

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.

OBJECTION TO CLAIMS OF CARMEN E. BOLDEN BROWN

¹ On April 8, 2019, the Court entered an order administratively consolidating this case with the assignment cases (collectively, the “**Assignment Cases**” or the “**Assignment Estates**”) 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**”).

**NOTICE OF OPPORTUNITY TO OBJECT
AND REQUEST A HEARING**

The Assignee seeks an order disallowing the Brown Claims (defined below) filed by Carmen E. Bolden Brown. Responses must be filed and served on Assignee, Soneet R. Kapila, KapilaMukamal, LLP, 1000 South Federal Highway, Suite 200, Fort Lauderdale, FL 33616 and Scott Stichter, Stichter Riedel, Blain & Postler, P.A., 110 E. Madison Street, Suite 200, Tampa, Florida 33602 within 21 days from the service of this Objection. If no responses are filed, the Court may grant the relief without further notice. In the event a response is timely filed and served, the Court will hold a hearing to consider any timely filed responses and to consider this Objection. Any such hearing will be separately noticed.

Soneet Kapila, as Assignee for the Assignment Estates, objects to the claims filed by Carmen E. Bolden Brown (“**Brown**”), seeking to recover unsecured claims in the LSI bankruptcy case and, in support thereof, states:

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

2. Between July 9, 2019 and July 10, 2019, Brown submitted three proofs of claim (collectively the “**Brown Claims**”), copies of which are attached as **Composite Exhibit A**. The Brown Claims were filed without including any amount for the Amount of Claim (see, Composite Exhibit A, listing the Amount of Claim as “In Excess of \$50,000.00” on all claims). The only documentation attached to the Brown Claims are a copy of a summons and various medical

records.² The Brown Claims do not reflect any allocation or basis for liability between the Assignors named in the Brown Claims.

3. The Brown Claims cannot be allowed as filed because they are filed in an unliquidated amount. The Assignment Statute (Chapter 727 of the Florida Statutes, 717.101 et seq.) requires that “Claims shall be in written form entitled “proof of claim,” setting forth the name and address of the creditor and the nature and amount of the claim, and executed by the creditor or the creditor’s authorized agent.” § 727.112(3), Fla. Stat. (Emphasis added). The Brown Claims do not comply with this statutory provision and must be disallowed. Further, the Assignment Statute imposes a duty on the Assignee to determine the validity of claims. § 727.108(10) Fla. Stat. The Assignee cannot make any determination as to the validity of the Brown Claims since they were filed without listing the amount of the claim.

4. The Assignee requests that the Brown Claims be disallowed.

WHEREFORE, the Assignee requests that the Court (i) enter an order substantially in the form attached as **Exhibit B** disallowing the Brown Claims, and (ii) grant such further relief to which he is entitled.

/s/ Scott A. Stichter

Scott A. Stichter (Florida Bar No. 0710679)
Stichter, Riedel, Blain & Postler, P.A.
110 E. Madison Street, Ste. 200
Tampa, Florida 33602-4718
Telephone: (813) 229-0144
Facsimile: (813) 229-1811
Email: [sstichter@srbp.com](mailto:ssstichter@srbp.com)
[sstichter.ecf@srbp.com](mailto:ssstichter.ecf@srbp.com)
Counsel for Soneet Kapila, Assignee

² By order entered May 28, 2019, the Court approved certain patient creditor confidentiality procedures, including providing notice to patient-creditors that any information or documentation included in a proof of claim could be filed by the Assignee as a permitted disclosure. However, to avoid disclosing Brown’s medical information as part of this objection, documentation regarding medical injuries has been removed from the attachments. The additional information will be provided upon request consistent with the confidentiality procedures order.

Composite Exhibit “A”

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

In re:

Laser Spine Institute, LLC
CLM Aviation, LLC
LSI HoldCo, LLC
LSI Management Company, LLC
Laser Spine Surgery Center of Arizona, LLC
Laser Spine Surgery Center of Cincinnati, LLC
Laser Spine Surgery Center of Cleveland, LLC
Laser Spine Surgical Center, LLC
Laser Spine Surgery Center of Pennsylvania, LLC
Laser Spine Surgery Center of St. Louis, LLC
Laser Spine Surgery Center of Warwick, LLC
Medical Care Management Services, LLC
Spine DME Solutions, LLC
Total Spine Care, LLC
Laser Spine Institute Consulting, LLC
Laser Spine Surgery Center of Oklahoma, LLC

