

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

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In re: : Chapter 11
MODIVCARE INC., *et al.*, : Case No. 25-90309 (ARP)
Debtors.¹ : (Joint Administration Requested)
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**EMERGENCY MOTION OF DEBTORS FOR ENTRY OF AN ORDER
(A) AUTHORIZING THE DEBTORS TO (I) FILE A CONSOLIDATED CREDITOR
MATRIX AND LIST OF THE 30 LARGEST UNSECURED CREDITORS, AND (II) TO
REDACT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION; (B) WAIVING
THE REQUIREMENT TO FILE A LIST OF EQUITY SECURITY HOLDERS;
(C) AUTHORIZING SERVICE OF PARTIES IN INTEREST BY ELECTRONIC MAIL;
(D) APPROVING THE FORM AND MANNER OF NOTIFYING CREDITORS OF THE
COMMENCEMENT OF THE CHAPTER 11 CASES;
AND (E) GRANTING RELATED RELIEF**

Emergency relief has been requested. Relief is requested not later than 2:30 p.m. (prevailing Central Time) on August 21, 2025.

If you object to the relief requested or you believe that emergency consideration is not warranted, you must appear at the hearing if one is set, or file a written response prior to the date that relief is requested in the preceding paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

A hearing will be conducted on this matter on August 21, 2025 at 2:30 p.m. (prevailing Central Time) in Courtroom 400, 4th floor, 515 Rusk Street, Houston, Texas 77002. Participation at the hearing will only be permitted by an audio and video connection.

Audio communication will be by use of the Court's dial-in facility. You may access the facility at 832-917-1510. Once connected, you will be asked to enter the conference room number. Judge Pérez's conference room number is 282694. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Pérez's home page. The meeting code is "JudgePerez". Click the settings icon in the upper right corner and enter your name under the personal information setting.

Hearing appearances must be made electronically in advance of both electronic and in-person

¹ A complete list of each of the Debtors in these chapter 11 cases (the "*Chapter 11 Cases*") and the last four digits of each Debtor's taxpayer identification number (if applicable) may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://www.veritaglobal.net/ModivCare>. Debtor ModivCare Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.



hearings. To make your appearance, click the “Electronic Appearance” link on Judge Perez’s home page. Select the case name, complete the required fields and click “Submit” to complete your appearance.

ModivCare Inc. and its debtor affiliates in the above-captioned cases, as debtors and debtors in possession (collectively, the “**Debtors**”), respectfully state as follows in support of this motion (this “**Motion**”):

RELIEF REQUESTED

1. By this Motion, the Debtors seek entry of an order (the “**Proposed Order**”), substantially in the form attached hereto: (a) authorizing the Debtors to (i) file a consolidated creditor matrix (the “**Creditor Matrix**”) and a consolidated list of the Debtors’ 30 largest unsecured creditors (the “**Top 30 List**”) in lieu of submitting separate mailing matrices and creditor lists for each Debtor, and (ii) redact certain personally identifiable information of natural persons from any paper filed or to be filed in the Chapter 11 Cases; (b) waiving the requirement to file a list of, and provide notice directly to, certain equity security holders of Debtor ModivCare Inc. (“**ModivCare**”); (c) authorizing service of parties in interest by electronic mail; and (d) approving the form and manner of notifying creditors of the commencement of the Chapter 11 Cases and other information; and (e) granting related relief.

JURISDICTION AND VENUE

2. The United States Bankruptcy Court for the Southern District of Texas (the “**Court**”) has jurisdiction to consider this Motion under 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b) and the Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper under 28 U.S.C. §§ 1408 and 1409.

3. The statutory and legal predicates for the relief requested herein are sections 105(a), 107(c), and 521 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “**Bankruptcy**”

Code”), rules 1007, 2002, 6003, 9007, and 9037 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”), rules 1075-1, 9013-1(i), and 9037-1(b) of the Bankruptcy Local Rules for the Southern District of Texas (the “*Bankruptcy Local Rules*”), and the Procedures for Complex Cases in the Southern District of Texas (the “*Complex Case Procedures*”).

BACKGROUND

4. On August 20, 2025 (the “*Petition Date*”), the Debtors each filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtors continue to operate their businesses and manage their properties as debtors in possession under sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory committee has been appointed in the Chapter 11 Cases.

5. Contemporaneously with the filing of this Motion, the Debtors filed a motion requesting joint administration of the Chapter 11 Cases pursuant to Bankruptcy Rule 1015(b) and Bankruptcy Local Rule 1015-1.

6. The factual background regarding the Debtors, including their business, their capital structure, and the events leading to the commencement of the Chapter 11 Cases is set forth in the *Declaration of Chad J. Shandler in Support of Chapter 11 Petitions and First Day Relief* (the “*First Day Declaration*”), filed contemporaneously herewith and incorporated herein by reference.²

7. ModivCare is a technology-based healthcare services company that helps people (especially those in vulnerable situations) get the care and support they need. The Company works with government and private health insurance plans, as well as individuals, to provide: (a)

² Capitalized terms used but not otherwise defined herein have the meaning ascribed to them in the First Day Declaration.

transportation to and from medical appointments (non-emergency medical transportation totaling over 36 million rides per year); (b) in-home personal care (*e.g.*, helping with daily activities); (c) remote monitoring of patients' health from home; and (d) community health kiosks and wellness programs. ModivCare employs approximately 23,675 people and operates across 48 states, including Texas, with corporate offices in Denver, Colorado. ModivCare's goal is to make it easier for patients to get care, remove barriers that keep people from staying healthy, and improve overall health outcomes.

