

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

In re:

TEHUM CARE SERVICES, INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 23-90086 (CML)

Re: Dkt. Nos. 1531, 1530, 1525, 1506 & 1260

**APPELLANTS' STATEMENT OF ISSUE ON APPEAL AND  
DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, the Official Committee of Tort Claimants (the "TCC"), together with Elizabeth Frederick, Paris Morgan, Aanda Slocum, and LaTanda Smith (the "Appellants") submit the following: (I) statement of issues to be considered on appeal from (A) each and every part of the Order (Dkt. No. 1506) (the "Order"), dated April 11, 2024, denying the *Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case* (Dkt. No. 1260) (the "Motion to Dismiss"), and all other subsumed judgments, orders, and decrees brought up for review in the appeal; and (II) designation of items to be included in the record on appeal.

**I. Statement of Issues to be Presented on Appeal**

Appellant presents the following statement of issues to be considered on appeal.

1. Whether the Bankruptcy Court erred in denying the Motion to Dismiss.
2. Whether a Bankruptcy Court has the authority under the Bankruptcy Code and the

Constitution to discharge a non-debtor of its tort liability.

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<sup>1</sup> The last four digits of the Debtor's federal tax identification number is 8853. The Debtor's service address is: 205 Powell Place, Suite 104, Brentwood, Tennessee 37027.



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3. Whether the tort claims arising from Corizon Health's misconduct, as asserted against YesCare and its non-debtor affiliates and insiders, are the property of the Debtor's estate under the Bankruptcy Code, and whether such a construction of the Bankruptcy Code would violate the Fifth Amendment.

4. Whether a chapter 11 case filed in an effort to gain control over and settle claims asserted against non-debtor insiders and affiliates is filed in bad faith.

5. Whether a chapter 11 case filed after a divisional merger that assigns tort liabilities to a non-operational company, with no employees and no assets to sustain a going-concern business, meets the Bankruptcy Code's good-faith requirement.

## **II. Designations of Items to be Included in the Record on Appeal**

Appellants submit the following designations of items to be included in the record on appeal, which includes all exhibits, schedules, and attachments to the following filings in the Bankruptcy Court:

### **A. Docket Entries**

<b>Item</b>	<b>Date Filed / Entered</b>	<b>Bankr. Dkt. No.</b>	<b>Description</b>
1.	2/13/2023	1	Chapter 11 Petition
2.	9/29/2023	984	Disclosure Statement Regarding Debtor and Official Committee of Unsecured Creditors' Joint Chapter 11 Plan
3.	9/29/2023	985	Debtor and Official Committee of Unsecured Creditors' Joint Chapter 11 Plan
4.	10/17/2023	1042	First Amended Disclosure Statement Regarding Debtor and Official Committee of Unsecured Creditors' First Amended Joint Chapter 11 Plan
5.	10/17/2023	1043	Debtor and Official Committee of Unsecured Creditors' First Amended Joint Chapter 11 Plan
6.	10/27/2023	1071	Second Amended Disclosure Statement Regarding Debtor and Official Committee

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			of Unsecured Creditors' Second Amended Joint Chapter 11 Plan
7.	10/27/2023	1072	Debtor and Official Committee of Unsecured Creditors' Second Amended Joint Chapter 11 Plan
8.	11/20/2023	1127	Notice of Appointment of Committee of Tort Claimants
9.	1/8/2024	1244	Debtor's Third Motion to Extend the Exclusive Period to Solicit Acceptances Thereof
10.	1/16/2024	1258	Motion for Entry of Fifth Interim DIP Order (I) Authorizing Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay and (IV) Granting Related Relief
11.	1/16/2024	1259	Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief
12.	1/16/2024	1260	Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case [Public Version]
13.	1/23/2024	1282	Official Committee of Tort Claimants' Emergency Motion for Status Conference
14.	1/23/2024	1283	Joinder to Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
15.	1/23/2024	1284	Joint Response of the Debtor and the Official Committee of Unsecured Creditors to the Emergency Motion of the Tort Claimants' Committee for a Status Conference
16.	1/24/2024	1288	Reply in Support of Official Committee of Tort Claimants' Committee Emergency Motion for Status Conference
17.	1/29/2024	1301	Letter to the Court by Eric R. Goodman re: Emergency Motion for Status Conference

