

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

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In re:	§	Chapter 11
	§	
TEHUM CARE SERVICES, INC.,	§	Case No. 23-90086 (CML)
	§	
Debtor.	§	
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**CERTIFICATE OF NO OBJECTION TO THE APPLICATION FOR ORDER
AUTHORIZING THE EMPLOYMENT AND RETENTION OF GILBERT LLP AS
SPECIAL INSURANCE COUNSEL FOR THE OFFICIAL TORT CLAIMANTS’
COMMITTEE *NUNC PRO TUNC* TO JULY 18, 2024**

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

1. On July 23, 2024, the Official Tort Claimants’ Committee (“TCC”) filed its Application for Order Authorizing the Employment and Retention of Gilbert LLP as Special Insurance Counsel for the Official Tort Claimants’ Committee *Nunc Pro Tunc* to July 18, 2024, and supporting declarations of Paris Morgan and Nathan Alvarez. Dkt. 1623 (the “Application”).

2. On July 23, 2024, the TCC also filed the proposed Order Authorizing the Employment and Retention of Gilbert LLP as Special Insurance Counsel for the Official Tort Claimants’ Committee *Nunc Pro Tunc* to July 18, 2024. Dkt. 1624 (the “Order”).

3. The Application and 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. Nos. 1623, 1624.

4. The deadline for parties to file responses to the Application was August 13, 2024



(the “Objection Deadline”). No responses to the Application were filed on the docket on or before the Objection Deadline. Additionally, neither the TCC nor below-signed counsel received any informal responses to the Application.

5. Accordingly, the TCC requests that the Court enter the Order attached hereto at the earliest convenience for the Court.

Dated: September 10, 2024

/s/ Eric R. Goodman

David J. Molton

Eric R. Goodman

Gerard T. Cicero

Seven Times Square

New York, NY 10036

Telephone: (212) 209-4800

Email: dmolton@brownrudnick.com

Email: egoodman@brownrudnick.com

Email: gicicero@brownrudnick.com

*Co-counsel to the Official Committee of
Tort Claimants’*

CERTIFICATE OF SERVICE

I, Eric R, Goodman, hereby certify that on September 10, 2024, caused a 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 to all parties authorized to receive electronic notice in this case.

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

<p>In re:</p> <p>TEHUM CARE SERVICES, INC.,¹</p> <p style="text-align: center;">Debtor.</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>Chapter 11</p> <p>Case No. 23-90086 (CML)</p>
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**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF GILBERT LLP
AS SPECIAL INSURANCE COUNSEL FOR THE OFFICIAL TORT CLAIMANTS’
COMMITTEE NUNC PRO TUNC TO JULY 18, 2024**

This matter having been brought before the Court by the Official Tort Claimants’ Committee (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 (“BLR”), authorizing the employment and retention of Gilbert LLP (“Gilbert”) as special insurance counsel for the TCC, as of July 18, 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 Kami E. Quinn in support of the Application, and all responses or objections to the Application; and the Court being satisfied that Gilbert is a disinterested person, and does not hold or represent an interest adverse to

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.

the Debtor's estates with respect to any of the matters for which Gilbert is to be engaged; and the Court finding that the employment of Gilbert 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 Gilbert as its special insurance counsel as of July 18, 2024; and it is further,

ORDERED, that Gilbert 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, BLR, 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 Gilbert in this Chapter 11 case. Gilbert shall not seek reimbursement from the Debtor's estates for any fees incurred in defending any of Gilbert's fee applications in this bankruptcy case. For billing purposes, Gilbert 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 Gilbert 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 Gilbert 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, the Quinn Declaration, 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: September __, 2024
Houston, Texas

The Honorable Christopher M. Lopez
United States Bankruptcy Judge