8. As described in the First Day Declaration, the Debtors are party to that certain Restructuring Support Agreement (the "***RSA***") with certain creditors who collectively hold approximately 90% of the First Lien Claims and approximately 70% of the Second Lien Claims. Pursuant to the RSA, the consenting creditors have agreed to provide \$100 million in debtor-in-possession financing to fund the Chapter 11 Cases and support the comprehensive restructuring transactions set forth in the term sheet attached to the RSA (the "***RSA Term Sheet***"). The RSA Term Sheet contemplates, among other things: (a) the equitization of approximately \$871 million in First Lien Claims and approximately \$316 million in Second Lien Claims; (b) the commitment of the consenting creditors to provide exit financing through the Exit Term Loan Facility; (c) the reorganized Debtors' entry into an exit revolving credit facility to support ongoing operations; and (d) the discharge of the Unsecured Notes Claims and General Unsecured Claims; with holders of such claims entitled to participate in an equity rights offering of up to \$200 million, subject to the terms of the RSA. In total, the transactions contemplated by the RSA Term Sheet are expected to reduce the Debtors' funded debt obligations by approximately \$1.1 billion.

BASIS FOR RELIEF

I. AUTHORIZING THE DEBTORS TO FILE A CONSOLIDATED CREDITOR MATRIX AND A TOP 30 LIST AND REDACT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION IS WARRANTED UNDER THE CIRCUMSTANCES OF THE CHAPTER 11 CASES.

A. Consolidated Creditor Matrix and Top 30 List.

9. Bankruptcy Rule 1007(a)(1) requires a debtor to file “a list containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H” Fed. R. Bankr. P. 1007(a)(1). The Complex Case Procedures mandate that “debtors must maintain a *consolidated* master service list identifying the parties that must be served.” Complex Case Procedures § E. 11 (emphasis added). Because the preparation of separate lists of creditors for each Debtor would be expensive, time consuming, and administratively burdensome, the Debtors respectfully request authority to file one consolidated Creditor Matrix for all Debtors.

10. Pursuant to Bankruptcy Rule 1007(d), a debtor shall file “a list containing the names, addresses and claims of the creditors that hold the 20 largest unsecured claims, excluding insiders” Fed. R. Bankr. P. 1007(d). The Complex Case Procedures modifies the requirement upwards from a top 20 list to a top 30 list. Complex Case Procedures § F.14.a (“The lead debtor in a jointly administered Complex Case must: file a single, consolidated list of unsecured creditors ... consisting of the 30 largest unsecured creditors of all jointly administered debtors”). The consolidated Top 30 List will allow the Debtors to comply with Complex Case Procedures § F.14.a and help alleviate administrative burden, costs, and the possibility of duplicative service. For the avoidance of doubt, the Debtors are not requesting authority pursuant to this Motion to (i) file consolidated schedules of assets and liabilities and statements of financial affairs or (ii) substantively consolidate the Debtors.

B. Redaction of Certain Personally Identifiable Information of Natural Persons.

11. Section 107(c)(1) of the Bankruptcy Code provides that the Court:

[F]or cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual's property:

(A) Any means of identification . . . contained in a paper filed, or to be filed, in a case under [the Bankruptcy Code].

(B) Other information contained in a paper described in subparagraph (A).

11 U.S.C. § 107(c)(1).

12. Bankruptcy Local Rule 9037-1 further recognizes that “[c]ertain documents are routinely redacted to remove personal identifying information or other content that is not relevant to a decision by the Court.” This rule provides that: “In those instances, (i) the document may be filed in redacted form only; (ii) no document should be filed that contains the redacted information; and (iii) the balance of this Rule 5003-1 [sic] does not apply.” Bankruptcy Local Rule 9037-1(b).

13. In addition, privacy and data protection regulations have been enacted in key jurisdictions in which the Debtors. For example, on June 18, 2023, the State of Texas enacted the Texas Data Privacy and Security Act (the “**TDPSA**”), which became effective on July 1, 2024. *See* Tex. Bus. & Com. Code Ann. § 541. The TDPSA grants Texas residents certain access and control rights concerning their personal data, including the right to delete personal data provided by or obtained by the controller of the data and the right to opt-out of the processing or sale of their personal data to third parties. Violators risk civil penalties of up to \$7,500 for *each* violation, and

if the violation is found to be willful or knowing, treble damages may be awarded. *Id.* at 541.155 (a).³

14. The Debtors and Kurtzman Carson Consultants, LLC dba Verita Global, the Debtors' proposed claims, noticing, and solicitation agent (the "***Claims Agent***") in the Chapter 11 Cases, therefore request authority to redact from any paper filed or to be filed with this Court in the Chapter 11 Cases, including but not limited to the Creditor Matrix, the Debtors' schedules of assets and liabilities and statements of financial affairs (the "***Schedules and Statements***"), and any related affidavits of service, the names, home and electronic mailing addresses, and other personally identifiable information of all individual creditors, and individual parties in interest—including the Debtors' current and former employees, independent contractors, and individual equity holders. This relief is requested because (a) such personally identifiable information can be used to perpetrate identity theft⁴ and phishing scams or to locate survivors of domestic violence,