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
18.	1/29/2024	1302	Letter to the Court by Eric R. Goodman re: Emergency Motion for Status Conference
19.	1/29/2024	1303	Objection of the Official Committee of Tort Claimants to Debtor's Third Motion to Extend the Exclusive Period to Solicit Acceptances Thereof
20.	1/26/2024	1305	Joinder by Anant Kumar Tripathi in Motion of the Official Committee for Structured Dismissal of Chapter 11 Case
21.	2/2/2024	1319	Official Committee of Tort Claimants' Emergency Motion for Status Conference
22.	2/2/2024	1321	Joint Response of the Debtor and the Official Committee of Unsecured Creditors to the Official Committee of Tort Claimants' Emergency Motion for a Status Conference
23.	2/5/2024	1329	Notice to Join the January 16, 2024 Motion for Structured Dismissal of the Chapter 11 Case by the Office Committee of Tort Claimants and for Sanctions Pursuant to Bankruptcy Rule 9011(c)(1)(B)
24.	2/6/2024	1331	Joinder to Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
25.	2/6/2024	1332	Official Committee of Tort Claimants' Objection to the Debtor's Motion for Entry of Fifth Interim DIP Order (1) Authorizing Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay and (IV) Granting Related Relief
26.	2/8/2024	1337	Plaintiff Creditor Joinder in the Dismissal of This Fraudulent Bankruptcy
27.	2/9/2024	1340	Notice to Join the January 16, 2024 Motion for Structured Dismissal of the Chapter 11 Case by the Office of Committee of Tort Claimants and for Sanctions Pursuant to Bankruptcy Rule 9011(c)(1)(B)
28.	2/12/2024	1345	Motion for Joinder to Dismiss the Bankruptcy Petition
29.	2/12/2024	1346	Notice of Discovery Requests

