



Charles M. Walker  
U.S. Bankruptcy Judge  
Dated: 10/28/2018



**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

Case No. 18-05665

Judge Walker

Jointly Administered

Re: Docket Nos. 10 and 60

**AGREED ORDER EXTENDING CHALLENGE DEADLINE FOR OFFICIAL  
COMMITTEE OF UNSECURED CREDITORS OF CURAE HEALTH, INC., ET AL.**

This matter is before the Court on: (a) the *Expedited Motion of Debtors for Entry of Interim and Final Orders: (I) Authorizing the Debtors to (A) Obtain Postpetition Secured Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Status,*

<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).

(III) *Granting Adequate Protection*, (IV) *Modifying the Automatic Stay*, and (V) *Scheduling a Final Hearing* [Docket No. 10] (the “DIP Financing Motion”) and (b) the *Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Secured Financing and (B) Utilize Cash Collateral*, (II) *Granting Liens and Superpriority Administrative Expense Status*, (III) *Granting Adequate Protection*, (IV) *Modifying the Automatic Stay*, and (V) *Scheduling a Final Hearing* (the “Interim DIP Financing Order”) [Docket No. 60].

On August 28, 2018, the Court held a hearing on the above-captioned Chapter 11 debtors’ (the “Debtors”) first day pleadings, including the DIP Financing Motion. At the hearing, the Court granted the relief requested in the DIP Financing Motion on an interim basis and entered the Interim DIP Financing Order.

The Interim DIP Financing Order set a deadline for the Official Committee of Unsecured Creditors of Curae Health, Inc., *et al.* (the “Committee”) to file an adversary proceeding initiating a Challenge<sup>2</sup> by the earlier of: (a) sixty (60) days from the date of the entry of order appointing counsel to the Committee and (b) November 5, 2018 (the “Committee Challenge Deadline”).

The Debtors, the Committee, ServisFirst Bank, and MidCap Funding IV Trust, as successor-by-assignment to MidCap Financial Trust, as Agent and Lender, CHS/Community Health Systems, Inc., each by and through their undersigned counsel, have agreed to the extension of the Committee Challenge Deadline to November 19, 2018, therefore,

**IT IS HEREBY ORDERED THAT:**

1. The Committee Challenge Deadline is extended to November 19, 2018, subject to further order of the Court.

---

<sup>2</sup> Any capitalized term not defined in this Agreed Order has the meaning ascribed to it in the Interim DIP Financing Order.

**IT IS SO ORDERED.**

**THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED  
AT THE TOP OF THE FIRST PAGE.**

Submitted for Entry By:

POLSINELLI PC

/s/ Michael Malone  
Michael Malone (Bar No. 31219)  
401 Commerce Street, Suite 900  
Nashville, TN 37219  
Telephone: (615) 259-1510  
Facsimile: (615) 259-1573  
mmalone@polsinelli.com

and

David E. Gordon (admitted *pro hac vice*)  
Caryn E. Wang (admitted *pro hac vice*)  
1201 West Peachtree Street NW  
Atlanta, GA 30309  
Telephone: (404) 253-6000  
Facsimile: (404) 684-6060  
dgordon@polsinelli.com  
cewang@polsinelli.com

*Counsel to the Debtors  
and Debtors in Possession*

and

MANIER & HEROD, P.C.

/s/ Michael E. Collins  
Michael E. Collins (Bar No. 16036)  
Robert W. Miller (Bar No. 31918)  
1201 Demonbreun Street, Suite 900  
Nashville, TN 37203  
Telephone: (615)-244-0030  
Facsimile: (615) 242-4203  
mcollins@manierherod.com  
rmiller@manierherod.com

and

SILLS CUMMIS & GROSS P.C.

Andrew H. Sherman (admitted *pro hac vice*)  
Boris I. Mankovetskiy (admitted *pro hac vice*)  
One Riverfront Plaza  
Newark, NJ 07102  
Telephone: (973) 643-7000  
Facsimile: (973) 643-6500  
asherman@sillscummis.com  
bmankovetskiy@sillscummis.com

*Co-Counsel for the Official Committee of  
Unsecured Creditors of Curae Health, Inc., et al.*

and

NEAL & HARWELL, PLC

/s/ David G. Thompson  
David G. Thompson (Bar No. 20309)  
James R. Kelley (Bar No. 5525)  
Stephen M. Montgomery (Bar No 26489)  
1201 Demonbreun Street, Suite 1000  
Nashville, TN 37203  
Telephone: (615) 244-1713  
Facsimile: (615) 726-0573  
dthompson@nealharwell.com  
jkelley@nealharwell.com  
smontgomery@nealharwell.com

*Counsel for ServisFirst Bank*

and

WALLER LANSDEN DORTCH & DAVIS, LLP

/s/ David E. Lemke

David E. Lemke (Bar No. 028153)  
Katie G. Stenberg (Bar No. 022301)  
511 Union Street, Suite 2700  
Nashville, TN 37219  
Telephone: (615) 244-6380  
Facsimile: (615) 244-6804  
david.lemke@wallerlaw.com  
katie.stenberg@wallerlaw.com

*Counsel for MidCap Financial Trust  
and MidCap Funding IV Trust*

and

BASS, BERRY & SIMS PLC

/s/ Paul G. Jennings

Paul G. Jennings (Bar No. 014367)  
150 Third Avenue South Suite 2800  
Nashville TN 37201  
Telephone: (615) 742-6267  
Facsimile: (615) 574-2276  
PJennings@bassberry.com

*Counsel for CHS/Community Health Systems, Inc.*