³ See also the California Consumer Privacy Act of 2018 Cal. Civ. Code § 1798.155 (effective on Jan. 1, 2020), the Virginia Consumer Data Protection Act Va. Code §§ 59.1-575-59.1-585 (effective on Jan. 1, 2023), the Connecticut Act Concerning Personal Data Privacy and Online Monitoring, Public Act § 22-15 (effective on July 1, 2023), the Colorado Privacy Act, Colo. Rec. Stat. § 6-1 (effective on July 1, 2023), the Utah Consumer Privacy Act, Utah Code § 13-61 (effective on Dec. 31, 2023), the Florida Digital Bill of Rights, Fla. Stat. § 501.701 (effective on July 1, 2024), the Montana Consumer Data Privacy Act, Mont. Code Ann. § 35 (effective on Oct. 1, 2024), the Delaware Personal Data Privacy Act, Del. Code Ann. tit. 6 § 12D-102 (effective as of Jan. 1, 2025), the Iowa Data Privacy Law, Iowa Code § 715D.1 (effective on Jan. 1, 2025), the New Hampshire Privacy Law, N.H. Rev. Stat. § 507-H:1 (effective on Jan. 1, 2025), the Tennessee Information Protection Act, Tenn. Code Ann. § 47-18 (effective on July 1, 2025), the New Jersey Data Privacy Act, N.J. Rev. Stat. § 56:1 (effective on Jan. 15, 2025), and the Indiana Data Privacy Law, Ind. Code § 24-15 (effective on Jan. 1, 2026).

⁴ See *In re Endo Int'l PLC*, No. 22-22549 (JLG), 2022 WL 16640880, at *7, 11, 12 (Bankr. S.D.N.Y. Nov. 2, 2022) (taking "judicial notice of the fact that identity theft is a world-wide problem," recognizing that the right of public access to judicial records "is not absolute," and authorizing the debtors to redact the names, home addresses, and e-mail addresses of certain litigation claimants located in the US, EU, UK, and Australia from any paper filed with that court and/or otherwise made publicly available by the debtors and the claims and noticing agent thereof); see also *In re FTX Trading Ltd.*, Civ. No. 23-682 (CFC), 2024 WL 4948827 at *11 (D. Del. Dec. 3, 2024) (affirming the bankruptcy court's ruling to permanently redact the names, home and email addresses of natural persons finding that "[t]hese millions of customers would, absent the relief granted by the Bankruptcy Court, have their identities revealed without their consent (and in many cases without their knowledge.);"); *In re Genesis Glob. Holdco, LLC*, 652 B.R. 618, 636–37 (Bankr. S.D.N.Y. 2023) (quoting *Endo* and finding that "[h]ome addresses fall within that category of information, as it is taken as a 'given' that they constitute personally identifiable information that is vital information to perpetrators of identity theft, stalking and intimate partner violence alike, and that publishing such information facilitates an identity thief's search for data and a stalker's or abuser's ability to find his or her target"). *Id.* at 635, 637.

harassment, or stalking under section 107(c)(1) of the Bankruptcy Code and (b) disclosure of such personally identifiable information risks violating data and privacy laws and regulations, thereby exposing the Debtors to potential civil liability and significant financial penalties.

15. Redaction is necessary to protect information that would create an “undue risk of identity theft or other unlawful injury to the individual or the individual’s property.” 11 U.S.C. § 107(c)(1). The risk described in section 107(c)(1) of the Bankruptcy Code is real and not merely speculative. In at least one chapter 11 case in Delaware, the abusive former partner of a debtor’s employee used the publicly accessible creditor and employee information filed in the chapter 11 case to track the employee at her new address that was previously not publicly available, forcing the employee to change addresses again.⁵ More recently, in a chapter 11 case in the Southern District of New York, at least thirteen phishing scams have been uncovered.⁶ These phishing incidents targeted individuals whose names were publicized in the creditor matrix, including one in which scammers modified a court order and sent it to individuals whose names were disclosed, two where scammers posed as associates of debtors’ counsel using fake e-mail accounts purportedly from debtors’ counsel and requested that individual creditors reply with their account and other personal information, and another where scammers posed as the debtor’s claims agent and requested the same information from individual creditors.

16. For these reasons, the Debtors submit that cause exists to authorize the Debtors to redact, pursuant to section 107(c)(1) of the Bankruptcy Code, and in compliance with applicable privacy or data protection laws and regulations, the names, home addresses, and electronic mailing

⁵ The incident, which took place during the first Charming Charlie chapter 11 proceedings in 2017, is described in the “creditor matrix motion” filed in *Charming Charlie Holdings Inc.*, Case No. 19-11534 (CSS) (Bankr. D. Del. Jul. 11, 2019), Docket No. 4.

