claims against the Debtors’ estates to \$1,724,248.83, and (iii) elimination of the risk of future litigation costs related to the Amory MDOM Claim and the Batesville MDOM Claim. In addition, receipt of the funds contemplated in the Magmutual Settlement Motion will undoubtedly benefit the Debtors’ estates. The Adjourned Hearing on the MDOM Motion and Cross-Motion is already set for May 9, 2019 at 9:00 a.m. A hearing on confirmation of the Joint Chapter 11 Plan of Liquidation proposed by the Debtors and the Committee (the “**Joint Plan**”) is also set for hearing on May 9, 2019 at 9:00 a.m. Issues relating to the MDOM Claims and the Estate Claims are intertwined with issues relating to confirmation of the Joint Plan and must be finally determined prior to the effective date of the Joint Plan.

3. Notice. Concurrently with the filing of this Motion for Hearing, the Debtors shall provide notice of this Motion for Hearing to: (a) the U.S. Trustee; (b) counsel to ServisFirst; (c) counsel to CHS; (d) counsel to MidCap; (e) the Office of the United States Attorney for the

Middle District of Tennessee; (f) the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services; (g) the Tennessee State Department of Health Division of Licensure and Regulation of Health Care Facilities; (h) the Attorney General of the State of Tennessee; (i) the Tennessee Department of Revenue; (j) the Tennessee Secretary of State; (k) the Mississippi State Department of Health; (l) the Attorney General of the State of Mississippi; (m) the United States Attorney's Office for the Northern District of Mississippi; (n) the Mississippi Department of Revenue; (o) the Internal Revenue Service; (p) counsel to the official committee of unsecured creditors; (q) the ombudsman and her counsel; (r) the Mississippi Division of Medicaid (attn.: James Bobo); (s) counsel to NMHS; (t) counsel to Progressive; (u) counsel to Magmutual; and (v) any party who has requested notice pursuant to Bankruptcy Rule 2002. Service is being executed via the Court's CM/ECF system, email, hand delivery, and/or first class mail.

4. Suggested Hearing Date. The Debtors request a hearing date on the Settlement Motions on **May 9, 2019 at 9:00 a.m. Central Time.**

5. Support. Debtors support for expedited relief is set forth in detail in the Settlement Motions.

WHEREFORE, Debtors request that this Court enter an order (i) setting a hearing on the Settlement Motions for **May 9, 2019 at 9:00 a.m. Central Time**, (ii) setting May 6, 2019 as the deadline to object to the relief sought in the Settlement Motions, and (iii) granting such other and further relief as this Court may deem just and proper.

Dated: April 29, 2019
Nashville, Tennessee

Respectfully submitted,

POLSINELLI PC

/s/ Michael Malone _____

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