

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

In re:)	
)	Chapter 11
TEHUM CARE SERVICES, INC.,)	
)	Case No. 23-90086 (CML)
Debtor. ¹)	
)	

**CERTIFICATE OF NO OBJECTION TO THE APPLICATION
OF BERRY RIDDELL LLC FOR COMPENSATION FOR SERVICES RENDERED
AND FOR REIMBURSEMENT OF EXPENSES INCURRED AS CO-COUNSEL
TO THE OFFICAL COMMITTEE OF TORT CLAIMANTS FOR THE
PERIOD FROM NOVEMBER 22, 2023, THROUGH JUNE 30, 2024**

Pursuant to the *Procedures for Complex Chapter 11 Cases in the Southern District of Texas*, the undersigned counsel to the Official Tort Claimants’ Committee (the “TCC”) of the above-captioned debtor and debtor in possession certifies as follows:

1. On July 24, 2024, Berry Riddell LLC (“**Berry Riddell**”) filed its First Interim Fee Application of Berry Riddell LLC for Compensation for Services Rendered and for Reimbursement of Expenses Incurred as Co-Counsel to the Official Committee of Tort Claimants for the Period from November 22, 2023, through June 30, 2024 [Dkt. No. 1629] (the “**Application**”).

2. On July 24, 2024, Berry Riddell also filed the proposed Order Granting First Interim Fee Application of Berry Riddell LLC for Compensation for Services Rendered and for Reimbursement of Expenses Incurred as Co-Counsel to the Official Committee of Tort Claimants for the Period from November 22, 2023, through June 30, 2024 [Dkt. No. 1630] (the “**Initial Proposed Order**”).

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.



3. The Application and Initial Proposed Order were electronically filed with the Court using the CM/ECF system, which served notification to all parties of interest authorized to receive electronic notice in this case. *See* Dkt. No. 1629 and 1630, respectively.

4. The deadline for parties to file responses to the Application was August 14, 2024 (the “**Objection Deadline**”). No responses to the Application were filed on the docket on or before the Objection Deadline. Additionally, Berry Riddell has not received any informal responses to the Application providing a basis as to why the Application should not be granted.

5. While Berry Riddell received no objections to Initial Proposed Order, it removed the provision from Paragraph 2 *directing* the Debtor to remit disbursements to Berry Riddell within three (3) business days. Paragraph 1 of the Proposed Order still provides for the *allowance* of Berry Riddell’s fees and expenses on an interim basis. And Paragraph 2 of the Proposed Order still *authorizes* the Debtor to disburse payment to Berry Riddell. Under the circumstances, Berry Riddell submits that these changes are not material.

6. Berry Riddell hereby submits as **Exhibit A** the revised proposed Order including these changes (the “**Order**”).

7. Based on the foregoing, Berry Riddell requests that the Court enter the Order attached hereto as **Exhibit A** at the earliest convenience for the Court.

Dated this 10th day of September, 2024.

/s/ Michael W. Zimmerman
Michael W. Zimmerman
BERRY RIDDELL LLC
6750 E. Camelback Road, Suite 100
Scottsdale, AZ 85251
(480) 385-2727
mz@berryriddell.com
*Co-Lead Counsel to the Tort
Claimants’ Committee*

CERTIFICATE OF SERVICE

I, Michael W. Zimmerman, hereby certify that on September 10, 2024, I caused a true and correct copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on all parties authorized to receive electronic notice in this case.

/s/ Michael W. Zimmerman
Michael W. Zimmerman

EXHIBIT A

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

In re:

TEHUM CARE SERVICES, INC.,¹

Debtor.

Chapter 11

Case No. 23-90086 (CML)

Re: Docket No. 1629

**ORDER GRANTING FIRST INTERIM FEE APPLICATION OF BERRY
RIDDELL LLC FOR COMPENSATION FOR SERVICES RENDERED
AND FOR REIMBURSEMENT OF EXPENSES INCURRED AS
CO-COUNSEL TO THE OFFICIAL COMMITTEE OF TORT CLAIMANTS
FOR THE PERIOD FROM NOVEMBER 22, 2023, THROUGH JUNE 30, 2024**

The Court has considered the *First Interim Fee Application of Berry Riddell LLC for Compensation for Services Rendered and for Reimbursement of Expenses Incurred as Co-Counsel to the Official Committee of Tort Claimants for the Period from November 22, 2023 through June 30, 2024* (Dkt. No. 1629) (the “Application”) filed by Berry Riddell LLC (the “Applicant”). The Court hereby orders that:

1. The Applicant is allowed interim compensation and reimbursement of expenses in the amount of \$238,746.88 for the period November 22, 2023 through June 30, 2024.
2. The Debtor is authorized to disburse any unpaid amounts allowed by Paragraph 1 of this Order.

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.

3. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon entry.

4. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

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

Signed: _____, 2024

Christopher Lopez
United States Bankruptcy Judge