⁶ See *In re Celsius Network, LLC*, Case No. 22-10964 (MG), Docket Nos. 1527, 1681, 1904, 1992, 2082, 2896, 3121, 3251, 3422, 3722, 3932, and 4070.

addresses of natural persons listed on the consolidated Creditor Matrix, Schedules and Statements, proofs of claim, any related affidavits of service, or any other document filed with the Court. Absent such relief, the Debtors (a) may be in violation of applicable privacy or data protection laws, thereby exposing the Debtors to severe monetary penalties which could threaten the Debtors' operations during this sensitive stage of their restructuring, (b) would unnecessarily render individuals more susceptible to identity theft and phishing scams, and (c) could jeopardize the safety of individuals who, unbeknownst to the Debtors, are survivors of domestic violence, harassment, or stalking by publishing their home and e-mail addresses without any advance notice or opportunity to opt out or take protective measures.

17. The Debtors propose to provide unredacted versions of the Creditor Matrix, Schedules and Statements, proofs of claim, any related affidavits of service, and any other filings redacted pursuant to the Proposed Order to (a) the Court, (b) the United States Trustee for the Southern District of Texas (the "*U.S. Trustee*"), (c) counsel to any official committee appointed in the Chapter 11 Cases, (d) the Claims Agent, and (e) any party in interest upon a request to the Debtors (electronic mail being sufficient) or to the Court that is reasonably related to the Chapter 11 Cases and that represents that the unredacted version(s) will be maintained in confidence. In each case, this would be subject to a review of whether such disclosure, on a case-by-case basis, would violate any obligation under any privacy or data protection law or regulation. Nothing requested herein is intended to preclude a party in interest's right to file a motion requesting that the Court unseal the information redacted by the Proposed Order. The Debtors will also distribute, as applicable, any notices that are received at the Debtors' corporate headquarters and that are intended for a current employee.

II. WAIVER OF THE REQUIREMENT TO FILE A LIST OF THE EQUITY SECURITY HOLDERS IS WARRANTED UNDER THE CIRCUMSTANCES OF THE CHAPTER 11 CASES.

18. The Bankruptcy Rules contain certain requirements with respect to a debtor's equity security holders. Bankruptcy Rule 1007(a)(3) requires a debtor to file, within fourteen (14) days after the petition date, a list of the debtor's equity security holders. *See* Fed. R. Bankr. P. 1007(a)(3). Bankruptcy Rule 2002(d), in turn, requires that equity security holders be provided notice of, among other things, the commencement of the bankruptcy case and the confirmation hearing. *See* Fed. R. Bankr. P. 2002(d). Bankruptcy courts have authority to modify or waive the requirements under both rules. Fed. R. Bankr. P. 1007(a)(3) ("Unless the court orders otherwise, a Chapter 11 debtor must . . . file a list of the debtor's equity security holders"); Fed. R. Bankr. P. 2002(d) ("Unless the court orders otherwise, in a Chapter 11 case the clerk . . . must give notice as the court orders to the equity security holders"); *see also* 11 U.S.C. § 105(a) ("The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title."); Fed. R. Bankr. P. 9007(a) ("Unless these rules provide otherwise, when notice is to be given, the court must designate: (a) the deadline for giving it; (2) the entities to whom it must be given; and (3) the form and manner of giving it.").

19. The requirements to file a list of, and to provide notice directly to, equity security holders should be waived as to ModivCare. Prior to the Petition Date, ModivCare's common stock was traded on the NASDAQ Capital Market, under the ticker symbol "MODV." As of the Petition Date, approximately 24,283,664 shares of ModivCare's Common Stock was outstanding, that, with the exception of a small subset of registered equity security holders, cannot be readily traced to specific individual holders. ModivCare must therefore obtain the names and addresses of its widely-dispersed equity security holders from a securities agent. Preparing and submitting such a list with last known addresses for each equity security holder and sending notices to all such parties

would create undue expense and an administrative burden with limited corresponding benefit to the estates or parties in interest.

20. The Debtors have taken, or will take, several actions to inform their equity security holders of the commencement of the Chapter 11 Cases. On or about the date hereof, the Debtors will issue a press release and file an 8-K with the U.S. Securities and Exchange Commission announcing the filing. ModivCare also filed with its petition a list of persons and entities with significant holdings of its outstanding Common Stock. Additionally, as soon as is practicable following the date hereof, the Debtors intend to cause the notices required under Bankruptcy Rule 2002(d) to be served on registered holders of Debtor ModivCare's Common Stock and published in full in *The New York Times (National Edition)* or such other, similar publication that the Debtors determine in accordance with their reasonable business judgment.

21. For these reasons, the Debtors request that the Court waive the requirements to file a list of, and to provide notice directly to, ModivCare's equity security holders (other than registered holders).

III. SERVICE BY ELECTRONIC MAIL TO CREDITORS IS APPROPRIATE AND SHOULD BE APPROVED.

22. Although the Bankruptcy Rules generally require notices to be served on creditors at their addresses, they give significant latitude to bankruptcy courts for modifying the general rule. *See* Fed. R. Bankr. P. 2002(m) and 9007. Bankruptcy courts have explicit authority to modify the manner in which notice is given. *See* Fed. R. Bankr. P. 2002(m). [The Debtors communicate with many of their customers, including patients they serve, through online platforms and often communication with them through electronic means. Accordingly, the Debtors request authority to serve their creditors by electronic mail, where an electronic mailing address is available to the

Debtors.

