

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

	X	
In re	:	
	:	Chapter 11
HOSPITAL FOR SPECIAL SURGERY, LLC	:	
<i>Dba</i> ONECORE HEALTH,	:	Case No. 24-12862-JDL
	:	
Debtor.	:	
	X	

**DEBTOR’S APPLICATION FOR BRIDGE ORDER PRESERVING EXCLUSIVE PERIODS DURING WHICH ONLY THE DEBTOR MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF WITH BRIEF IN SUPPORT**

Hospital for Special Surgery, LLC *dba* OneCore Health (“OneCore” or “Debtor”) hereby submits this application (the “Application”), pursuant to sections 105(a) and 1121(d) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”) and rule 9013-1 of the Local Bankruptcy Rules for the Western District of Oklahoma, for entry of an order, substantially in the form attached hereto as Exhibit 1 (the “Proposed Order”), preserving the Exclusive Filing Period and Exclusive Solicitation Period (together, the “Exclusive Periods”) until a determination is made with respect to *Debtor’s Motion for Entry of an Order Extending the Exclusive Periods During Which Only Debtor May File a Chapter 11 Plan and Solicit Acceptance Thereof* (the “Exclusivity Motion”), filed contemporaneously herewith.<sup>1</sup> In support of its Application, Debtor respectfully states as follows:

**General Background**

1. OneCore is a duly licensed hospital that has been specializing in orthopedic and specialty surgeries in the community of central Oklahoma for more than a decade. In late 2021,

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<sup>1</sup> Capitalized terms not otherwise defined herein are to be given the meanings ascribed to them in the Exclusivity Motion.



OneCore completed the construction of its present leased facility in northeast Oklahoma City and has been operating at such location since January 2022.

2. OneCore has focused on a culture of excellence in the delivery of surgical and other health care services such as radiology and orthopedic care with the goal of being one of the top performing surgical hospitals in Oklahoma. In the past four (4) years, OneCore has received many accolades for its excellence and patient care, including the following:

- Healthgrades: Knee Replacement 5-star recipient, 2023 and 2024;
- Healthgrades: Spinal Fusion Surgery 5-star recipient 2021 – 2024;
- Healthgrades: Outstanding Patient Experience 2024; and
- Press Ganey: Guardian of Excellence Award for Outstanding Patient Experience.<sup>2</sup>

3. On October 7, 2024, OneCore filed its *Voluntary Petition* (“Petition Date”).  
[Dkt. No. 1].

4. Debtor continues to operate its business and manage its properties as a debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No committee has been appointed pursuant to section 1102 of the Bankruptcy Code.

5. Additional factual background relating to the Debtor’s business and the commencement of this Chapter 11 Case is set forth in detail in the First Day Declaration of Carrie McEntire (the “McEntire First Day Declaration”).

### **Facts Specific to the Relief Requested**

6. Debtor’s Exclusive Filing Period is currently set to expire on February 4, 2025. Debtor’s Exclusive Solicitation Period is currently set to expire on April 7, 2025.

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<sup>2</sup> The Press Ganey Guardian of Excellence Award® honors organizations that perform in the top 5% of healthcare providers and health plans for patient experience, employee engagement, physician experience, clinical quality performance or consumer experience in one year. Only 501 hospitals and health systems achieved this recognition out of over 10,000.

7. Contemporaneously herewith, Debtor filed its Exclusivity Motion, which requests entry of a proposed order attached thereto, granting an extension by 90 days of the Exclusive Filing Period through and including May 6, 2025 and the Exclusive Solicitation Period through and including July 8, 2025.

### **Jurisdiction**

8. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b). The statutory predicate for the relief requested herein is sections 105(a) and 1121(d) of the Bankruptcy Code.

### **Relief Requested**

9. By this Application, Debtor requests the Court preserve Debtor's Exclusive Filing Period and Exclusive Solicitation Period until an order is entered with respect to the Exclusivity Motion, or in the event the Exclusivity Motion is denied, granting Debtor fourteen (14) days following the entry of an Order, if any, denying the Exclusivity Motion within which Debtor shall have the exclusive right to file a plan and sixty (60) days thereafter within which Debtor may solicit acceptances of such plan.