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
30.	2/13/2024	1348	Request for Joinder with the Motion to Dismiss Filed by TCC on January 16, 2024
31.	2/22/2024	1367	William Kelly, Derico Thompson, and Kohchise Jackson's Joinder in the TCC's Motion and the Arizona Department of Corrections, Rehabilitation, and Reentry's Motion for Structured Dismissal
32.	2/23/2024	1375	Amended Notice of Discovery Requests
33.	2/23/2024	1377	Creditor St. Luke's Statement (A) in Support of Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement, and (II) Granting Related Relief; and (B) in Opposition to Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
34.	2/23/2024	1378	Arizona Department of Corrections, Rehabilitation, and Reentry's Objection to the Debtor's Rule 9019 Settlement and Joinder in the Objections Filed by the Tort Claimants' Committee, the United States Trustee's Office, and William Kelly, Derico Thompson and Kohchise Jackson
35.	2/23/2024	1381	Response of the United States Trustee to the Motion of the Official Committee of Tort Claimants for Structured Dismissal of Chapter 11 Case
36.	2/23/2024	1385	Debtor's Objection to Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
37.	2/23/2024	1386	Objection of the Official Committee of Tort Claimants to Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief [Public Version]
38.	2/23/2024	1387	Paul Al-Amin and Serina Rides' Objection to Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief, and Joinder in the Objections Filed by the Tort Claimants Committee, the Office of the United States Trustee, Arizona Department of Corrections
39.	2/23/2024	1388	The Official Committee of Unsecured Creditors' Objection to the Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
40.	2/23/2024	1389	Paul Al-Amin and Serina Rides' Joinder in Support of Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
41.	2/23/2024	1391	Statement and Reservation of Rights of Idaho Parties in Connection with (1) Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief; and (2) Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
42.	2/23/2024	1393	Motion for Leave to File Amici Curiae Brief in Support of the Official Committee of Tort Claimants' Motion for Structured Dismissal of Chapter 11 Case
43.	2/23/2024	1394	Joinder of Elizabeth Frederick to the Objection of the Official Committee of Tort Claimants to Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief
44.	2/23/2024	1396	Creditor St. Luke's Joinder to the Official Committee of Unsecured Creditors' Objection to the Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
45.	2/26/2024	1398	Amended Brief of Amici Curiae Supporting the Tort Claimants Committee's Motion to Dismiss
46.	2/26/2024	1399	K.A.et al.'s (I) Statement of Support of Rule 9019 Motion and (II) Joinder of to the Official Committee of Unsecured Creditors' Objection to the Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
47.	2/27/2024	1402	The Official Committee of Tort Claimants Motion to Compel, or in the Alternative, Motion in Limine to Preclude the Debtor and the Official Committee of Unsecured Creditors from Offering Certain Evidence at the Hearing on the Rule 9019 Motion and the Motion to Dismiss [Public Version]
48.	2/27/2024	1404	Reply in Support of Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case [Public Version]
49.	2/27/2024	1411	Witness and Exhibit List
50.	2/29/2024	1418	The Debtor's and the Official Committee of Unsecured Creditors' Joint Opposition to the Official Committee of Tort Claimants' Motion to Compel, or in the Alternative, Motion in Limine
51.	2/29/2024	1419	Joinder of Roderick & Solange MacArthur Justice Center, Southern Center for Human Rights, and Worth Rises to Amended Brief of Amici Curiae Supporting the Tort Claimants Committee's Motion to Dismiss
52.	2/29/2024	1423	The Official Committee of Tort Claimants Reply in Support of Motion to Compel, or in the Alternative, Motion in Limine to Preclude the Debtor and the Official Committee of Unsecured Creditors from Offering Certain Evidence at the Hearing on the Rule 9019 Motion and the Motion to Dismiss [Public Version]
53.	3/3/2024	1428	Amended Witness and Exhibit List
54.	3/27/2024	1475	Motion of the Official Committee of Tort Claimants for an Order (I) Allowing and Requiring the Debtor to Disburse the

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			Amounts Due and Owing to the TCC Professionals or, in the Alternative, (II) Dismissing This Case
55.	3/27/2024	1479	Declaration of Michael Atkinson in Support of the Official Committee of Tort Claimants Objection to Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief
56.	4/9/2024	1498	Objection of the Official Committee of Tort Claimants to Debtor's Motion for (I) Entry of an Order Amending Procedures for Interim Compensation and Reimbursement of Expenses for Professionals, and (II) Granting Related Relief and Cross Motion of the Official Committee of Tort Claimants for (I) Entry of an Order Amending Procedures for Interim Compensation and Reimbursement of Expenses for Professionals, and (II) Granting Related Relief
57.	4/10/2024	1501	Joinder to Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
58.	4/11/2024	1505	Order Denying Motion to Approve Settlement
59.	4/11/2024	1506	Order Denying Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case
60.	4/24/2024	1525	Joint Notice of Appeal

**B. Trial Exhibits**

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
61.	3/1/24	1410-1	Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement By and Among the Debtor, the UCC, and the Parties to the Settlement



Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			Agreement and (II) Granting Related Relief [Dkt. No. 1259]
62.	3/1/24	1410-2	Settlement Agreement, dated January 15, 2024 [Dkt. No. 1259, pp. 37-47]
63.	3/1/24	1410-3	Voluntary Chapter 11 Petition [Dkt. No. 1]
64.	3/1/24	1410-5	KCC Claim No. 614 of St. Lukes Health System, Ltd. and St. Lukes Regional Medical Center, Ltd.
65.	3/1/24	1410-10	Debtor's Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Dkt. No. 185]
66.	3/1/24	1410-12	Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Dkt. No. 243]
67.	3/1/24	1410-18	Second Amended Disclosure Statement Regarding Debtor and Official Committee of Unsecured Creditors' Second Amended Joint Chapter 11 Plan [Dkt. No. 1071]
68.	3/1/24	1410-36	Declaration of Bradley E. Henn, Senior Managing Director of Valuation & Financial Advisory Services for FTI Consulting, Inc., an affiliate of FTI Capital Advisors, LLC, dated February 26, 2024
69.	3/1/24	1410-44	Notice of Service of Subpoena to M2 LoanCo, LLC [Dkt. No. 269]
70.	3/1/24	1410-45	Notice of Bankruptcy Rule 2004 Request for Production of Documents from YesCare Corp. [Dkt. No. 377]

