

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

In re:

Laser Spine Institute, LLC ¹	Case No. 2019-CA-2762
CLM Aviation, LLC	Case No. 2019-CA-2764
LSI HoldCo, LLC	Case No. 2019-CA-2765
LSI Management Company, LLC	Case No. 2019-CA-2766
Laser Spine Surgery Center of Arizona, LLC	Case No. 2019-CA-2767
Laser Spine Surgery Center of Cincinnati, LLC	Case No. 2019-CA-2768
Laser Spine Surgery Center of Cleveland, LLC	Case No. 2019-CA-2769
Laser Spine Surgical Center, LLC	Case No. 2019-CA-2770
Laser Spine Surgery Center of Pennsylvania, LLC	Case No. 2019-CA-2771
Laser Spine Surgery Center of St. Louis, LLC	Case No. 2019-CA-2772
Laser Spine Surgery Center of Warwick, LLC	Case No. 2019-CA-2773
Medical Care Management Services, LLC	Case No. 2019-CA-2774
Spine DME Solutions, LLC	Case No. 2019-CA-2775
Total Spine Care, LLC	Case No. 2019-CA-2776
Laser Spine Institute Consulting, LLC	Case No. 2019-CA-2777
Laser Spine Surgery Center of Oklahoma, LLC	Case No. 2019-CA-2780

Assignors, Consolidated Case No: 2019-CA-2762
To:

Soneet Kapila, Division L

Assignee,
_____ /

MOTION TO EXTEND TIME TO EXAMINE ASSIGNORS

Assignee, Soneet Kapila of KapilaMukamal, LLP (“Assignee”), by and through his undersigned attorneys, hereby files this Motion to Extend Time to Examine Assignors and states:

¹ At a hearing held on March 22, 2019, the Court administratively consolidated this case 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.

Introduction

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 Chapter 727 of the Florida Statutes (the “**LSI Assignment Case**”).

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 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). At a hearing on March 22, 2019, the Court granted the motion to consolidate.

Relief Requested and Memorandum of Law

4. The Assignee requests a brief extension of time to conduct the examination of the Assignors. Pursuant to Section 727.108 of the Florida Statutes, “[w]ithin 30 days after the filing date” of the Petition, the Assignee must “examine the [A]ssignor, under oath . . . unless excused

by the court for good cause shown.” Fla. Stat. § 727.108(2).

5. The Assignee filed the Petitions commencing the Assignment Cases on March 14, 2019. Therefore, the deadline by which the Assignee must conduct the examination of the Assignors is currently April 12, 2019. As a result of scheduling issues and the need to address many pressing issues early on in the cases, the Assignee needs a short extension of the deadline to conduct the examination, through and including April 17, 2019. The examination is currently scheduled for April 16, 2019. This request for an extension of time is made in good faith and is not sought for the purpose of delay.

WHEREFORE the Assignee respectfully requests the Court enter an order granting the Assignee an extension of time, through and including April 17, 2019, to examine the Assignors, and that the Court grant such other and further relief as is just.

Certificate of Good Faith Conference

Pursuant to Business Court Procedure 3.7, the undersigned has conferred with counsel for the Assignors, and certifies that counsel has no objection to entry of an order granting the Motion.

Dated: March 27, 2019

/s/ Edward J. Peterson
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing *Motion to Extend Time to Examine Assignors* has been furnished on this 27th day of March, 2019 by the Court's electronic system to all parties receiving electronic service and via electronic mail to:

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/s/ Edward J. Peterson

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