Case No. 2019-CA-2762
Case No. 2019-CA-2764
Case No. 2019-CA-2765
Case No. 2019-CA-2766
Case No. 2019-CA-2767
Case No. 2019-CA-2768
Case No. 2019-CA-2769
Case No. 2019-CA-2770
Case No. 2019-CA-2771
Case No. 2019-CA-2772
Case No. 2019-CA-2773
Case No. 2019-CA-2774
Case No. 2019-CA-2775
Case No. 2019-CA-2776
Case No. 2019-CA-2777
Case No. 2019-CA-2780

Assignors,
To:

Soneet Kapila,

Assignee

Consolidated Case No.
2019-CA-2762

Division L

PROOF OF CLAIM

TO RECEIVE ANY DIVIDEND IN THESE PROCEEDINGS (THE "ASSIGNMENT CASES"), YOU
MUST COMPLETE THIS PROOF OF CLAIM AND DELIVER IT TO THE ASSIGNEE, OR THE
ASSIGNEE'S COUNSEL, NO LATER THAN:

JULY 12, 2019

THE ASSIGNEE'S NAME AND ADDRESS ARE AS FOLLOWS:

SONEET KAPILA, ASSIGNEE
1000 SOUTH FEDERAL HIGHWAY, SUITE 200
FORT LAUDERDALE, FL 33316

ASSIGNEE'S COUNSEL IS:
EDWARD J. PETERSON, ESQUIRE
STICHTER, RIEDEL, BLAIN & POSTLER, P.A.
110 E. MADISON ST., SUITE 200
TAMPA, FL 33602

1. PLEASE SPECIFY THE ASSIGNOR AGAINST WHICH YOU ASSERT A CLAIM:
Laser Spine Institute LLC a/k/a Laser Spine Institute a/k/a Laser Spine Institute
Philadelphia a/k/a Laser Spine Institute of Pennsylvania; LLC
(IF YOU HAVE A CLAIM AGAINST MORE THAN ONE ASSIGNOR, YOU MUST FILE A SEPARATE CLAIM AGAINST EACH ASSIGNOR).

2. CREDITOR NAME (Your name): Carmen E. Bolden Brown c/o Shelly Law Offices, LLC
ADDRESS: 70 W Oakland Avenue
ADDRESS: Suite 208
CITY, STATE, ZIP: Doylestown, PA 18901
TELEPHONE NUMBER: 267-454-7940
E-MAIL ADDRESS: Carol@shelly-law.com

Please be sure to notify us if you have a change of address.

Check box if address on claim differs from address to which this notice was sent: []

3. BASIS FOR CLAIM:
 Goods Sold Wages, Salaries and Compensations Secured Creditor
 Services Performed Taxes
 Money Loaned Customer Deposit
 Shareholder Other: Personal Injury/ Medical Malpractice Action

4. DATE DEBT WAS INCURRED: 4/5/2017

5. AMOUNT OF CLAIM: in excess of \$50,000

6. Does Claim amend, replace, or supplement a prior claim? If so, please state the date and amount of the prior claim(s): No.

7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase order, invoices, itemized statement of running accounts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.

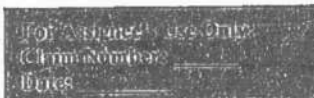
8. SIGNATURE: Sign and print name and title, if any, of the creditor or other person authorized to file this claim:

As required by law, the proof of claim and any supporting documentation you submit shall become a part of the public record related to the Assignment Cases. As a result, the Assignee and his professionals shall be permitted, and may be directed by the Court, to include such documentation, including to the extent provided, protected health information, in any subsequent pleading, notice, document, list, or other public disclosure made in connection with the Assignment Cases. Such inclusion by the Assignee and his professionals shall not constitute a "wrongful disclosure" under HIPAA, the Florida Information Protection Act of 2014, or any regulations promulgated thereunder.

DATED: 7/9/19

BY: Carmen E. Bolden Brown
Signature of Claimant or Representative

Carmen E. Bolden Brown, creditor
Print Name and Title Here





IN THE COURT OF COMMON PLEAS, CHESTER COUNTY
Fifteenth Judicial District of Pennsylvania
West Chester, Pennsylvania

CARMEN BOLDEN BROWN

LEO BROWN

Plaintiff(s)

v.

