

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

NOV 13 2025

Nathan Ochsner, Clerk of Court

IN RE:

Chapter 11

TEHUM CARE SERVICES, INC.,

Case No. 23-90086 (CML)

Debtor.

CREDITOR ARDRA YOUNG'S EMERGENCY MOTION FOR AN
ORDER DIRECTING TEHUM CARE SERVICES, INC. TO
PROVIDE HIM WITH THE MEANS TO PARTICIPATE
IN THE SETTLEMENT AGREEMENT

Ardra Young ("Creditor") hereby moves this Honorable Court to issue an Emergency Order directing Tehum Care Services, Inc. ("Debtor") and/or its Solicitation Agent to provide him with the means to participate in the settlement agreement that has been incorporated into the confirmed Joint Chapter 11 Plan ("the Plan").

I. Background

On September 26, 2025, the Honorable Gershwin A. Drain of the United States District Court for the Eastern District of Michigan, Southern Division, issued a Third Amended Scheduling Order in the matter of Ardra Young v Rosilyn Jindal, Case No. 2:21-cv-12170, which established January 13, 2026 and January 27, 2026 for the final pretrial conference and jury trial, respectively. ECF 155, PageID.1768. Rosilyn Jindal is the defendant in the above-referenced case and one of the released parties in the bankruptcy proceedings before this Court.



On October 16, 2025, this Creditor filed a Motion to Modify the Amended Scheduling Order on the grounds that he was awaiting this Court's decision with respect to YesCare's omnibus motion to have the plaintiff's enjoined from prosecuting their cases against the released parties. On October 30, 2025, this Court issued its Second Decision and Order ("Second Decision") and determined that the Opt-Out Release Form intended for this Creditor was sent to the Gus Harrison Correctional Facility located in Adrian, Michigan. However, this Creditor has been continuously housed at the Richard A. Handlon Correctional Facility in Ionia, Michigan *since November 15, 2022*, and because he "was served at the wrong address," this Court held that he "is not bound by the consensual third-party releases under the Plan." Second Order, at pp 12-13.

On October 31, 2025, Judge Drain granted in part this Creditor's motion to modify the scheduling order. ECF Nos. 162 & 163. Both orders, however, maintain the *same dates* for the pretrial conference and the commencement of the jury trial as does the initial amended scheduling order. See ECF No. 162, PageID.1814; ECF No. 163, PageID.1817.


II. The necessity for this emergency motion

Since this Creditor is not bound by the third-party consensual releases in this matter, he is entitled to participate in the settlement agreement, and it is imperative that he be immediately provided the means to do so, for, as previously explained, Judge Drain is pressing for the jury trial to commence in less than 90 days. This Creditor therefore requests this Court to issue an Order directing Debtor to immediately provide him with what is necessary to participate in the settlement agreement.

III. Relief Requested

WHEREFORE, on the basis of the foregoing, creditor Ardra Young prays that this Honorable Court will issue an Order directing Tehum Care Services, Inc. and/or its Solicitation Agent to provide him with all papers and forms necessary to participate in the Settlement Agreement incorporated into the confirmed Joint Chapter 11 Plan in this matter via certified mail within five business days after issuance of said Order.

Respectfully submitted,

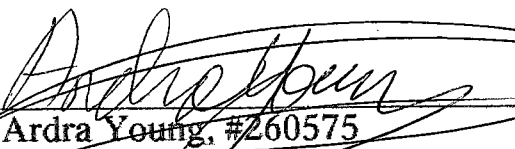


Ardra Young, #260575
Richard A. Handlon Correctional Facility
1728 Bluewater Highway
Ionia, Michigan 48846

Proof of Service

I, Ardra Young, do hereby certify that on even date with filing of same in this Court, I sent the Debtor in the above-captioned cause a copy of the instant motion via pre-franked first-class mail.

I further certify that a copy of same was evenly forwarded to the Honorable Gershwin A. Drain of the United States District Court for the Eastern District of Michigan, Southern Division.



Ardra Young, #260575
Richard A. Handlon Correctional Facility
1728 Bluewater Highway
Ionia, Michigan 48846