Docket #1805 Date Filed: 10/19/2026

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

In re:	Chapter 11	
MODIVCARE, INC., *et al.*, Debtors.	Case No. 25-90309	
V.		
Frances Douglas.		
Unsecured Creditor		

United States Courts
Southern District of Texas
FILED
OCT 19 2026
Nathan Ochsner, Clerk of Court

MOTION TO LIFT THE AUTOMATIC STAY
OR, IN THE ALTERNATIVE, TO MODIFY OR WAIVE THE STAY
TO PERMIT CONTINUATION OF PENDING FEDERAL CIVIL ACTION

Movant Frances Douglas ("Douglas"), appearing pro se, respectfully moves this Court pursuant to 11 U.S.C. § 362(d)(1) and Federal Rule of Bankruptcy Procedure 4001 for an Order LIFTING the automatic stay so that she may continue prosecuting Frances Douglas v. ModivCare Solutions, LLC, Civil Action No. 7:25-cv-02319-BHH-WSB, pending in the United States District Court for the District of South Carolina. In the alternative, Douglas asks the Court to modify or waive the stay to the extent necessary to permit the action to proceed through determination of liability, damages, final judgment, and any appeal. Douglas does not seek, through this Motion, authority to execute upon or collect a judgment from property of the bankruptcy estate without further authority. In support, Douglas states as follows:

FACTUAL AND PROCEDURAL BACKGROUND

1. Douglas commenced the underlying federal civil action on March 21, 2025 against ModivCare Solutions, LLC. An amended complaint was filed on April 11, 2025.

2. The underlying action concerns alleged failures in the provision of non-emergency medical transportation. Douglas alleges that ModivCare failed on numerous occasions to provide

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timely and reliable transportation to and from medical appointments, resulting in missed or disrupted medical care, transportation expenses, pain, inconvenience, and other damages.

3. The district-court record reflects service through the United States Marshals Service. Douglas thereafter sought default-related relief based upon her contention that Defendant failed to timely plead or otherwise defend.

4. Douglas understands that a bankruptcy filing involving ModivCare, Inc. and/or an affiliated ModivCare entity may invoke the automatic stay under 11 U.S.C. § 362(a). To avoid violating the stay, Douglas now affirmatively requests authority from this Court to continue the pending federal litigation.

5. Upon information and belief, the Bankruptcy Court has authorized ModivCare to continue operating as a debtor in possession (DIP). Douglas contends that, despite being permitted to continue operations, ModivCare failed to consistently perform the transportation obligations upon which Medicaid patients, including Douglas, depended.

6. Douglas alleges that ModivCare's transportation failures affected over 250 round trips associated with her medical care. She contends that she was required to obtain alternative transportation and pay substantial out-of-pocket transportation expenses because reliable contracted transportation was not provided.

7. Douglas further alleges that the transportation failures were not isolated. She contends that ModivCare unilaterally and abruptly abandoned or materially ceased performing transportation obligations before the expiration or lawful termination of the applicable contractual obligations, including stopping or materially failing to provide non-emergency medical transportation to Medicaid patients in a contracted state.

8. Douglas contends that such abrupt cessation or abandonment constituted a material breach because the alleged nonperformance went to the core purpose of the transportation

arrangement: providing eligible Medicaid patients with reliable transportation to and from medically necessary care. Douglas asks that the District Court be permitted to determine whether a contract was breached, whether any abandonment occurred, the scope of ModivCare's obligations, and the amount of any resulting damages.

9. Douglas further states that, during communications concerning the civil litigation, she had conversations with individuals representing themselves as attorneys or counsel connected with the matter. Douglas alleges that one or more individuals provided names or identifying information that she later had reason to believe were not their true names or identities.

10. Douglas states that these inconsistencies caused confusion and serious concern regarding the identity of the persons communicating with her, their authority to act or speak on behalf of the Defendant, and the reliability and authenticity of communications she received concerning the litigation.

11. Douglas further states that she possesses or is aware of a police report concerning alleged fraudulent conduct involving an individual she understands to be associated with counsel in this matter. Douglas raises the police report as an allegation and evidentiary matter; she does not ask this Bankruptcy Court, on this Motion alone, to make a finding that an attorney committed fraud or a criminal offense.

12. Rather, Douglas contends that the identity issues, communications, and police-report evidence should be capable of being presented to and evaluated by the District Court in the pending civil action, subject to the rules of evidence and procedure.

ARGUMENT

13. Section 362(d)(1) permits the Bankruptcy Court, on request of a party in interest and after notice and a hearing, to grant relief from the automatic stay for cause, including by terminating, annulling, modifying, or conditioning the stay.

