

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

In re:

Laser Spine Institute, LLC	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.

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AGENDA FOR HEARING ON JUNE 27, 2019

Soneet Kapila, as Assignee, proposes the following agenda (the “**Agenda**”) for the matters calendared for omnibus hearing on June 27, 2019 at 2:00 p.m. The information contained in this Agenda reflects the status of each matter as it is known to Assignee’s counsel as of the filing of this Agenda and is subject to change.

Document Index	Filing Party	Matter	Status
MOTIONS TO APPROVE SERVICE AGREEMENTS			
169	Assignee	Assignee's Motion for Order Approving Records Management Agreement with Clary Document Management, Inc. and for Authority to Pay Related Fees and Costs	Assignee requests that the Court authorize the Assignee to employ Clary to provide essential document management services related to patient records.
172	Assignee	Assignee's Motion to Employ Gulf Coast Collection Bureau for Collection of Certain Accounts Receivable, to Pay Fees, and for Authority to Compromise Accounts Receivable with the Consent of Texas Capital Bank as Administrative Agent	Assignee requests that the Court approve the employment of Gulf Coast to collect certain stale receivables.
197	Assignee	Assignee's Motion for Order Approving Service Level Agreement with Infinit North America and for Authority to Pay Related Fees and Costs	Approval of this Agreement is necessary to help implement the storage of patient records.
MOTION TO EMPLOY PROFESSIONALS			
	Assignee	Assignee's Motion to Employ Genovese Joblove & Battista, P.A. and Rocke, McLean & Sbar, P.A. as Special Litigation Counsel and to Pay Fees on a Contingency Fee Basis	Assignee requests that the Court authorize the Assignee to employ GJB & RMS on the terms set forth in the Motion and Contingency Fee Contract
ASSET DISPOSITION			
163	Assignee	Notice of and Motion to Abandon Certain Assets to Texas Capital Bank, as Administrative Agent	Assignee requests the authority to abandon the HFD Assets to the Agent in exchange for a credit of \$10 million against the Agent's secured claim.
165	Shirley and John Langston (Don Schutz)	Objection and Opposition to Assignee's Notice of and Motion to Abandon Certain Assets to Texas Capital Bank, as Administrative Agent	Assignee requests that the objection be overruled.
182	Assignee	Assignee's Reply to Shirley and John Langston's Objection and Opposition to Assignee's Notice of and Motion to Abandon Certain Assets to Texas Capital Bank, as Administrative Agent	Assignee requests that the objection be overruled.
199	Assignee	Motion for Authority to Sell Furniture, Fixtures, and Equipment through Public Auctions and for Approval of Noticing Procedures	Assignee requests authority to sell assets at auction if necessary.

Document Index	Filing Party	Matter	Status
CASH COLLATERAL			
142	Assignee	Motion for Entry of an Order Pursuant to Fla. Stat.§727.109(15): (I) Authorizing the Use of Cash Collateral; (II) Providing Adequate Protection to Lenders; (III) Establishing a Lien Challenge Deadline; and (IV) Granting Related Relief	Assignee requests that the Court establish a lien challenge deadline and grant the Agent a lien on certain recoveries.
143	Shirley and John Langston (Don Schutz)	Objection and Opposition to Assignee's Motion for Entry of an Order Pursuant to Fla. Stat.§727.109(15): (I) Authorizing the Use of Cash Collateral; (II) Providing Adequate Protection to Lenders; (III) Establishing a Lien Challenge Deadline; and (IV) Granting Related Relief	Assignee requests that the objection be overruled.
166	Assignee	Response to Langston's Objection and Opposition to Assignee's Motion for Entry of an Order Pursuant to Fla. Stat.§727.109(15): (I) Authorizing the Use of Cash Collateral; (II) Providing Adequate Protection to Lenders; (III) Establishing a Lien Challenge Deadline; and (IV) Granting Related Relief	Assignee requests that the objection be overruled.
184	Laserscopic, et al. (Ken Mather, Esq.)	Response in Limited Opposition to Soneet Kapila, as Assignee's Motion for Entry of an Order Pursuant to Fla. Stat.§727.109(15): (I) Authorizing the Use of Cash Collateral; (II) Providing Adequate Protection to Lenders; (III) Establishing a Lien Challenge Deadline; and (IV) Granting Related Relief	Assignee requests that the objection be overruled.
201	Assignee	Reply to Laserscopic's Response in Limited Opposition to Soneet Kapila, as Assignee's Motion for Entry of an Order Pursuant to Fla. Stat.§727.109(15): (I) Authorizing the Use of Cash Collateral; (II) Providing Adequate Protection to Lenders; (III) Establishing a Lien Challenge Deadline; and (IV) Granting Related Relief	Assignee requests that the objection be overruled.
203	Texas Capital Bank (Stephanie Lieb, Esq.)	Joinder of Texas Capital Bank, N.A. as Administrative Agent to the Lender Group, to Assignee's Reply to Laserscopic's Response in Limited Opposition to Soneet Kapila, as Assignee's Motion for Entry of an Order Pursuant to Fla. Stat.§727.109(15): (I) Authorizing the Use of Cash Collateral; (II) Providing Adequate Protection to Lenders; (III) Establishing a Lien Challenge Deadline; and (IV) Granting Related Relief	
202	Texas Capital Bank (Stephanie Lieb, Esq.)	Texas Capital Bank's Notice of Submission of Claims to Assignee	