23. Not only is electronic mail likely the most efficient and cost-effective manner by which service of all interested parties can be completed, it is also more likely to facilitate creditor responses. In addition, this method of service will significantly reduce administrative burdens and costs on the Debtors' estates.

24. The Debtors submit that implementation of the procedures requested herein are appropriate in the Chapter 11 Cases and well within the Court's equitable powers under section 105(a) of the Bankruptcy Code.

IV. SERVICE OF REQUIRED NOTICES TO CREDITORS IS APPROPRIATE AND SHOULD BE APPROVED.

25. Bankruptcy Rule 2002(a) provides, in relevant part, that "the clerk or the court's designee must give the debtor, the trustee, all creditors, and all indenture trustees at least 21 days' notice by mail of: the meeting of creditors under § 341 or § 1104(b)" of the Code. Fed. R. Bankr. P. 2002(a). Subsection (f) provides that notice of the order for relief shall be sent by mail to all creditors. *See* Fed. R. Bankr. P. 2002(f).

26. The Debtors propose that the Claims Agent undertake all mailings directed by the Court or the U.S. Trustee or as required in section 342(a) of the Bankruptcy Code and Bankruptcy Rule 2002(a) and (f), including the notice of commencement of the Chapter 11 Cases, substantially in the form attached to the Proposed Order as **Exhibit A** (the "***Notice of Commencement***"), on all parties listed on the consolidated Creditor Matrix to advise them of the meeting of creditors under section 341 of the Bankruptcy Code. Service of the Notice of Commencement on all parties listed on the consolidated Creditor Matrix will not only avoid confusion among creditors but also will prevent the Debtors' estates from incurring unnecessary costs associated with serving multiple

notices to the parties listed on the Debtors' voluminous Creditor Matrix. Accordingly, service of the Notice of Commencement is warranted.

27. The Debtors believe that using the Claims Agent to promptly provide notices to all applicable parties will maximize efficiency in administering the Chapter 11 Cases and will ease administrative burdens that would otherwise fall upon the Court and the U.S. Trustee. Additionally, the Claims Agent will assist the Debtors in preparing creditor lists and mailing or electronic mailing initial notices. Therefore, it is more efficient to authorize the Claims Agent to mail the Notice of Commencement. Accordingly, the Court should authorize the Claims Agent to undertake such mailings.

28. The Debtors further request authority to distribute notices to parties in interest via e-mail in lieu of mailing. The Debtors do not maintain records of mailing addresses for many of these contacts, and, accordingly, distribution of notices via e-mail to such parties is warranted under the circumstances and will alleviate an administrative burden otherwise imposed on the Debtors.

EMERGENCY CONSIDERATION

29. The Debtors respectfully request emergency consideration of this Motion pursuant to Bankruptcy Local Rule 9013-1 and Bankruptcy Rule 6003, which authorize the Court to grant relief within the first 21 days after the commencement of a chapter 11 case to the extent that relief is necessary to avoid immediate and irreparable harm. As described in detail above and in the First Day Declaration, immediate and irreparable harm would result if the relief requested herein is not

granted. Accordingly, the Debtors submit that the requirements of Bankruptcy Rule 6003 are satisfied.

NOTICE

30. Notice of this Motion will be served on: (a) the Office of the United States Trustee for the Southern District of Texas; (b) Paul Hastings LLP, as counsel to the First Lien Agent and the Consenting Creditors; (c) counsel to the DIP Lenders; (d) the creditors listed on the Debtors' consolidated list of 30 creditors holding the largest unsecured claims; (e) the United States Attorney for the Southern District of Texas; (f) the Internal Revenue Service; (g) the Securities and Exchange Commission; (h) the state attorneys general for states in which the Debtors conduct business; and (i) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, under the circumstances, no other or further notice is required.

31. A copy of this Motion is available on (a) the Court's website, at www.txs.uscourts.gov and (b) the website maintained by the Debtors' proposed claims and noticing agent, Kurtzman Carson Consultants, LLC d/b/a Verita Global, at <https://www.veritaglobal.net/ModivCare>.

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WHEREFORE, the Debtors respectfully request that the Court enter the Proposed Order granting the relief requested in the Motion and such other and further relief as may be just and proper.

Dated: August 21, 2025

Respectfully submitted,

/s/ Timothy A. ("Tad") Davidson II

HUNTON ANDREWS KURTH LLP

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*Proposed Attorneys for the Debtors
and Debtors in Possession*

Certificate of Service

I certify that on August 21, 2025, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on those parties registered to receive electronic notices.

