Case 24-34908 Document 28 Filed in TXSR on 10/26/24 Page 1 of 5 Docket #0028 Date Filed: 10/26/2024

United States Bankruptcy Court Southern District of Texas

ENTERED

October 24, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS **HOUSTON DIVISION**

Chapter 11
Case No. 24-34908

Debtor and Debtor in Possession.

ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF KURTZMAN CARSON CONSULTANTS, LLC DBA VERITA GLOBAL AS CLAIMS, NOTICING, AND SOLICITATION AGENT

The Court has considered the Debtor's and Debtor's-in-Possession application (the "Application") to employ Kurtzman Carson Consultants, LLC dba Verita (the "Agent") as its claims, noticing, and solicitation agent in this case. The Court finds that ex parte relief is appropriate. The Court orders:

- The Debtor is authorized to employ Agent under the terms of the Engagement Agreement attached to the Application as modified by this Order.
- The Agent is authorized and directed to perform the services as described in the Application, the Engagement Agreement, and this Order. If a conflict exists, this Order controls.
- 3. The Clerk shall provide Agent with Electronic Case Filing ("ECF") credentials that allow Agent to receive ECF notifications and file certificates and/or affidavits of service.
- 4 The Agent is a custodian of court records and is designated as the authorized repository for all proofs of claim filed in these cases. Agent shall maintain the official Claims Register(s) in these cases. The Agent must make complete copies of all proofs of claims available to the public electronically without charge. Proofs of Claims and all attachments may be redacted only as ordered by the Court.
- The Agent must not transmit or utilize the data obtained by the Agent in exchange for direct or indirect compensation from any person other than the Debtor.

Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Application.

- 6. The Agent shall provide the Clerk with a certified duplicate of the official Claims Register(s) upon request.
- 7. The Agent shall provide (i) an electronic interface for filing proofs of claim in these cases; and (ii) a post office box or street mailing address for the receipt of proofs of claim sent by United States Mail or overnight delivery.
- 8. The Agent is authorized to take such other actions as are necessary to comply with all duties and provide the Services set forth in the Application and the Engagement Agreement.
- 9. The Agent shall provide detailed invoices setting forth the services provided and the rates charged on a monthly basis to the Debtor, their counsel, the Office of the United States Trustee, counsel for any official committee, and any party in interest who specifically requests service of the monthly invoices in writing.
- 10. The Agent shall not be required to file fee applications. Upon receipt of Agent's invoices, the Debtor is authorized to compensate and reimburse Agent for all undisputed amounts in the ordinary course in accordance with the terms of the Engagement Agreement. All amounts due to the Agent will be treated as § 503(b) administrative expenses. The Agent may apply its advance in accordance with the Engagement Letter and the terms of this Order.
- 11. The Debtor shall indemnify Agent under the terms of the Engagement Agreement, as modified and limited by this Order. Notwithstanding the foregoing, the Agent is not indemnified for, and may not receive any contribution or reimbursement with respect to:
 - a. For matters or services arising before this case is closed, any matter or service not approved by an order of this Court.
 - b. Any matter that is determined by a final order of a Court of competent jurisdiction that arises from (i) the Agent's gross negligence, willful misconduct, fraud, bad faith, self-dealing, or breach of fiduciary duty (ii) a contractual dispute if the court determines that indemnification, contribution, or reimbursement would not be permissible under applicable law; or (iii) any situation in which the Court determines that indemnification, contribution, or reimbursement would not be permissible pursuant to *In re Thermadyne Holdings Corp.*, 283 B.R. 749, 756 (B.A.P. 8th Cir. 2002). No matter governed by this paragraph may be settled without this Court's approval.
 - c. This paragraph does not preclude Agent from seeking an order from this Court requiring the advancement of indemnity, contribution, or reimbursement obligations in accordance with applicable law.
- 12. The Agent shall not cease providing services during these chapter 11 cases for any reason, including nonpayment, without an order of the Court. In the event Agent is unable to provide the Services set out in this Order and/or the Engagement Letter, Agent will immediately notify the Clerk and the Debtor's attorney and cause all original proofs of claim and data turned over to such persons as directed by the Court.

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- 13. After entry of an order terminating the Agent's services, the Agent shall deliver to the Clerk an electronic copy in pdf format of all proofs of claim. Once the electronic copy has been received by the Clerk, Agent may destroy all proofs of claim in its possession sixty days after filing a Notice of Intent to Destroy on the Court's docket.
- 14. The terms and conditions of this Order are immediately effective and enforceable upon its entry.
- 15. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order. The scope of Agent's services may be altered only on further order of this Court.

Signed: October 24, 2024

Christopher Lopez

United States Bankruptcy Judge

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United States Bankruptcy Court Southern District of Texas

In re: Case No. 24-34908-cml

Global Wound Care Medical Group, a Profe

Debtor

Chapter 11

CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser Page 1 of 2
Date Rcvd: Oct 24, 2024 Form ID: pdf002 Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2024:

Recipi ID Recipient Name and Address

db + Global Wound Care Medical Group, a Professional Co, 5901 West Century Boulevard, Suite 750, Los Angeles, CA 90045-5443

UNITED STATES OF AMERICA C/O U.S. DEPARTMENT OF JU, PO BOX 875, WASHINGTON, DC 20044-0875

TOTAL: 2

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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern

Standard Time.

Recip ID Notice Type: Email Address
op + Email/Text: kccnoticing@kccllc.com

Date/Time Recipient Name and Address

Oct 24 2024 20:09:00

Kurtzman Carson Consultants, LLC dba Verita Global, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245, UNITED STATES

90245-5614

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2024 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2024 at the address(es) listed below:

Name Email Address

Augustus Curtis

on behalf of Creditor UNITED STATES OF AMERICA C/O U.S. DEPARTMENT OF JUSTICE augustus.t.curtis@usdoj.gov

Casey William Doherty, Jr

on behalf of Debtor Global Wound Care Medical Group a Professional Corporation casey.doherty@dentons.com, robert.hammeke@dentons.com;Docket.General.Lit.Dal@dentons.com;Tabitha.peterson@dentons.com

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District/off: 0541-4 User: ADIuser Page 2 of 2 Date Rcvd: Oct 24, 2024 Form ID: pdf002 Total Noticed: 3

Christopher Ross Travis

on behalf of U.S. Trustee US Trustee C.Ross.Travis@usdoj.gov

Evan Gershbein

on behalf of Other Prof. Kurtzman Carson Consultants LLC dba Verita Global ECFpleadings@kccllc.com, ECFpleadings@kccllc.com

Ha Minh Nguyen

on behalf of U.S. Trustee US Trustee ha.nguyen@usdoj.gov

US Trustee

USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 6