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
71.	3/1/24	1410-46	Notice of Service of Subpoena to M2 EquityCo, LLC [Dkt. No. 399]
72.	3/1/24	1410-47	Notice of Service of Subpoena to M2 HoldCo, LLC [Dkt. No. 400]
73.	3/1/24	1410-48	Notice of Service of Subpoena to Geneva Consulting, LLC [Dkt. No. 401]
74.	3/1/24	1410-49	Notice of Bankruptcy Rule 2004 Request for Production of Documents from FlagStar Bank, N.A. [Dkt. No. 412]
75.	3/1/24	1410-50	Notice of Service of Subpoena to the Curators of the University of Missouri [Dkt. No. 522]
76.	3/1/24	1410-51	Notice of Service of Subpoena to FTI Capital Advisors, LLC [Dkt. No. 525]
77.	3/1/24	1410-52	Notice of Service of Subpoena to YesCare Corp. [Dkt. No. 537]
78.	3/1/24	1410-53	Notice of Service of Subpoena to Sigma RM, LLC d/b/a Sigma Risk Management, LLC [Dkt. No. 619]
79.	3/1/24	1410-54	Notice of Bankruptcy Rule 2004 Request for Production of Documents from Geneva Consulting LLC [Dkt. No. 621]
80.	3/1/24	1410-55	Notice of Service of Subpoena to Perigrove 1018, LLC [Dkt. No. 692]
81.	3/1/24	1410-56	Notice of Service of Subpoena to Cortland Capital Market Services, LLC [Dkt. No. 693]
82.	3/1/24	1410-57	Notice of Service of Subpoena to Flacks Group, LLC [Dkt. No. 694]
83.	3/1/24	1410-58	Notice of Service of Subpoena to PharmaCorr, LLC [Dkt. No. 735]
84.	3/1/24	1410-59	Notice of the Official Committee of Unsecured Creditors' for Rule 2004 Examination of Corporate Representative of Perigrove 1018, LLC [Dkt. No. 851]
85.	3/1/24	1410-60	Notice of the Official Committee of Unsecured Creditors' for Rule 2004 Examination of Corporate Representative PharmaCorr, LLC [Dkt. No. 852]
86.	3/1/24	1410-61	Notice of the Official Committee of Unsecured Creditors' for Rule 2004 Examination of Corporate Representative Geneva Consulting, LLC [Dkt. No. 853]

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
87.	3/1/24	1410-63	E-mail, December 28, 2023, from L. Webb to M. Atkinson et al.
88.	3/1/24	1428-133	Barton Exhibit 9 – Official Committee of Unsecured Creditors’ Answers to Official Committee of Tort Claimants’ Interrogatories Concerning the Rule 9019 Motion [TCC 132]
89.	3/1/24	1428-137	Barton Exhibit 13 – Official Committee of Unsecured Creditors’ Responses to Official Committee of Tort Claimants’ Requests for Admission Concerning the Rule 9019 Motion [TCC 136]
90.	3/1/24	1428-174	Perry Exhibit 23 – Tehum Care Services, Inc. Proof of Claim Form [TCC 173]
91.	3/1/24	1428-331	[Dkt. No. 1386-13] January 2, 2024 Email from M. Atkinson to Debtor’s Counsel, Ex. M to TCC’s Objection to 9019 Motion. [TCC 330]
92.	3/1/24	1428-332	[Dkt. No. 1386-14] January 2, 2024 Email from Debtor’s Counsel to M. Atkinson, Ex. N to TCC’s Objection to 9019 Motion. [TCC 331]
93.	3/1/24	1428-142	Barton Exhibit 18 – May 1, 2022 Letter from FTI Capital Advisors, LLC to Corizon Health’s Board of Directors [TCC 141]
94.	3/5/24	1410-13	Second Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Dkt. No. 476]
95.	3/5/24	1410-14	Third Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Dkt. No. 579]

