

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA

ORDER
BROWN, J.
SEPTEMBER 15, 2006

IN RE

OCA, INC. et al.

DEBTOR(S)

BANKRUPTCY NO.
06-10179
SECTION "B"
CHAPTER 11

This matter came before the Court on September 5, 6, 11, 14 and 15, 2006 on the following:

- 1) Confirmation of the debtors' joint amended and supplemental plan as of July 24, 2006 (**P-1247**);
- 2) Debtors' joint motion for entry of order approving August 18, 2006 technical modifications (**P-1535**);
- 3) Debtors' joint motion for entry of order approving August 29, 2006 immaterial modifications (**P-1684**);
- 4) Trial on the proposed assumption or rejection of current BSA's and Defaulted BSA's as defined in the plan filed on 7/24/06 who either (1) did not timely object by 7/17/06 to the proposed assumption;(2) are not stipulating parties as defined in the stipulations and order by and between the debtors and other stipulating parties; and (3) timely objected by 7/17/06 to the proposed assumption of said current BSA's and defaulted BSA's and are not stipulating parties as defined in the Stipulations and Order by and between the debtors and other stipulating parties (**see P-691, 700, 1300**);
- 5) Debtors' motion for an increase of period in which the debtors may file and obtain acceptances of a plan (**P-1475**);
- 6) Motion of Drs. Quas and Dr. Dornsife to join in stipulation (**P-1492**);
- 7) Motion of Drs. Nelson, Risinger, Woodard to join in stipulation (**P-1521**);

8) Motion of Palmisano for temporary allowance of claim (**P-1653**);

9) Motion of Palmisano to designate and disqualify vote of Jeffries & Co. (**P-1659**);

10) Motion of the UCC to designate the vote of Palmisano (**P-1720**);

11) Motion for Entry of Order Approving September 1, 2006 Technical Modifications to the Amended and Supplemental Joint Chapter 11 Plan of Reorganization for OCA, Inc. and Filed Subsidiaries, as of July 24, 2006 (**P-1766**);

12) Motion To Strike Vote of Dr. Gary D. Sexson, II and Sexson Orthodontics, Ltd. (**P-1731**).

APPEARANCES NOTED ON THE RECORD.

IT IS ORDERED:

1) The Debtors' joint motion for entry of order approving August 18, 2006 technical modifications (**P-1535**) and the Debtors' joint motion for entry of order approving August 29, 2006 immaterial modifications (**P-1684**) are **DISMISSED AS MOOT**.

2) The motion of Drs. Quas and Dr. Dornsife to join in stipulation (**P-1492**) and the motion of Drs. Nelson, Risinger, Woodard to join in stipulation (**P-1521**) are **DISMISSED AS MOOT**.

3) The debtors' motion for an increase of period in which the debtors may file and obtain acceptances of a plan (**P-1475**) is **GRANTED** for 60 days from 9/5/06.

4) The motion for Entry of Order Approving September 1, 2006 Technical Modifications to the Amended and Supplemental Joint Chapter 11 Plan of Reorganization for OCA, Inc. and Filed Subsidiaries, as of July 24, 2006 (**P-1766**) is **GRANTED with the**

objectors reserving their rights.

5) The Court will recognize the claim of Palmisano in the amount of 3.2 million for voting purposes (**P-1653**);

6) The Court will disallow Jefferies fee engagement letter and recognize for voting purposes the Jeffries claim in the amount of only the expenses of \$53,077.03 (**P-1659**);

7) The Court will deny the vote of Palmisano as not cast in good faith (**P-1720**);

8) The Court will grant the motion to strike vote of Dr. Gary D. Sexson, II and Sexson Orthodontics, Ltd. (**P-1731**); and

9) Counsel are to file simultaneous findings of fact and conclusions of law no later than **September 25, 2006**. Responsive briefs are due by **October 3, 2006**. The Court will take the remaining matters **under advisement** upon the filing of the last brief.

New Orleans, Louisiana, September 26, 2006.


JERRY A. BROWN
BANKRUPTCY JUDGE