/s/ Timothy A. ("Tad") Davidson II

Timothy A. ("Tad") Davidson II

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

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In re:	:	Chapter 11
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MODIVCARE INC., <i>et al.</i> ,	:	Case No. 25-90309 (ARP)
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Debtors. ¹	:	(Jointly Administered)
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**ORDER (A) AUTHORIZING THE DEBTORS TO
(I) FILE A CONSOLIDATED CREDITOR MATRIX AND LIST OF THE 30 LARGEST
UNSECURED CREDITORS, AND (II) TO REDACT CERTAIN PERSONALLY
IDENTIFIABLE INFORMATION; (B) WAIVING THE REQUIREMENT TO FILE A
LIST OF EQUITY SECURITY HOLDERS; (C) AUTHORIZING SERVICE OF PARTIES
IN INTEREST BY ELECTRONIC MAIL; (D) APPROVING THE FORM AND MANNER
OF NOTIFYING CREDITORS OF THE COMMENCEMENT OF THE CHAPTER 11
CASES; AND (E) GRANTING RELATED RELIEF**

[Relates to Docket No. ____]

Upon the emergency motion (the “Motion”)² of the Debtors for entry of an order (this “**Order**”), (a) authorizing the Debtors to (i) file a consolidated Creditor Matrix and a consolidated Top 30 List and (ii) redact certain personally identifiable information of natural persons from any paper filed or to be filed in the Chapter 11 Cases; (b) waiving the requirement to file a list of, and provide notice directly to, certain equity security holders of Debtor ModivCare; (c) approving the form and manner of notifying creditors of the commencement of the Chapter 11 Cases and other information; and (d) granting related relief, all as more fully set forth in the Motion; and the Court having reviewed the Motion and the First Day Declaration; and the Court having jurisdiction to

¹ A complete list of each of the Debtors in these chapter 11 cases (the “**Chapter 11 Cases**”) and the last four digits of each Debtor’s taxpayer identification number (if applicable) may be obtained on the website of the Debtors’ proposed claims and noticing agent at [https:// www.veritaglobal.net/ModivCare](https://www.veritaglobal.net/ModivCare). Debtor ModivCare Inc.’s principal place of business and the Debtors’ service address in the Chapter 11 Cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary, except as set forth in the Motion with respect to entry of this Order; and upon the record herein; and after due deliberation thereon; and all objections, if any, to the Motion having been withdrawn, resolved, or overruled; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest, it is hereby,

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Debtors are authorized to file a consolidated Creditor Matrix and a consolidated Top 30 List.
2. The Debtors and the Claims Agent are authorized to redact on the Creditor Matrix, the Schedules and Statements, proofs of claim, any related affidavits of service, and any other documents filed with this Court in the Chapter 11 Cases, the names, home addresses, electronic mailing addresses, and/or other personally identifiable information of all natural persons. The Debtors shall provide unredacted versions of the Creditor Matrix, the Schedules and Statements, proofs of claim, any related affidavits of service, and any other filings redacted pursuant to this Order to (a) this Court, (b) the U.S. Trustee, (c) counsel to any official committee appointed in the Chapter 11 Cases, (d) the Claims Agent, and (e) any party in interest upon a request to the Debtors

(electronic mail being sufficient) or to this Court that is reasonably related to the Chapter 11 Cases, *provided* that any receiving party shall not transfer or otherwise provide such unredacted document to any person or entity not party to the request and shall represent that the unredacted version(s) of the documents will be maintained in confidence. The Debtors shall inform the Court and the U.S. Trustee promptly after denying any request for an unredacted document pursuant to this Order. Nothing herein precludes a party in interest's right to file a motion requesting that the Court unseal the information redacted by this Order.

3. The Debtors, through the Claims Agent, are authorized to serve and distribute all pleadings and papers, including the Notice of Commencement, on all parties listed on the Creditor Matrix (including via electronic mail, where available). To the extent the Debtors lack an electronic mailing address at which to provide notice or service by mail (as opposed to electronic mail), the Claims Agent may serve individuals at their personal home addresses, ensuring that each individual will receive the same notices in the Chapter 11 Cases as all other creditors without the unnecessary public disclosure of his or her home address. For the avoidance of doubt, Bankruptcy Local Rule 9037-1(b) shall apply to any document redacted in accordance with this Order.

4. The requirement that Debtor ModivCare file a list of equity security holders pursuant to Bankruptcy Rule 1007(a)(3) is waived, and the Debtors are authorized to serve the notices required under Bankruptcy Rule 2002(d) on the registered holders of Debtor ModivCare's equity securities and, to the extent they are known, on beneficial holders through the appropriate broker, or other intermediary, to the extent a beneficial equity holder holds such equity interest through such intermediary.

5. Any requirement that Debtor ModivCare provide notice directly to equity security holders under Bankruptcy Rule 2002(d) is waived. The Debtors shall also publish the Notice of

Commencement on the Debtors' case website located at <https://www.veritaglobal.net/ModivCare> and file a Form 8-K with the United States Securities and Exchange Commission as soon as practicable after entry of this Order, notifying their investors and other parties of the commencement of the Chapter 11 Cases. The Debtors are further authorized to issue a press release announcing the commencement of the Chapter 11 Cases and will as soon as is practicable cause the notices required under Bankruptcy Rule 2002(d) to be served on registered holders of Debtor ModivCare's Common Stock to be published in full in *The New York Times (National Edition)* or such other, similar publication that the Debtors determine in accordance with their reasonable business judgment.

6. The Notice of Commencement, substantially in the form attached hereto as **Exhibit A**, is hereby approved. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of (a) the commencement of the Chapter 11 Cases and (b) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.

7. The Debtors shall cause the Claims Agent to post the Notice of Commencement on the case website <https://www.veritaglobal.net/ModivCare> as soon as practicable.

8. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion, and the requirements of the Bankruptcy Rules, the Bankruptcy Local Rules, and the Complex Case Procedures are satisfied by such notice.