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
96.	3/5/24	1410-15	Fourth Interim Order (I) Authorizing the Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [Dkt. No. 993]
97.	3/5/24	1410-16	Motion for Entry of Fifth Interim DIP Order (I) Authorizing Debtor to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (III) Modifying the Automatic Stay and (IV) Granting Related Relief [Dkt. No. 1258]
98.	3/5/24	1410-22	Second Amended Schedules of Assets and Liabilities [Dkt. No. 810]
99.	3/5/24	1428-100	Declaration of Russell A. Perry in Support of Debtor's Complaint for Declaratory and Injunctive Relief and Related Motion (Filed by Tehum Care Services, Inc.) [TCC 99]
100.	3/5/24	1410-42	KCC Claim No. 589 of M2 LoanCo, LLC
101.	3/25/24	1410-43	KCC Claim No. 572 of Geneva Consulting, LLC
102.	3/25/24	1428-117	Isaac Lefkowitz Exhibit 6 – Letter Re: October 24, 2023 Letter to YesCare Corporation and Tehum Care Services, Inc. [TCC 116]
103.	3/27/2024	1428-133	Barton Exhibit 9 – Official Committee of Unsecured Creditors' Answers to Official Committee of Tort Claimants' Interrogatories Concerning the Rule 9019 Motion [TCC 132]
104.	3/27/2024	1428-134	Barton Exhibit 10 – Official Committee of Unsecured Creditors' Answers to Official Committee of Tort Claimants' Second Set of Interrogatories Concerning the Rule 9019 Motion [TCC 133]
105.	3/27/2024	1428-137	Barton Exhibit 13 – Official Committee of Unsecured Creditors' Responses to Official Committee of Tort Claimants'

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			Requests for Admission Concerning the Rule 9019 Motion [TCC 136]
106.	3/27/2024	1428-138	Barton Exhibit 14 – Official Committee of Unsecured Creditors’ Responses to Official Committee of Tort Claimants’ Second Set of Requests for Admission Concerning the Rule 9019 Motion [TCC 137]
107.	3/27/2024	1428-144	Barton Exhibit 20 – Notice of Service of Subpoena to YesCare Corp. [TCC 143]
108.	3/27/2024	1428-157	Perry Exhibit 6 – Debtor’s Responses to the Official Committee of Tort Claimants’ Second Set of Requests for Admission Concerning the Rule 9019 Motion [TCC 156]
109.	3/27/2024	1428-160	Perry Exhibit 9 – Debtor’s Responses to the Official Committee of Tort Claimants’ Interrogatories Concerning the Rule 9019 Motion [TCC 159]
110.	3/27/2024	1428-161	Perry Exhibit 10 – Verification of Interrogatory Answers [TCC 160]
111.	3/27/2024	1428-162	Perry Exhibit 11 – Debtor’s Responses to the Official Committee of Tort Claimants’ Second Set of Interrogatories Concerning the Rule 9019 Motion [TCC 161]
112.	3/27/2024	1428-165	Perry Exhibit 14 – Debtor’s Responses to the Official Committee of Tort Claimants’ Requests for Admission Concerning the Rule 9019 Motion [TCC 164]
113.	3/27/2024	1428-185	Debtor’s Responses to TCC’s 1st Set of RFA Concerning the Rule 9019 Motion [TCC 184]
114.	3/27/2024	1428-186	UCC Responses to Tort Claimants Second RFA Concerning the Rule 9019 Motion [TCC 185]
115.	3/27/2024	1428-187	UCC Resp to Tort Claimants RFA(187094252.1) Concerning the Rule 9019 Motion [TCC 186]
116.	3/27/2024	1428-188	Debtor’s Responses to TCC’s 2nd Set of RFA Concerning the Rule 9019 Motion [TCC 187]
117.	3/27/2024	1428-207	Official Committee of Unsecured Creditors’ Answers to Official Committee of Tort Claimants’ Second Set of

