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REPLY TO TAMPA

August 12, 2019

Honorable Scott Stephens
Edgecomb Courthouse
800 E. Twiggs St., Room 503
Tampa, FL 33602

Re: Laser Spine Institute, LLC, Consolidated Case No. 2019-CA-2762

Dear Judge Stephens:

Our firm represents Soneet Kapila, the Assignee in the assignment for the benefit of creditors cases of Laser Spine Institute, LLC and 15 related entities, now consolidated under the above-referenced case. Enclosed for your consideration is a proposed Order Denying as Moot, Without Prejudice, Joinders to Motion to Compel Assignee to Pursue or Assign All Claims Against Third Parties Relating to the Violations of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs.

The Motion to Compel Assignee to Pursue or Assign All Claims Against Third Parties Relating to the Violations of Statutory Self-Insurance Requirements to Medical Malpractice Plaintiffs (the "Motion") was withdrawn by the movants, Shirley and John Langston, through a notice of withdrawal filed on July 29, 2019.

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The undersigned has obtained agreement to submit the proposed order resolving the joinders to the Motion from attorneys for all of the parties who filed joinders: (i) Jared Headley, (ii) Timothy P. Farley and Marilyn Farley, (iii) Cherish Collins, and (iv) Terry and Sherry Legg. Accordingly, I submit that it is appropriate for you to sign the proposed order. Should Your Honor have any questions or require anything further, please do not hesitate to contact us.

Respectfully,

MBHale

Matthew B. Hale

Enclosures

cc: All Counsel of Record via electronic filing

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.

**ORDER DENYING AS MOOT, WITHOUT PREJUDICE, JOINDERS
TO 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**

THIS CASE came on for hearing on July 30, 2019 at 3:00 p.m. upon the Joinders to Shirley

¹ On April 8, 2019, the Court entered an order administratively consolidating 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.

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 (the "**Motion**")² filed by (i) Jared Headley, (ii) Timothy P. Farley and Marilyn Farley, (iii) Cherish Collins, and (iv) Terry and Sherry Legg (collectively, the "**Joinders**"). Prior to the hearing, the Assignee filed his Objection to the Motion (the "**Objection**").

On July 29, 2019, Shirley and John Langston filed their Notice of Withdrawal of the Motion (the "**Withdrawal**") on the basis that "the Assignee has begun filing claims and lawsuits against third parties, and the Assignee appears to be intent on filing and pursuing any claims held or controlled by the Assignee relating to the lack of insurance raised in the Motion." (Withdrawal ¶ 3.) Because the Motion has been withdrawn, the Joinders should be denied as moot, without prejudice, as set forth in this Order. Accordingly, it is

ORDERED:

1. The Joinders are denied as moot.
2. This Order is without prejudice to any party renewing their request for relief set forth in the Motion or the Joinders.

DONE AND ORDERED in Hillsborough County, Florida this ____ day of July, 2019.

Steven Scott Stephens
Circuit Court Judge

Copy to: Counsel of record

² Unless otherwise defined herein, capitalized terms have the same meanings ascribed to them in the Motion.