Document Index	Filing Party	Matter	Status
CROSS NOTICED MATTERS			
MOTION TO COMPEL AND JOINDERS			
144	Shirley and John Langston (Don Schutz)	Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	The Movant and the Assignee request that the matters be continued to the next omnibus hearing scheduled for July 30, 2019.
196	Terry and Shirley Legg (Jonathan Gilbert, Esq.)	Notice of Joinder with Langston's Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	
204	Jared Headley (Cameron Kennedy, Esq.)	Notice of Joinder with Langston's Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	
205	Timothy and Marilyn Farley (Heather Barnes, Esq.)	Notice of Joinder with Langston's Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	
206	Cherish Collins (Heather Barnes, Esq.)	Notice of Joinder with Langston's Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	
	Kenneth Winkler (William Hahn, Esq.)	Notice of Joinder with Langston's Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	
179	Assignee	Assignee's Objection to Shirley and John Langston's Motion to Compel Assignee to Pursue or Assign all Claims Against Third Parties Relating to the Violation of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs	
MOTIONS TO DETERMINE COMPLIANCE WITH SELF-INSURANCE OBLIGATION			
44	Shirley and John Langston (Don Schutz)	Motion to Determine Assignors' Self-Insurance Compliance	The Movant and the Assignee request that the matter be continued to the next omnibus hearing scheduled for July 30, 2019.

Document Index	Filing Party	Matter	Status
53	Jared Wm. Headley (Cameron Kennedy, Esq.)	Motion to Determine Assignors' Self-Insurance Compliance	The Assignee requests that the matter be continued to the next omnibus hearing scheduled for July 30, 2019, along with Index No. 44.
80	Jonna Lemieux (Scott Miller, Esq.)	Joinder in Claimant Headley's Motion to Determine Assignors' Self-Insurance Compliance	
137	Jonna Lemieux (Scott Miller, Esq.)	Amended Joinder in Claimant Headley's Motion to Determine Assignors' Self-Insurance Compliance	
47	Terry and Sherry Legg (Jonathan Gilbert)	Motion to Determine Assignors' Self-Insurance Compliance	The Assignee requests that the matter be continued to the next omnibus hearing scheduled for July 30, 2019, along with Index No. 44.
89	Assignee	Assignee's Omnibus Response to Motions to Determine Assignor's Self-Insurance Compliance	The Assignee requests that the matter be continued to the next omnibus hearing scheduled for July 30, 2019, along with Index No. 44.
MOTION FOR RELIEF FROM STAY			
132	Jonna Lemieux (Scott Miller, Esq.)	Motion for Relief from Stay filed by Jonna Lemieux	Assignee requests that the Court enter an order consistent with his Response, which is Index No. 159.
159	Assignee	Assignee's Response to Jonna Lemieux's Motion for Relief from Stay	Assignee requests that the Court enter an order consistent with his Response, which is Index No. 159.
160	Shirley and John Langston (Don Schutz)	Shirley and John Langston's Objection and Opposition to Entry of Any Orders Granting "Stay Relief" as to Court Cases Pending on Date of Assignments, Including Jonna Lemieux's Motion for Relief from Stay	Assignee requests that the Court enter an order consistent with his Response, which is Index No. 159.
	Kenneth Winkler (William Hahn, Esq.)	Joinder in Opposition to Entry of any Order Granting "Stay Relief" as the Court Case is Pending on Date of Assignments, Including Jonna Lemieux's Motion for Relief from Stay	Assignee requests that the Court enter an order consistent with his Response, which is Index No. 159.