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			Interrogatories Concerning the Rule 9019 Motion [TCC 206]
118.	3/27/2024	1428-208	Debtor's Responses to the Official Committee of Tort Claimants' Interrogatories Concerning the Rule 9019 Motion [TCC 207]
119.	3/27/2024	1428-209	Debtor's Responses to the Official Committee of Tort Claimants' Second Set of Interrogatories Concerning the Rule 9019 Motion [TCC 208]
120.	3/27/2024	1428-210	Official Committee of Unsecured Creditors' Answers to Official Committee of Tort Claimants' Interrogatories Concerning the Rule 9019 Motion [TCC 209]
121.	3/27/2024	1428-211	Verification of Interrogatory Answers [TCC 210]
122.	3/27/2024	1428-230	Letter dated November 15, 2023 from Gray Reed on behalf of Tehum Care Services, Inc. re: October 24, 2023 Letter to YesCare Corp. and Tehum Care Services, Inc. [TCC 229]

### C. Docket Entries Under Seal<sup>2</sup>

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
123.	1/18/2024	1270	Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case [Filed Under Seal]
124.	2/23/2024	1384	Objection of the Official Committee of Tort Claimants to Joint Motion for Entry of an Order (I) Authorizing and Approving the Settlement by and Among the Debtor, the UCC, and the Parties to the Settlement Agreement and (II) Granting Related Relief [Filed Under Seal]

<sup>2</sup> These filings have been sealed pursuant to *Stipulation and Agreed Confidentiality and Protective Order Regarding Production of Documents* [Dkt. No. 1186]. Therefore, pursuant to Bankruptcy Rule 8009(f) the TCC will file a motion with the United States District Court for the Southern District of Texas requesting the Court to accept the documents under seal.

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
125.	2/27/2024	1401	The Official Committee of Tort Claimants Motion to Compel, or in the Alternative, Motion in Limine to Preclude the Debtor and the Official Committee of Unsecured Creditors from Offering Certain Evidence at the Hearing on the Rule 9019 Motion and the Motion to Dismiss [Filed Under Seal]
126.	2/27/2024	1403	Reply in Support of Motion of the Official Committee of Tort Claimants and Certain Tort Claimants for Structured Dismissal of Chapter 11 Case [Filed Under Seal]
127.	2/29/2024	1422	The Official Committee of Tort Claimants Reply in Support of Motion to Compel, or in the Alternative, Motion in Limine to Preclude the Debtor and the Official Committee of Unsecured Creditors from Offering Certain Evidence at the Hearing on the Rule 9019 Motion and the Motion to Dismiss [Filed Under Seal]

#### D. Trial Exhibits Under Seal<sup>3</sup>

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
128.	3/1/24	1413-25	Summary of Personal Injury Claims [DEBTOR624837]
129.	3/1/24	1413-26	Summary of 10 Year Historical Closed Claims Payment History [DEBTOR623238]
130.	3/1/24	1413-27	Audited Consolidated Financial Statements of Valitás Health Services, Inc. and Subsidiaries 2017-2018
131.	3/1/24	1413-28	Audited Consolidated Financial Statements of Valitás Health Services, Inc. and Subsidiaries 2018-2019

<sup>3</sup> These trial exhibits have been sealed pursuant to *Stipulation and Agreed Confidentiality and Protective Order Regarding Production of Documents* [Dkt. No. 1186]. Therefore, pursuant to Bankruptcy Rule 8009(f) the TCC will file a motion with the United States District Court for the Southern District of Texas requesting the Court to accept the documents under seal.

