

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

In re:

TEHUM CARE SERVICES, INC.¹

Debtor.

Chapter 11

Case No. 23-90086 (CML)

**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
MOLOLAMKEN LLP AS SPECIAL APPELLATE COUNSEL FOR THE TCC OF
TORT CLAIMANTS *NUNC PRO TUNC* TO APRIL 15, 2024**

This matter having been brought before the Court by the TCC of Tort Claimants (the “TCC”) in the above-captioned case, upon application (the “Application”)² for entry of an order (this “Order”) pursuant to Section 1103(a) of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 2014(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Local Bankruptcy Rules of the United States Bankruptcy Court for the Southern District of Texas 2014-1 (the “Local Rules”), authorizing the employment and retention of MoloLamken LLP (“MoloLamken”) as special appellate counsel for the TCC, as of April 15, 2024; and the Court having jurisdiction to consider the Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and the consideration of the Application and the relief requested therein being a core proceeding in accordance with 28 U.S.C. § 157(b); and the Court having considered the Application, the accompanying declarations of Jeffrey A. Lamken, Paris Morgan, and Nathan Alvarez in support of the Application, and all responses or objections to the

¹ 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.

² Any terms not defined herein shall have the meanings ascribed to them in the Application.



Application; and the Court being satisfied that MoloLamken is a disinterested person and does not hold or represent an interest adverse to the Debtor's estates with respect to any of the matters for which MoloLamken is to be engaged; and the Court finding that the employment of MoloLamken is necessary to the performance of the TCC's duties; and notice of this Order having been given to all parties entitled to receive notice; and it appearing that no other notice need be given; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED, that the Application is approved, as set forth herein; and it is further

ORDERED, that pursuant to Bankruptcy Code Sections 328 and 1103(a), the TCC is authorized to employ and retain MoloLamken as its special appellate counsel as of April 15, 2024; and it is further

ORDERED, that MoloLamken shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with the Debtor's chapter 11 case in compliance with Bankruptcy Code Sections 330 and 331 and applicable provisions of the Bankruptcy Rules, the Local Rules, the U.S. Trustee Guidelines and any other applicable procedures and orders of the Court; both in connection with the Application and the interim and final fee applications to be filed by MoloLamken in this chapter 11 case. MoloLamken shall not seek reimbursement from the Debtor's estates for any fees incurred in defending any of MoloLamken's fee applications in this bankruptcy case. For billing purposes, MoloLamken shall keep its time in one tenth (1/10) hour increments in accordance with the U.S. Trustee Guidelines. All billing records filed in support of fee applications will use an open and searchable LEDES or other electronic data format. Billing records will use the U.S. Trustee's standard project categories; and it is further

ORDERED, that MoloLamken shall use its reasonable efforts to avoid any duplication of services provided by any of the TCC's other retained professionals in this chapter 11 case; and it is further

ORDERED, that MoloLamken shall be considered a "Professional Person" for purposes of the Final DIP Order; and it is further

ORDERED that the terms and conditions of this Order shall be immediately effective and enforceable upon its entry, notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062 or 9014; and it is further

ORDERED that to the extent that there may be any inconsistency between the terms of the Application, any of the supporting Declarations, and this Order, the terms of this Order shall govern; and it is further

ORDERED that notice of the Application satisfies the requirements of Bankruptcy Rule 6004(a); and it is further

ORDERED that the TCC is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Application; and it is further

ORDERED that the terms and conditions of this Order shall be immediately effective and enforceable upon its entry; and it is further

ORDERED, that this Court shall retain jurisdiction with respect to any matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: _____, 2024
Houston, Texas

The Honorable Christopher M. Lopez
United States Bankruptcy Judge