

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

In re:

Curae Health, Inc., *et al.*<sup>1</sup>

1721 Midpark Road, Suite B200  
Knoxville, TN 37921

Debtors.

Chapter 11

Lead Case No. 18-05665

Judge Walker

Jointly Administered

**THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' EXPEDITED  
MOTION FOR AN EXPEDITED HEARING AND SETTING OBJECTION DEADLINE  
ON THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' EXPEDITED  
MOTION FOR ENTRY OF ORDER GRANTING THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS STANDING TO PURSUE CERTAIN  
ESTATE-BASED CLAIMS**

The Official Committee of Unsecured Creditors (the “**Committee**”) appointed in the above-captioned proceedings of Curae Health, Inc., *et al.* (the “**Debtors**”) hereby moves this Court for entry of an order substantially in the form filed contemporaneously herewith, setting an expedited hearing and objection deadline on the *Expedited Motion for Entry of Order Granting the Official Committee of Unsecured Creditors Standing to Pursue Certain Estate-Based Claims* (the “**Standing Motion**”)<sup>2</sup>. As grounds therefor and in support hereof, the Committee respectfully states 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

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<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. (7929); and Clarksdale Regional Medical Center, Inc. (4755); Amory Regional Physicians, LLC (5044); Batesville Regional Physicians, LLC (4952); Clarksdale Regional Physicians, LLC (5311).

<sup>2</sup> Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Standing Motion.

emergency orders pursuant to expedited motions. Under Local Rule 9075-1(b), the Committee requests the Court set a hearing on the Standing Motion on an expedited basis.

2. Basis for Urgency: As explained more fully in the Standing Motion, the deadline for filing a lawsuit to pursue claims under the Policy that potentially covers certain current and former board members and officers of the Debtors, as well as the Debtors' manager Strategic Healthcare Resources, LLC, is May 15, 2019, at 12:01 a.m. (the "**Policy Deadline**"). Although a tail extension of the Policy is available for approximately \$140,000.00, ServisFirst Bank has refused to consent to the use of cash collateral to purchase the tail. Because the Debtors are inherently conflicted due to their current officers, directors, and/or managers being potential targets, they have advised the Committee that they will not bring claims under Policy. As a result, the Committee must obtain standing to bring a lawsuit in advance of the Policy Deadline.

3. Notice: The Committee shall provide notice by email to the United States Trustee, Counsel for the Debtors, Counsel to ServisFirst Bank, and Counsel to Community Health Systems.

4. Suggested Hearing Date: The Committee requests the Court set a hearing date on the Standing Motion for May 9, 2019, at 9:00 a.m.

5. Support: The expedited relief requested is necessary for the Committee to protect the interests of the Debtors' creditors by timely bringing claims under the Policy. The Committee constitutes the only party willing to prosecute the claims under the Policy for the benefit of the Debtors' estates. In order to bring claims under the Policy by filing a lawsuit, however, the Committee must obtain standing on an expedited basis in advance of the Policy Deadline. The confirmation hearing on the Joint Chapter 11 Plan of Liquidation proposed by the Debtors and the Committee is already set for hearing on May 9, 2019, at 9:00 a.m. As a result, the counsel for the

significant stakeholders in the case, including Committee counsel, will already be present and an additional expedited hearing will not be necessary.

**WHEREFORE**, the Committee respectfully requests that the Court enter an order (i) setting a hearing on the Standing Motion for **May 9, 2019**, (ii) an associated objection deadline for the Standing Motion, and (iii) granting the Committee such other and further relief as is just and proper.

Dated: May 2, 2019

*/s/ Michael E. Collins*

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*Counsel to the Official Committee of  
Unsecured Creditors*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2019, a copy of the foregoing was sent via ECF to all parties registered to receive electronic notice in the case and via U.S. mail, postage prepaid, to the parties listed on the mailing matrix attached as Exhibit A.

/s/ Robert W. Miller \_\_\_\_\_  
Robert W. Miller