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
132.	3/1/24	1413-31	Unaudited Financial Statements of Valitás Health Services, Inc. and Subsidiaries 2020-2022
133.	3/1/24	1413-34	FTI Capital Advisors, Fairness Analysis Pertaining to the Proposed Transaction, dated May 1, 2022
134.	3/1/24	1413-35	FTI Capital Advisors, Enterprise Valuation as of December 31, 2021
135.	3/1/24	1413-37	E-mail, December 1, 2021, from C. Gassenheimer to I. Lefkowitz et al.
136.	3/1/24	1413-39	Statement Signature Bank Account XXXXXX9087 (Corizon LLC)
137.	3/1/24	1413-40	Statement Signature Bank Account XXXXXX9680 (Corizon Health Inc.)
138.	3/1/24	1413-41	Consulting Agreement, Dated December 6, 2021
139.	3/1/24	1429-48	[DEBTOR002981] - Project Orange Presentation [TCC 288]
140.	3/1/24	1429-67	[Dkt. No. 1384-12] Declaration of Bradley E. Henn and Exhibits [Filed Under Seal] [TCC 329]
141.	3/1/24	1429-2	Isaac Lefkowitz Exhibit 5 – Project Orange Presentation DEBTOR002981 [TCC 115]
142.	3/1/24	1429-8	Dundon Exhibit 4 - Project Orange Presentation - DEBTOR002981 [TCC 148]
143.	3/1/24	1429-12	Perry Exhibit 20 – Corizon Health, Inc. Fairness Analysis Pertaining to the Proposed Transaction May 1, 2022 PowerPoint Slides [TCC 170]
144.	3/1/24	1429-33	FTI Fairness Opinion [DEBTOR002239] [TCC 252]
145.	3/1/24	1429-70	Email from I. Lefkowitz to S. King and J. Sholey re: Brian Perry Settlement DEBTOR143339 [TCC 342]
146.	3/1/24	1429-72	DEBTOR114969 – YesCare Corp. Rule 30(b)(6) Witness James Sprouse – Exhibit 7 [TCC 350]
147.	3/5/24	1413-8	Corizon Contracts Terminated in 6 Years Prior to 2/13/2023
148.	3/5/24	1413-9	Summary of Revenue Growth (Loss) By Terminated Contracts 2016– 2022



Item	Date Filed / Entered	Bankr. Dkt. No.	Description
			[DEBTOR624814, DEBTOR624815, DEBTOR624827]
149.	3/5/24	1413-18	Valitas Healthcare Services, Inc. Detailed Trial Balance dated 6/22/2022 (Native Excel File) [DEBTOR017714]
150.	3/27/2024	1429-71	Deposition Transcript of YesCare Rule 30(b)(6) Representative James Sprouse – per designations admitted into evidence on March 27, 2024 reflected in Dkt. No. 1428 listed designations [TCC 343]
151.	3/27/2024	1429-18	Email from Bartoli, Tracy to Dorris, Anita - March 8, 2022 [DEBTOR115607] [TCC 238]
152.	3/27/2024	1429-19	Email from Bartoli, Tracy to King, Scott - April 6, 2022 [DEBTOR12279] [TCC 239]
153.	3/27/2024	Entered as TCC 239a via flash drive	Native Attachment to Email from Bartoli, Tracy to King, Scott - April 6, 2022 [DEBTOR12279] [TCC 239a]
154.	3/27/2024	1429-20	Email from Bartoli, Tracy to Rice, Michelle - April 13, 2022 [DEBTOR124709] [TCC 240]
155.	3/27/2024	Entered as TCC 240a via flash drive	Native Attachment to Email from Bartoli, Tracy to Rice, Michelle - April 13, 2022 [DEBTOR124709] [TCC 240a]
156.	3/27/2024	1429-21	Email from Bell, Dana to Bell, Christopher; Tomlin, Steve; Kincaid, Kacy; Murphy, Michael; Alsup, Thomas - August 5, 2021 [DEBTOR404323] [TCC 241]
157.	3/27/2024	1429-24	Atkinson Declaration - Email from King, Scott to Finger, Jennifer - February 11, 2022 [DEBTOR138470] [TCC 243]
158.	3/27/2024	1429-25	Atkinson Declaration - Email from King, Scott to Patel, Maya; Finger, Jennifer; Bartoli, Tracy - April 11, 2022 [DEBTOR124116] [TCC 244]
159.	3/27/2024	1429-26	Email from King, Scott to Reed, Glennis - February 11, 2022 [DEBTOR138440] [TCC 245]
160.	3/27/2024	1429-27	Email from Lefkowitz, Isaac to Bartoli, Tracy - February 25, 2022 [DEBTOR113277] [TCC 246]