CASE NUMBER 2019-03347-PL

CIVIL ACTION - LAW

KEITH GIRTON MD

LASER SPINE INSTITUTE, LLC

LASER SPINE INSTITUTE-PHILADELPHIA

LASER SPINE INSTITUTE OF PENNSYLVANIA LLC

LASER SPINE SURGICAL CENTER OF PENNSYLVANIA

LASER SPINE INSTITUTE

Defendant(s)

WRIT OF SUMMONS

TO: KEITH GIRTON MD
LASER SPINE INSTITUTE, LLC
LASER SPINE INSTITUTE-PHILADELPHIA
LASER SPINE INSTITUTE OF PENNSYLVANIA LLC
LASER SPINE SURGICAL CENTER OF PENNSYLVANIA
LASER SPINE INSTITUTE

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION AGAINST YOU.

Date: 04/05/2019

Matt Holliday

Matthew Holliday

Prothonotary

by:

Meredith H. Bain

Deputy

1. **PLEASE SPECIFY THE ASSIGNOR AGAINST WHICH YOU ASSERT A CLAIM:**
 Laser Spine Surgery Center of Pennsylvania, LLC a/k/a Laser Spine Institute - Philadelphia a/k/a
 Laser Spine Institute of Pennsylvania, LLC a/k/a Laser Spine Surgical Center of Pennsylvania
 (IF YOU HAVE A CLAIM AGAINST MORE THAN ONE ASSIGNOR, YOU MUST FILE A
 SEPARATE CLAIM AGAINST EACH ASSIGNOR).
2. **CREDITOR NAME (Your name):** Carmen E. Bolden Brown c/o Shelly Law Offices, LLC
ADDRESS: 70 W Oakland Avenue
ADDRESS: Suite 208
CITY, STATE, ZIP: Doylestown, PA 18901
TELEPHONE NUMBER: 267-454-7940
E-MAIL ADDRESS: Carol@shelly-law.com

Please be sure to notify us if you have a change of address.

Check box if address on claim differs from address to which this notice was sent: []

3. **BASIS FOR CLAIM:**
 Goods Sold Wages, Salaries and Compensations Secured Creditor
 Services Performed Taxes
 Money Loaned Customer Deposit
 Shareholder Other: Personal Injury/ Medical Malpractice Action
4. **DATE DEBT WAS INCURRED:** 4/5/2017
5. **AMOUNT OF CLAIM:** in excess of \$50,000
6. Does Claim amend, replace, or supplement a prior claim? If so, please state the date and amount of the prior claim(s): No.

7. **SUPPORTING DOCUMENTS:** Attach copies of supporting documents, such as promissory notes, purchase order, invoices, itemized statement of running accounts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.

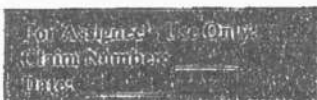
8. **SIGNATURE:** Sign and print name and title, if any, of the creditor or other person authorized to file this claim:

As required by law, the proof of claim and any supporting documentation you submit shall become a part of the public record related to the Assignment Cases. As a result, the Assignee and his professionals shall be permitted, and may be directed by the Court, to include such documentation, including to the extent provided, protected health information, in any subsequent pleading, notice, document, list, or other public disclosure made in connection with the Assignment Cases. Such inclusion by the Assignee and his professionals shall not constitute a "wrongful disclosure" under HIPAA, the Florida Information Protection Act of 2014, or any regulations promulgated thereunder.

DATED: 7/10/19

BY: Carmen E. Bolden-Brown
 Signature of Claimant or Representative

Carmen E. Bolden Brown, creditor
 Print Name and Title Here





IN THE COURT OF COMMON PLEAS, CHESTER COUNTY
Fifteenth Judicial District of Pennsylvania
West Chester, Pennsylvania

CARMEN BOLDEN BROWN

LEO BROWN

Plaintiff(s)

v.

CASE NUMBER 2019-03347-PL

CIVIL ACTION - LAW

KEITH GIRTON MD

LASER SPINE INSTITUTE, LLC

LASER SPINE INSTITUTE-PHILADELPHIA

LASER SPINE INSTITUTE OF PENNSYLVANIA LLC

LASER SPINE SURGICAL CENTER OF PENNSYLVANIA

LASER SPINE INSTITUTE

Defendant(s)

WRIT OF SUMMONS

TO: KEITH GIRTON MD
LASER SPINE INSTITUTE, LLC
LASER SPINE INSTITUTE-PHILADELPHIA
LASER SPINE INSTITUTE OF PENNSYLVANIA LLC
LASER SPINE SURGICAL CENTER OF PENNSYLVANIA
LASER SPINE INSTITUTE

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION AGAINST YOU.

