

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
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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**OBJECTION TO CLAIM OF SHEILA KEITH**

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<sup>1</sup> 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 Keith Claim (defined below) filed by Sheila Keith. 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 claim filed by Sheila Keith (“**Keith**”), seeking to recover an unsecured claim 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. On April 10, 2019, Keith submitted a proof of claim (the “**Keith Claim**”)<sup>2</sup>, copy of which is attached as **Exhibit A**. The Keith Claim was filed without including any amount for the Amount of Claim (see, Composite Exhibit A, listing the Amount of Claim as “Unknown”). The only documentation attached to the Keith Claim are various papers regarding treatment.

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<sup>2</sup> 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 Keith’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.

3. The Keith Claim cannot be allowed as filed because it is 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 Keith Claim does 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 Keith Claim since it was filed without listing the amount of the claim.

4. The Assignee requests that the Keith Claim be disallowed.

WHEREFORE, the Assignee requests that the Court (i) disallow the Keith Claim 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:sstichter@srbp.com)  
[sstichter.ecf@srbp.com](mailto:sstichter.ecf@srbp.com)  
Counsel for Soneet Kapila, Assignee



## Exhibit A

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

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

Soneet Kapila, Division L

Assignee

**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

4.15.19

1. PLEASE SPECIFY THE ASSIGNOR AGAINST WHICH YOU ASSERT A CLAIM:  
Laser Spine Surgery, Tampa  
(IF YOU HAVE A CLAIM AGAINST MORE THAN ONE ASSIGNOR, YOU MUST FILE A SEPARATE CLAIM AGAINST EACH ASSIGNOR).

2. CREDITOR NAME (Your name): Shella Keith  
ADDRESS: 8300 Guyandotte Ln  
ADDRESS:  
CITY, STATE, ZIP: Raleigh, NC 27616  
TELEPHONE NUMBER: 919-604-9758  
E-MAIL ADDRESS: Shella.Keith@NC.RR.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: Medical malpractice

4. DATE DEBT WAS INCURRED: 12-29-2018

5. AMOUNT OF CLAIM: Unknown

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: April 10, 2019

BY: Shella Keith  
Signature of Claimant or Representative

Shella Keith  
Print Name and Title Here

<b>For Assignee's Use Only:</b>
Claim Number: _____
Date: _____

U.S. POSTAGE PAID  
PM 2-Day  
RALEIGH, NC  
27616  
APR 12, '19  
AMOUNT  
**\$10.40**  
R2304E106490-11



33602



1006

PRESS FIRMLY TO SEAL

# PRIORITY® ★ MAIL →

- DATE OF DELIVERY SP
- USPS TRACKING™ INCI
- INSURANCE INCLUDED
- PICKUP AVAILABLE

\* Domestic only

WHEN USED INTERNATIONALLY,  
A CUSTOMS DECLARATION  
LABEL MAY BE REQUIRED.

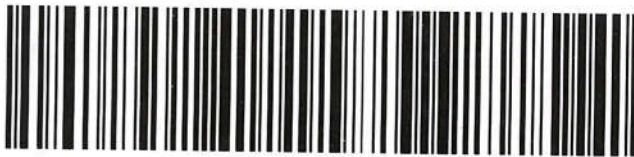
FROM:

L. Keith  
8300 Guyardette  
Raleigh, NC. 27616

TO:

Assignee's Counsel Inc.  
Edward J. Peterson, Esquire  
Stichter, Riedel, Blain & Postler P.A.  
110 E Madison St. Ste 200  
Tampa, FL 33602

USPS SIGNATURE TRACKING NUMBER



9510 8119 2412 9102 4405 33

EXPECTED DELIVERY DAY: 04/15/19



## Exhibit B

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT  
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CIVIL DIVISION

In re:

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Assignors,

Consolidated Case No.  
2019-CA-2762

to

Soneet Kapila,

Division L

Assignee.

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**ORDER SUSTAINING OBJECTION  
TO CLAIM OF SHEILA KEITH**

---

<sup>1</sup> 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 Sheila Keith (the “**Objection**”). The Objection seeks to disallow the Keith Claim<sup>2</sup>. 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 Keith Claim is disallowed.

DONE AND ORDERED in Hillsborough County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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DARREN FARFANTE  
Circuit Court Judge

Copy to: Counsel of record

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<sup>2</sup> Capitalized claims not defined in the Order shall have the meaning set forth in the Objection.