### **Basis for Relief**

10. Sections 1121(b) and (c) of the Bankruptcy Code provide, respectively, that a debtor has an exclusive period of 120 days during which to propose a plan of reorganization and an exclusive period of 60 days thereafter in which to solicit acceptance of that plan from its stakeholders. 11 U.S.C. § 1121(b), (c).

11. Section 1121(d) of the Bankruptcy Code authorizes a bankruptcy court to extend a debtor's exclusive period for filing a chapter 11 plan, and to solicit votes thereon, "on request

of a party in interest made within the respective periods specified in subsections (b) and (c) of this section.” 11 U.S.C. § 1121(d).

12. Debtor filed its Exclusivity Motion within the Exclusive Filing Period. However, if the requested relief in this Application is not granted, the Exclusive Filing Period will expire prior to any hearing scheduled with respect to the Exclusivity Motion. Debtor therefore respectfully request that the Court preserve the Exclusive Periods until the Court makes a determination with respect to the Exclusivity Motion.

### **Conclusion**

WHEREFORE, for the reasons set forth herein, Debtor respectfully requests that the Court (a) enter the Proposed Order granting the relief requested herein and (b) grant such other and further relief as is just and proper.

Respectfully submitted,

**ONECORE**

/s/ Craig M. Regens

William H. Hoch, OBA #15788

Craig M. Regens, OBA #22894

Mark A. Craige, OBA #1992

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**Exhibit 1**

**Proposed Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

	X	
In re	:	
	:	Chapter 11
HOSPITAL FOR SPECIAL SURGERY, LLC	:	
<i>Db</i> a ONECORE HEALTH,	:	Case No. 24-12862-JDL
	:	
Debtor.	:	
	X	

**ORDER PRESERVING EXCLUSIVE PERIODS DURING WHICH ONLY THE  
DEBTOR MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES  
THEREOF WITH BRIEF IN SUPPORT**

Upon the Application (the “Application”)<sup>3</sup> of Hospital for Special Surgery, LLC *dba* OneCore Health (“OneCore” or the “Debtor”), as debtor-in-possession in the above-referenced chapter 11 case, for entry of an order (this “Order”), preserving Debtor’s Exclusive Periods until a determination is made with respect to its *Motion for Entry of an Order Extending the Exclusive Periods During Which Only Debtor May File a Chapter 11 Plan and Solicit Acceptance Thereof*

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<sup>3</sup> All defined terms shall have the meaning ascribed to them in the Application unless otherwise defined herein.

(the “Exclusivity Motion”); and this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and venue of this chapter 11 case and the Application in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that proper and adequate notice of the Application and the relief requested therein has been provided in accordance with the Bankruptcy Rules and the Local Rules; and that, except as otherwise ordered herein, no other or further notice is necessary; and this Court having found and determined that the relief sought in the Application is in the best interests of the Debtor, its estate, its creditors and all other parties-in-interest; and that the legal and factual bases set forth in the Application establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Application is GRANTED as set forth herein.
2. Pursuant to sections 105(a) and 1121(d) of the Bankruptcy Code, the Exclusive Periods are hereby extended until an order is entered with respect to the relief requested in the Exclusivity Motion. Further, Debtor is hereby granted fourteen (14) days following the entry of an Order, if any, denying the Exclusivity Motion within which Debtor shall have the exclusive right to file a plan and sixty (60) days thereafter within which Debtor may solicit acceptances of such plan.
3. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this Order, and shall be binding on all parties in interest in this Chapter 11 Case.
4. Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order.

5. This Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to the Application or the implementation of this Order.

6. Findings of fact are based upon representations of counsel. Local Rule 9013-1.L.1.

7. Debtor shall effectuate service of this Order on the Distribution Service List.

IT IS SO ORDERED.

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Approved for Entry:

**ONECORE**

/s/ Craig M. Regens

William H. Hoch, OBA #15788

Craig M. Regens, OBA #22894

Mark A. Craige, OBA #1992

Kaleigh Ewing, OBA #35598

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