Date: 04/05/2019

Matt Holliday

Matthew Holliday

Prothonotary

by:

Meredith H. Bain

Deputy

1. PLEASE SPECIFY THE ASSIGNOR AGAINST WHICH YOU ASSERT A CLAIM:
Laser Spine Surgical Center, LLC a/k/a Laser Spine Surgical Center of Pennsylvania
(IF YOU HAVE A CLAIM AGAINST MORE THAN ONE ASSIGNOR, YOU MUST FILE A SEPARATE CLAIM AGAINST EACH ASSIGNOR).

2. CREDITOR NAME (Your name): Carmen E. Bolden Brown c/o Shelly Law Offices, LLC
ADDRESS: 70 W Oakland Avenue
ADDRESS: Suite 208
CITY, STATE, ZIP: Doylestown, PA 18901
TELEPHONE NUMBER: 267-454-7940
E-MAIL ADDRESS: Carol@shelly-law.com

Please be sure to notify us if you have a change of address.

Check box if address on claim differs from address to which this notice was sent: []

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 Goods Sold Wages, Salaries and Compensations Secured Creditor
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4. DATE DEBT WAS INCURRED: 4/5/2017

5. AMOUNT OF CLAIM: in excess of \$50,000

6. Does Claim amend, replace, or supplement a prior claim? If so, please state the date and amount of the prior claim(s): No.

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8. SIGNATURE: Sign and print name and title, if any, of the creditor or other person authorized to file this claim;

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DATED: 7/10/19

BY: Carmen E. Bolden Brown
Signature of Claimant or Representative

Carmen E. Bolden Brown, creditor
Print Name and Title Here





IN THE COURT OF COMMON PLEAS, CHESTER COUNTY
Fifteenth Judicial District of Pennsylvania
West Chester, Pennsylvania

CARMEN BOLDEN BROWN

LEO BROWN

Plaintiff(s)

v.

CASE NUMBER 2019-03347-PL

CIVIL ACTION - LAW

KEITH GIRTON MD

LASER SPINE INSTITUTE, LLC

LASER SPINE INSTITUTE-PHILADELPHIA

LASER SPINE INSTITUTE OF PENNSYLVANIA LLC

LASER SPINE SURGICAL CENTER OF PENNSYLVANIA

LASER SPINE INSTITUTE

Defendant(s)

WRIT OF SUMMONS

TO: KEITH GIRTON MD
LASER SPINE INSTITUTE, LLC
LASER SPINE INSTITUTE-PHILADELPHIA
LASER SPINE INSTITUTE OF PENNSYLVANIA LLC
LASER SPINE SURGICAL CENTER OF PENNSYLVANIA
LASER SPINE INSTITUTE

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION AGAINST YOU.

Date: 04/05/2019

Matt Holliday

Matthew Holliday

Prothonotary

by:

Meredith H. Bain

Deputy

Exhibit “B”

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
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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 SUSTAINING OBJECTION TO
CLAIM OF CARMEN E. BOLDEN BROWN**

¹ On April 8, 2019, the Court entered an order administratively consolidating this case with the assignment cases (collectively, the “**Assignment Cases**” or the “**Assignment Estates**”) 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**”).

THESE CASES came on for hearing on _____ upon the Objection to Claim of Carmen E. Bolden Brown (the “**Objection**”). The Objection seeks to disallow the Brown Claims². The Objection was filed on February 20, 2024, and served by negative notice. No response to the Objection was filed. The Court finds that under the circumstances of these cases, due and sufficient notice of the Objection was provided to parties, and that such notice was adequate and appropriate. Therefore, any requests for other and further notice shall be and hereby are dispensed with and waived, and no other or further notice is necessary. The Court, having considered the Objection, and being fully advised of the record, finds that the Objection should be sustained. Accordingly, it is

ORDERED:

1. The Objection is sustained.
2. The Brown Claims are disallowed.

DONE AND ORDERED in Hillsborough County, Florida this _____ day of February, 2024.

DARREN FARFANTE
Circuit Court Judge

Copy to: Counsel of record

² Capitalized claims not defined in the Order shall have the meaning set forth in the Objection.