9. The Debtors are authorized and empowered to take all actions necessary or appropriate to implement the relief granted in this Order.

10. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: _____, 2025
Houston, Texas

UNITED STATES BANKRUPTCY JUDGE

Exhibit A

Notice of Commencement

Debtor ModivCare Inc.

Case Number: 25-90309

Information to identify the case:

Debtor: ModivCare Inc.

EIN: 86-0845127

United States Bankruptcy Court for the Southern District of Texas

Case Number: 25-90309

Date case filed for chapter 11: 8/20/25

Official Form 309F1 (For Corporations or Partnerships)

Notice of Chapter 11 Bankruptcy Case

10/20

For the debtors listed below, cases have been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the cases for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read all pages carefully.

The filing of the cases imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov, or by accessing the website maintained by Kurtzman Carson Consultants, LLC dba Verita Global, available at <https://www.veritaglobal.net/ModivCare>, free of charge).

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Debtors' full name	See Chart Below		
2. All other names used in the last 8 years	See Chart Below (if applicable)		
Jointly Administered Cases			
Debtor	Other Names Used in Last 8 Years	Case No.	EIN
ModivCare Inc.	The Providence Service Corporation	25-90309	86-0845127
A & B Homecare Solutions, L.L.C.		25-90310	06-1565019
A.E. Medical Alert, Inc.		25-90308	56-2348300
ABC Homecare LLC		25-90311	47-5312537
All Metro Aids, Inc.	All Metro Health Care	25-90312	11-2542379
All Metro Associate Payroll Services Corporation		25-90313	13-4312222
All Metro CGA Payroll Services Corporation		25-90314	47-3753810
All Metro Field Service Workers Payroll Services Corporation		25-90315	13-4312220
All Metro Health Care Services, Inc.		25-90316	84-1623916
All Metro Home Care Services of Florida, Inc.	All Metro Health Care	25-90317	43-2015287
All Metro Home Care Services of New Jersey, Inc.	All Metro Health Care	25-90318	77-0612030

Debtor ModivCare Inc.**Case Number: 25-90309**

All Metro Home Care Services of New York, Inc.	All Metro Health Care	25-90319	84-1623899
All Metro Home Care Services, Inc.		25-90320	84-1623924
All Metro Management and Payroll Services Corporation		25-90321	83-0439830
All Metro Payroll Services Corporation	Simplura Health Group	25-90322	11-3353755
AM Holdco, Inc.	Simplura Health Group	25-90323	37-1744530
AM Intermediate Holdco, Inc.		25-90324	47-1765824
Arsens Home Care, Inc.	Caregivers America SC	25-90325	20-2862290
ARU Hospice, Inc.		25-90326	45-5092171
Associated Home Services, Inc.		25-90327	74-2722067
At-Home Quality Care, LLC	Care Finders Total Care	25-90328	26-1552093
Auditory Response Systems, Inc.		25-90329	02-0442987
Barney's Medical Alert-ERS, Inc.		25-90330	27-1724008
California MedTrans Network IPA LLC		25-90331	61-1732160
California MedTrans Network MSO LLC		25-90332	36-4780748
Care Finders Total Care LLC		25-90333	46-2555599
CareGivers Alliance, LLC	CareGivers4Kids	25-90334	45-5022161
CareGivers America Home Health Services, LLC		25-90335	20-8167059
CareGivers America Medical Staffing, LLC		25-90336	26-3978350
CareGivers America Medical Supply, LLC		25-90337	58-3787187
CareGivers America Registry, LLC		25-90338	27-1302162
Caregivers America, LLC.		25-90339	33-0993363
Caregivers On Call, Inc.		25-90340	16-1737635
CGA Holdco, Inc.		25-90341	47-1880444
CGA Staffing Services, LLC		25-90342	37-1616908
Circulation, Inc.		25-90343	61-1780747
Florida MedTrans Network LLC		25-90344	32-0432993
Florida MedTrans Network MSO LLC		25-90345	36-4778512
Guardian Medical Monitoring, LLC	Guardian Medical Monitoring, Inc.	25-90346	38-3432082
Health Trans, Inc.		25-90347	65-0613681
Healthcom Holdings LLC		25-90348	82-2311720
Healthcom, Inc.		25-90349	37-1285320
Helping Hand Home Health Care Agency Inc	Caregivers America SC	25-90350	27-4209787
Helping Hand Hospice Inc.		25-90351	27-1752958
Higi Care Holdings, LLC		25-90352	N/A
Higi Care, LLC		25-90353	92-3529673

