

UNITED STATES BANKRUPTCY COURT
EASTER DISTRICT OF LOUISIANA

In re:

OCA, INC., et al;

Debtor(s).

Case No. 06-10179 (B)

Chapter 11

Jointly Administered with Case Numbers
06-10180 - 06-10223

EX PARTE MOTION BY DRS. QUAS AND DR. DORNSIFE
FOR EXPEDITED CONSIDERATION OF MOTION
TO JOIN IN STIPULATION

MOTION

Vincent Quas, D.D.S., Juliana Panchura Quas, D.D.S., and their professional corporation Vincent Quas, D.D.S. and Juliana Panchura Quas, D.D.S., P.C.; and Roy F. Dornsife, and his professional corporation Roy F. Dornsife, DMD, PC; move for an order allowing expedited consideration of, and shortened notice period for, their motion for an order permitting them to join in the stipulation and order signed by the court on or about August 3, 2006 (Docket Nos. 1295 and 1316). Movants request that the court set August 30, 2006, as the date for consideration of said motion.

PROPOSED ORDER

The moving parties have submitted a proposed form of order with this motion.

POINTS AND AUTHORITIES

1. The undersigned counsel for Movants certifies that he has attempted to obtain consent from Debtors' counsel to the relief requested in the underlying motion to join in the stipulation described below, by telephoning to the offices of Debtors' counsel and leaving messages requesting a call-back. Movant's counsel has left messages for Debtors' counsel. To date, Debtors' counsel has not returned any of the calls, and Movant's counsel is unable to determine Debtors' position on allowing Movants to join in the stipulation.

2. Expedited consideration is requested because, in the absence of an order allowing Movants to join in the stipulation, the normal noticing period for the underlying motion under Local Bankruptcy Rule 9013-1(B)(b) would result in the hearing on the underlying motion being scheduled for a date after the trial date set by this court's order for litigation of Business Service Agreement assumption, which is September 5, 2006.

3. Drs. Quas and Dr. Dornsife, and their respective professional corporations, filed timely objections to the assumption of their Business Services Agreements in this proceeding. Drs. Quas also filed a motion for relief to continue litigation that has been pending for several years against two of the debtors in the United States District Court for the District of Oregon. That motion was recently denied.

4. On or about July 31, 2006, the Debtors and a number of doctors recently entered into a stipulation and proposed order regarding the trial of all issues relating to assumption of those doctors' Businesses Services Agreements. We were not informed about that stipulation and were not invited to participate in it. The court approved that stipulation, and made a portion of it effective as an order, on or about August 3, 2006. That stipulation and order required all doctors who wished to join the stipulation to do so before July 31, 2006 – four days before the order was entered. Otherwise, doctors wishing to join the stipulation must obtain the Debtors' permission to do so. Doctors who did not join in the stipulation face substantial limitations on their ability to litigate the assumption issues (their cases will be tried over two days without

significant discovery, together with all confirmation issues).

5. Because the Debtors chose not to involve us in, or even notify us of, the discussions that led to some doctors entering into the stipulation, Drs. Quas and Dornsife were denied the opportunity to join in that stipulation. Because they deserve the same opportunities as the doctors with whom the Debtors chose to communicate, they should be allowed to join in that stipulation.

DATED: August 16, 2006.

HERSHNER HUNTER, LLP

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Dornsife, and Roy F. Dornsife, DMD, PC

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ORDER ON MOTION FOR EXPEDITED CONSIDERATION BY
DRS. QUAS AND DR. DORNSIFE

This matter came before the court on the ex-parte motion of Drs. Vincent Quas, Juliana Panchura Quas, and Roy F. Dornsife, and their respective professional corporations, for expedited consideration of their motion seeking permission to join in the Stipulations and Order signed by this court on or about August 3, 2006 (Docket Nos. 1295 and 1316).

IT IS ORDERED that the motion for expedited consideration is granted.

IT IS FURTHER ORDERED that the aforesaid motion is set for hearing on August 30, 2006, at 2:00 p.m.

IT IS FURTHER ORDERED that any objections to said motion shall be filed with the clerk's office and served on counsel no later than August 29, 2006, by noon.

IT IS FURTHER ORDERED that Movants' counsel shall serve this order on counsel for

all parties to the stipulation and file a certificate of service in accordance with Local Rule 9013-3

DATED this ____ day of _____, 2006, at New Orleans, Louisiana.

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