

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

In re:

Laser Spine Institute, LLC <sup>1</sup>	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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**NOTICE OF FILING ORDER SETTING  
EVIDENTIARY HEARING ON APRIL 14, 2021 AT 1:30 P.M.  
(4 HOURS) MONTHLY MOTION CALENDAR HEARING**

Soneet Kapila, by and through his undersigned counsel, hereby gives notice of filing the

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<sup>1</sup> 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 (collectively, the "Assignors").

Order Setting Evidentiary Hearing on April 14, 2021 at 1:30 p.m. (4 Hours) Monthly Motion Calendar Hearing.

*/s/ Edward J. Peterson*

\_\_\_\_\_  
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Counsel for Assignee

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing Notice of Filing Order Setting Evidentiary Hearing on April 14, 2021 at 1:30 p.m. (4 Hours) Monthly Motion Calendar Hearing has been furnished on the 6th day of April, 2021, by the Court's electronic noticing system to all parties receiving electronic service and by U.S. mail to the parties listed on the Limited Notice Parties list attached.

*/s/ Edward J. Peterson*

\_\_\_\_\_  
Edward J. Peterson

MASTER LIMITED NOTICE SERVICE LIST

October 1, 2020

**Assignors and Assignor's Counsel: (via the Court's electronic servicing system)**

CLM Aviation, LLC  
LSI HoldCo, LLC  
LSI Management Company, LLC  
Laser Spine Surgery Center of Arizona, LLC  
Laser Spine Surgery Center of Cincinnati, LLC  
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Laser Spine Institute, LLC  
Medical Care Management Services, LLC  
Spine DME Solutions, LLC  
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CIT Bank, N.A.  
10201 Centurion Pkwy., #400  
Jacksonville, FL 32256

Medport Billing, LLC (MAIL RETURNED)  
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1310 Madrid St.  
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Maricopa County Treasurer  
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**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA  
CIVIL DIVISION**

In re:

Laser Spine Institute, LLC <sup>1</sup>	Case No. 2019-CA-2762
CLM Aviation, LLC	Case No. 2019-CA-2764
LSI HoldCo, LLC	Case No. 2019-CA-2765
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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 SETTING EVIDENTIARY HEARING  
ON APRIL 14, 2021 AT 1:30 PM (4 HOURS)  
MONTHLY MOTION CALENDAR HEARING**

**[Assignee's Motion for Order Authorizing Compromise of Controversy with Texas Capital Bank, N.A. as Administrative Agent for Lender Group (the Motion)]; Laserscopic Claimants, Shirley and John Langton, and Crystal and Leonard Tinelli's Objections to Motion]**

The Court has determined that this case requires an evidentiary hearing on the captioned

<sup>1</sup> 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 (collectively, the "Assignment Estates").

matter, and to have an orderly, fair, and efficient presentation and resolution, ORDERS AS FOLLOWS:

1. Hearing Date. The Court hereby sets an evidentiary hearing and orders counsel for the parties to prepare for and attend an evidentiary hearing on the captioned matter at the date and time indicated above. The hearing is set before Judge Darren Farfante, Edgecomb Courthouse, 800 East Twiggs Street, hearing room #508, Tampa, Florida 33602. In lieu of a notice of hearing, the Assignee shall serve a copy of this order on all other parties.
2. Pre-Hearing Conference. On or before April 7, 2021, the parties shall conduct a pre-hearing conference in person unless all parties agree in writing that this requirement has been met without the need for an in-person meeting. The parties will fully disclose all expected evidence other than impeachment and rebuttal evidence. Ten days before the conference the parties shall exchange exhibits and witness lists. Witness lists shall contain summaries of anticipated testimony sufficient to fairly afford notice of the substance of the party's expected testimony. At the conference, the parties shall stipulate to any undisputed material facts and shall either stipulate to the admissibility of each listed document or state with specificity the objections to it. Similarly, each party must state with specificity any objections it reasonably anticipates raising against proposed testimony.
3. Waiver of Objections. A party waives objections to other parties' disclosed evidence by failing to make a specific objection to it at the time of the prehearing conference. In particular, a party may effectively waive any and all objections to a document or to proposed testimony by making a vague or blanket objection (such as objections using the term "any and all").
4. Pre-Hearing Conference Report. The moving party shall prepare a Joint Prehearing Conference Report and reach agreement on its language with all other parties. The report shall be filed through the portal and uploaded to the JAWS documents area, five business days before the hearing. If the parties cannot agree on the language they shall call the matter up on the court's next UMC calendar without regard to coordinating the schedules of counsel. The report shall state the specific relief sought by each party, and contain any stipulations, the witness lists and objections thereto, and the document lists, with objections or stipulations to each item.
5. Consequences of Failure to Disclose. The Court may exclude evidence that could reasonably have been anticipated at the time of the prehearing conference and not disclosed in the prehearing conference report. Other undisclosed evidence will be considered on its merits to avoid unfair surprise. Note, however, that the Court may permit previously undisclosed impeachment and rebuttal evidence.
6. Discovery. This order does not alter the applicable discovery rules except to shorten the times for response to discovery requests specifically directed to this evidentiary hearing. Responses and objections to any discovery request(s) served on a party (including discovery as to experts) shall be served no later than 15 days after receipt of such request(s), but any party may seek additional time if the time permitted is insufficient. Depositions may be scheduled no less than 10 business days' notice to the opposing party, but must be coordinated with counsel depending on availability. If (a) either party fails to timely respond to a discovery request, (b)

either party or any of such party's witnesses expected to testify at trial fails to appear for deposition, or (c) a discovery issue arises during any deposition, the Court will consider any appropriately filed motion to compel or motion for protective order on an expedited basis. Any discovery motion filed with the Court must contain a certification that the moving party attempted to reach an amicable resolution of the dispute prior to filing the motion and must set forth in detail such efforts. Such motion shall be called up on the Court's next UMC docket without coordination of the schedules of counsel.

19-CA-002762 3/30/2021 2:55:25 PM  
  
19-CA-002762 3/30/2021 2:55:25 PM

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DARREN FARFANTE  
Circuit Judge

Copies to: Counsel of record