

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 GRANTING MOTION FOR
AUTHORITY TO MAKE INTERIM DISTRIBUTION**

THIS CASE came on for hearing on August 26, 2024, at 2:00 p.m. upon the *Motion for Authority to Make Interim Distribution* (the “**Motion**”). By the Motion, the Assignee² seeks to

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.

² Unless defined herein, capitalized terms have the same meaning set forth in the Motion.

make an interim distribution of \$6,500,000. Prior to the hearing, the *Stipulation Regarding Disbursement of Interim Distributions to Laserscopic Medical Clinic, LLC; Laserscopic Spine Centers of America, Inc.; and Laserscopic Spinal Centers of America, Inc.* (the “**Stipulation**”) was filed with the Court. The Court, having considered the Motion, having heard the arguments of counsel and parties in interest, and being fully advised of the record, finds that the Motion should be granted. Accordingly, it is

ORDERED:

1. The Motion is granted.
2. The Stipulation is approved.
3. The Assignee is authorized to distribute \$6,500,000 to creditors in accordance with the terms of this Order and the Motion.
4. Any duplicate claims shall be consolidated for purposes of making the interim distributions approved by this Order.
5. The Assignee shall be authorized to fund distributions on account of Disputed Claims into the Disputed Claims Reserve.
6. Funds shall remain in the Disputed Claims Reserve until issues with Disputed Claims are Resolved Claims. A creditor holding a Disputed Claim shall be entitled to a distribution from the Disputed Claims Reserve based on the creditor’s entitlement to a pro-rata distribution using the amount of the Resolved Claim. Any difference between the amount of the Disputed Claim and the Resolved Claim shall be released from the Disputed Claims Reserve to the Assignee and shall be property of the Assignee.
7. Creditors shall be given sixty (60) days from the date the checks are mailed to cash any interim distribution received under this Order. In the event that a claimant does not cash the check before the expiration of the deadline, the Assignee is authorized to void the check and the creditor shall not be entitled to the interim distribution or any subsequent distribution.

8. In the event that the interim distribution to a creditor is returned as undeliverable, the Assignee shall resend the interim distribution to the creditor if additional forwarding information is provided on the returned mail. If no forwarding information is provided, the Assignee is authorized to void the check and the creditor shall not be entitled to the interim distribution or any subsequent distribution.

9. The Assignee may require any creditor receiving a distribution pursuant to this Order to complete and submit to the Assignee (as a condition to such distribution) an IRS Form W-9 or, for foreign claimants, IRS Form W-8BEN, W-8BEN-E, W-8ECI, W-8EXP, or W-8IMY, as applicable. If any creditor entitled to an initial distribution hereunder fails to provide the Assignee with a requested Form W8 or Form W9 within forty-five (45) days of the request thereof, then such failure shall be deemed to be a waiver of such creditor's interest in the interim distribution or any subsequent distribution.

10. In the event that the Assignee receives funds on account of the provisions of paragraphs 5, 6, 7, 8, or 9 of the Order, the funds shall be held by the Assignee and distributed to creditors as part of the next distribution motion.

11. The Assignee shall not be required to issue a check for less than \$10. The Assignee shall hold distributions on account of De Minimus Claims and maintain an accounting of such distributions on the Assignee's books and records.

12. The Court shall retain jurisdiction to enforce this Order.

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

Electronically Conformed 8/28/2024
Darren D. Farfante

DARREN FARFANTE
Circuit Court Judge

Copy to: Counsel of record