

CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA  
CIVIL DIVISION

In re:

LASER SPINE INSTITUTE, LLC,<sup>1</sup>

Assignor,

Case No. 2019-CA-002762

to

SONEET KAPILA,

Assignee.

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**MOTION TO EMPLOY ATTORNEY FOR ASSIGNEE**

Assignee, Soneet Kapila of KapilaMukamal (“Assignee”), by and through his undersigned attorneys, hereby files this motion pursuant to Florida Rule of Civil Procedure 1.100(b) and § 727.108(7) of the Florida Statutes, to employ the law firm of Stichter, Riedel, Blain & Postler, P.A. as his attorneys in the Assignment Cases (defined below). In support of this motion, the Assignee states as follows:

**Background**

1. On March 14, 2019, Laser Spine Institute, LLC (“LSI”) executed and delivered an assignment for the benefit of creditors to the Assignee. The Assignee filed a Petition with the Court on March 14, 2019, commencing an assignment for the benefit of creditors proceeding pursuant to Section 727 of the Florida Statutes (the “LSI Assignment Case”).

<sup>1</sup> Prior to filing this motion, the Assignee sought to administratively consolidate the assignment case of Laser Spine Institute, LLC with the assignment cases of the following entities: LSI Management Company, LLC; Laser Spine Institute Consulting, LLC; CLM Aviation, LLC; Medical Care Management Services, LLC; LSI HoldCo, LLC; Laser Spine Surgical Center, LLC; Laser Spine Surgery Center of Arizona, LLC; Laser Spine Surgery Center of Cincinnati, LLC; Laser Spine Surgery Center of St. Louis, LLC; Laser Spine Surgery Center of Pennsylvania, LLC; Laser Spine Surgery Center of Oklahoma, LLC; Laser Spine Surgery Center of Warwick, LLC; Laser Spine Surgery Center of Cleveland, LLC; Total Spine Care, LLC; and Spine DME Solutions, LLC.

2. Simultaneous with the filing of the LSI Assignment Case, the Assignee filed fifteen other Petitions commencing assignment for the benefit of creditors proceedings for 15 affiliates of LSI (the “**Affiliated Assignment Cases**”): LSI Management Company, LLC; Laser Spine Institute Consulting, LLC; CLM Aviation, LLC; Medical Care Management Services, LLC; LSI HoldCo, LLC; Laser Spine Surgical Center, LLC; Laser Spine Surgery Center of Arizona, LLC; Laser Spine Surgery Center of Cincinnati, LLC; Laser Spine Surgery Center of St. Louis, LLC; Laser Spine Surgery Center of Pennsylvania, LLC; Laser Spine Surgery Center of Oklahoma, LLC; Laser Spine Surgery Center of Warwick, LLC; Laser Spine Surgery Center of Cleveland, LLC; Total Spine Care, LLC; and Spine DME Solutions, LLC (collectively, together with LSI, the “**Assignors**”).

3. By separate motion, the Assignee has sought to administratively consolidate the Affiliated Assignment Cases with the LSI Assignment Case (collectively, the “**Assignment Cases**”) pursuant to Florida Rule of Civil Procedure 1.270(a).

4. The Assignee seeks authority to employ Stichter, Riedel, Blain & Postler, P.A. (“**Stichter Riedel**”), a law firm whose attorneys are admitted to practice in this Court, as his counsel in the Assignment Cases. The nature of the Assignors’ business necessitated immediate assistance of counsel on a variety of legal issues. The Assignee therefore seeks an order authorizing the retention of Stichter Riedel *nunc pro tunc* to March 14, 2019.

#### **Relief Requested**

5. One of the Assignee’s duties is “to the extent necessary, employ at the expense of the estate one or more . . . attorneys . . . to assist the assignee in carrying out his or her duties under this chapter.” Fla. Stat. § 727.108(7). Accordingly, the Assignee seeks to employ Stichter Riedel as counsel. The Assignee has selected Stichter Riedel because they have considerable experience

in insolvency matters and, in particular, representation of assignees under § 727 of the Florida Statutes. The Assignee believes that Stichter Riedel is well qualified to represent him as Assignee in these proceedings. The professional services Stichter Riedel is to render are as follows:

- a) To give the Assignee legal advice with respect to his duties and powers as Assignee;
- b) To prepare on behalf of the Assignee the necessary motions, notices, pleadings, petitions, answers, orders, reports and other legal papers; and
- c) To perform all other legal services as may be requested by the Assignee.

6. Stichter Riedel represents no interest adverse to the Assignee or to the estates in the matters upon which it is to be engaged by the Assignee, and its employment would be to the best interest of this assignment.

WHEREFORE, the Assignee respectfully requests that he be authorized to employ and appoint Stichter, Riedel, Blain & Postler, P.A. to represent the Assignee in the Assignment Cases under Fla. Stat. § 727.108(7), *nunc pro tunc* to March 14, 2019, and that the Court order such other and further relief as is just and proper.

Dated: March 15, 2019

/s/ Edward J. Peterson

Harley E. Riedel (FBN 183628)

Edward J. Peterson (FBN 0014612)

Matthew B. Hale (FBN 0110600)

Stichter, Riedel, Blain & Postler, P.A.

110 E. Madison Street, Suite 200

Tampa, Florida 33602

Telephone: (813) 229-0144

Facsimile: (813) 229-1811

Email: [hriedel@srbp.com](mailto:hriedel@srbp.com); [epeterson@srbp.com](mailto:epeterson@srbp.com)

[mhale@srbp.com](mailto:mhale@srbp.com)

Counsel for Assignee

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing has been sent by electronic mail on this 15<sup>th</sup> day of March, 2019 to:

Toby Gerber, Esquire  
[toby.gerber@nortonrosefulbright.com](mailto:toby.gerber@nortonrosefulbright.com)  
Counsel for Texas Capital Bank, as Administrative Agent

Lara Fernandez, Esquire  
[lfernandez@trenam.com](mailto:lfernandez@trenam.com)  
Counsel for Texas Capital Bank, as Administrative Agent

Jennifer Altman, Esquire  
[jennifer.altman@pillsburylaw.com](mailto:jennifer.altman@pillsburylaw.com)  
Counsel for Joe Samuel Bailey, et al.

Kenneth Mather, Esquire  
[kmather@gunster.com](mailto:kmather@gunster.com)  
Counsel for Joe Samuel Bailey, et al.

Stuart Markman, Esquire  
[smarkman@kmf-law.com](mailto:smarkman@kmf-law.com)  
Counsel for Joe Samuel Bailey, et al.

Nicole Greenblatt, Esquire  
[nicole.greenblatt@kirkland.com](mailto:nicole.greenblatt@kirkland.com)  
Counsel for Assignors

*/s/ Edward J. Peterson* \_\_\_\_\_

Edward J. Peterson