Item	Date Filed / Entered	Bankr. Dkt. No.	Description
161.	3/27/2024	1429-28	Email from Rawnsley, Holly to Tirschwell, Sara; Murphy, Michael; King, Scott; Sholey, Jeff; Finger, Jennifer; Lefkowitz, Isaac [DEBTOR445128] [TCC 247]
162.	3/27/2024	1429-29	Email from Rawnsley, Holly to Tirschwell, Sara; Tomlin Steve; Stagner, Julia; King; Scott; Lefkowitz, Isaac; Sholey, Jeff; Finger, Jennifer; Murphy, Michael - March 15, 2022 [DEBTOR442905] [TCC 248]
163.	3/27/2024	1429-30	Email from Reed, Glennis to Rawnsley, Holly; Patel; Maya; King, Scott; Bell, Dana - February 28, 2022 [DEBTOR140775] [TCC 249]
164.	3/27/2024	1429-31	Email from Thomas, Tamara to Bell, Dana - April 14, 2022 [DEBTOR452048] [TCC 250]
165.	3/27/2024	1429-32	Email from Tirschwell, Sara to King, Scott; Rawnsley, Holly - February 11, 2022 [DEBTOR138357] [TCC 251]
166.	3/27/2024	1429-53	Letter re: Arizona Request for Proposal [DEBTOR445130] [TCC 308]
167.	3/27/2024	1429-54	Email from Rawnsley, Holly to Reed, Glennis and King, Scott - February 11, 2022 [DEBTOR138371] [TCC 309]
168.	3/27/2024	1429-55	Email from Rawnsley, Holly to King, Scott – February 11, 2022 [DEBTOR138323] [TCC 310]
169.	3/27/2024	1429-56	Email from Lefkowitz, Isaac to Bartoli, Tracy – February 25, 2022 [DEBTOR115609] [TCC 311]
170.	3/27/2024	1429-57	Letter re: Arizona Request for Proposal [DEBTOR442906] [TCC 312]
171.	3/27/2024	1429-58	Email from Rawnsley, Holly to Sholey, Jeff, King, Scott, et al. – March 16, 2022 [DEBTOR443542] [TCC 313]
172.	3/27/2024	1429-59	Email from Reed, Glennis to Rawnsley, Holly and Bell, Dana – March 15, 2022 [DEBTOR443057] [TCC 314]
173.	3/27/2024	1429-60	Email from Rawnsley, Holly to Patel, Maya; King, Scott; Bell, Dana – February 28, 2022 [DEBTOR140736] [TCC 315]

**E. Transcripts**

<b>Item</b>	<b>Date</b>	<b>Description</b>
174.	12/6/2023	Hearing Transcript
175.	12/18/2023	Hearing Transcript
176.	1/16/2024	Hearing Transcript
177.	1/31/2024	Hearing Transcript
178.	2/2/2024	Hearing Transcript
179.	2/5/2024	Hearing Transcript
180.	3/1/2024	Trial Transcript
181.	3/5/2024	Trial Transcript
182.	3/25/2024	Trial Transcript
183.	3/27/2024	Trial Transcript
184.	4/11/2024	Trial Transcript

**CERTIFICATION PURSUANT TO BANKRUPTCY RULE 8009(b)**

Appellants respectfully certify that they are not ordering any new transcripts, as the relevant transcripts have already been transcribed or a request that they be transcribed has already been made.

Dated: May 7, 2024  
New York, New York

/s/ Eric R. Goodman

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