Debtor ModivCare Inc.**Case Number: 25-90309**

Higi SH Holdings Inc.	Higi	25-90354	82-0738014
Higi SH LLC		25-90355	38-3931574
Independence Healthcare Corporation		25-90356	74-3074366
Metropolitan Medical Transportation IPA, LLC		25-90357	20-8998027
MLA Sales, LLC		25-90358	N/A
ModivCare Solutions, LLC	LogistiCare Solutions, LLC	25-90359	58-2491253
Multicultural Home Care Inc.		25-90360	04-3280270
National Medtrans, LLC		25-90361	47-2336925
New England Emergency Response Systems, Inc.		25-90363	02-0432833
OEP AM, Inc.		25-90365	81-1260939
Panhandle Support Services, Inc.	Panhandle Support Services	25-90366	55-0728651
Personal In-Home Services, Inc.		25-90368	20-5107362
Philadelphia Home Care Agency, Inc.	Care Finders Total Care	25-90371	20-1524491
Provado Technologies, LLC		25-90362	22-3895026
Red Top Transportation, Inc.		25-90364	59-2499262
Ride Plus, LLC	Provado Mobile Health	25-90367	27-2769684
Safe Living Technologies, LLC		25-90369	32-0413522
Secura Home Health Holdings, Inc.		25-90370	47-2928880
Secura Home Health, LLC		25-90372	47-2908342
Socrates Health Holdings, LLC	Socrates LLC	25-90373	85-4229682
TriMed, LLC		25-90374	47-5088596
Union Home Care LLC	Care Finders Total Care	25-90375	82-3229500
Valued Relationships, Inc.		25-90376	31-1274364
Victory Health Holdings, LLC		25-90377	87-2147451
VRI Intermediate Holdings, LLC		25-90378	46-4570913

3. Address for all Debtors:

6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237

Debtor ModivCare Inc.

Case Number: 25-90309

4. Debtors' attorneys**HUNTON ANDREWS KURTH LLP**

Timothy A. ("Tad") Davidson II
 Catherine A. Rankin
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-and-

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Debtors' Claims and Noticing Agent

If you have questions about this notice, please contact:

KURTZMAN CARSON CONSULTANTS, LLC DBA VERITA GLOBAL**Case Website:** <https://www.veritaglobal.net/ModivCare>**Email:** <https://www.veritaglobal.net/ModivCare/inquiry>**Telephone:** (888) 733-1521 (U.S. / Canada, toll-free)
+1 (310) 751-2636 (International, toll)**First Class Mail, Hand Delivery or Overnight Courier:**

ModivCare Claims Processing Center
 c/o KCC dba Verita
 222 N. Pacific Coast Highway, Suite 300
 El Segundo, CA 90245

5. Bankruptcy clerk's office

Documents in this case may be
 filed at this address.

You may inspect all records filed in this
 case at this office or online at
www.pacer.gov, or by accessing the
 website maintained by Kurtzman Carson
 Consultants, LLC dba Verita Global,
 available at
<https://www.veritaglobal.net/ModivCare>,
 free of charge.

Clerk of the U.S. Bankruptcy Court
 for the Southern District of Texas
 Bob Casey United States Courthouse
 515 Rusk Street
 Houston, TX 77002

Hours open Monday – Friday 8:00 AM – 5:00 PM

Contact phone (713) 250-5500

6. Meeting of creditors

The debtor's representative must
 attend the meeting to be
 questioned under oath.

Creditors may attend but are not
 required to do so.

September 22, 2025 at 10:30 AM (CT)

The meeting may be continued or adjourned
 to a later date. If so, the date will be on the
 court docket.

Location: Telephone Conference Call

Dial: (866) 707-5468
 Code: 6166997

Debtor ModivCare Inc.

Case Number: 25-90309

7. Proof of claim deadline	<p>Deadline for filing proof of claim:</p> <p>The deadline for an entity (as defined in section 101(15) of the Bankruptcy Code, which includes all persons, estates, trusts, and the Office of the United States Trustee for the Southern District of Texas), except a governmental unit (as defined in section 101(27) of the Bankruptcy Code) to file a proof of claim is September 22, 2025, at 5:00PM (CT). The deadline for a governmental unit (as defined in section 101(27) of the Bankruptcy Code) to file a proof of claim is February 26, 2026, at 5:00PM (CT). Parties in interest should refer to the <i>Order Establishing (A) Bar Dates and Related Procedures For Filing Proofs of Claim, (B) Approving the Form and Manner of Notice Thereof, and (C) Granting Related Relief</i> [Docket No. •] (the “<i>Bar Date Order</i>”), including the exhibits thereto, for additional information on the requirements for filing a proof of claim. A copy of the Bar Date Order and all other documents filed in the Chapter 11 Cases may be obtained through PACER (Public Access to Court Electronic Records) at www.pacer.gov or by accessing the website maintained by Kurtzman Carson Consultants, LLC dba Verita Global, available at https://www.veritaglobal.net/ModivCare, free of charge.</p> <p>A proof of claim is a signed statement describing a creditor’s claim. A proof of claim form may be obtained at www.uscourts.gov or any bankruptcy clerk’s office.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <p>your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>;</p> <p>you file a proof of claim in a different amount; or</p> <p>you receive another notice.</p> <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>The deadline, subject to the Debtors’ right to seek a further extension of such deadline, for the Debtors to file their schedules of assets and liabilities and statements of financial affairs is September 17, 2025. You may review the schedules at the bankruptcy clerk’s office or online at www.pacer.gov or by accessing the website maintained by Kurtzman Carson Consultants, LLC dba Verita Global, available at https://www.veritaglobal.net/ModivCare, free of charge.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>
8. Exception to discharge deadline	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.</p> <p>Deadline for filing the complaint: <u>Not applicable</u></p>
9. Creditors with a foreign address	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>

Debtor ModivCare Inc.

Case Number: 25-90309

10. Filing a Chapter 11 bankruptcy case	Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.
11. Discharge of debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.