14. Douglas respectfully submits that cause exists to lift the stay as to her pending civil action. The litigation was commenced before the bankruptcy filing, the District Court already has the pleadings and procedural history before it, and continuation in that forum would permit an orderly determination of the parties' rights and the amount, if any, of Douglas's claim.

15. Douglas also contends that the alleged continuing transportation failures, approximately 250 affected round trips, out-of-pocket expenses, alleged unilateral abandonment of transportation obligations, and unresolved issues concerning communications and identity provide additional reasons why the underlying dispute should be permitted to proceed to adjudication.

16. Lifting the stay for the limited purpose of continuing the lawsuit will not itself authorize Douglas to seize or collect estate property. The Court may expressly preserve the bankruptcy estate by permitting liquidation of the claim while requiring Douglas to return to this Court, use the bankruptcy claims process, or otherwise comply with bankruptcy law before attempting collection against estate property.

17. Allowing the District Court action to proceed will also reduce duplication and permit the court already handling the civil dispute to determine liability, contractual issues, damages, evidentiary questions, and other matters properly within that proceeding.

18. Accordingly, Douglas specifically requests that the automatic stay be LIFTED as to her pending federal civil action. In the alternative, if the Court concludes that complete lifting is unnecessary or inappropriate, Douglas asks that the stay be modified or waived to permit the same litigation activity.

19. To the extent the Court determines that the automatic stay does not apply to any particular party, claim, or litigation activity, Douglas alternatively asks the Court to confirm that determination so that the parties and the District Court have clear direction.

20. Douglas further requests that, if relief from stay is granted, the Court waive the fourteen-day stay applicable to an order granting relief from the automatic stay under Fed. R. Bankr. P. 4001(a)(4), so that the relief may become effective immediately upon entry.

WHEREFORE, Frances Douglas respectfully requests that this Court enter an Order:

1. LIFTING the automatic stay pursuant to 11 U.S.C. § 362(d)(1) as to Frances Douglas for the purpose of continuing Civil Action No. 7:25-cv-02319-BHH-WSB;

2. Authorizing the federal civil action to proceed through determination of liability and damages, entry of final judgment, and any appeal;

3. Providing that the stay relief permits liquidation and establishment of Douglas's claim but does not, without further authority, permit execution, levy, garnishment, collection, or enforcement against property of the Debtor or bankruptcy estate;

4. In the alternative, MODIFYING or WAIVING the stay to the extent necessary to permit the same litigation to proceed;

5. To the extent appropriate, confirming that the automatic stay is inapplicable to any claims, parties, or activities the Court determines are outside the scope of 11 U.S.C. § 362(a);

6. Waiving the fourteen-day stay under Fed. R. Bankr. P. 4001(a)(4), if appropriate; and

7. Granting such other and further relief as the Court deems just and proper.

Respectfully submitted,

Frances Douglas

Frances Douglas, Pro Se

P.O. Box 74

Startex, South Carolina 29377

Telephone: (864) 559-0421

Date: Oct. 15, 2026

CERTIFICATE OF SERVICE

I certify that on Oct 15, 2026, I served a true and correct copy of the foregoing Motion to Lift the Automatic Stay and Proposed Order upon the Debtor, Debtor's bankruptcy counsel, the United States Trustee, any appointed trustee, and all other parties entitled to notice under the Federal Rules of Bankruptcy Procedure and applicable Local Bankruptcy Rules, by a method permitted by those rules.

Frances Douglas

Frances Douglas

PROSE

U.S. District Court
District of South Carolina (Spartanburg)
CIVIL DOCKET FOR CASE #: 7:25-cv-02319-BHH-WSB

Douglas v. ModivCare Solutions, LLC
Assigned to: Honorable Bruce Howe Hendricks
Referred to: Magistrate Judge William S. Brown
Cause: 28:1391 Personal Injury

Date Filed: 03/21/2025
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: Federal Question

Plaintiff

Frances Douglas

represented by **Frances Douglas**
PO Box 74
Startex, SC 29377
PRO SE

V.

Defendant

ModivCare Solutions, LLC

represented by **Elizabeth Fulton Morrison**
Whelan Mellen and Norris LLC
89 Broad Street
Charleston, SC 29401
843-277-1151
Fax: 843-720-3458
Email: elizabeth@whelanmellen.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sarah Danielle Baum
Whelan Mellen and Norris LLC
89 Broad Street
Charleston, SC 29401
843-376-3701
Email: sarah@whelanmellen.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/21/2025	1	COMPLAINT against ModivCare Solutions, LLC, filed by Frances Douglas. Service due by 6/20/2025. (Attachments: # 1 Supporting Documents)(rweb,) (Entered: 03/21/2025)
03/21/2025	2	MOTION for Leave to Proceed in forma pauperis (Restricted Access) by Frances Douglas. Response to Motion due by 4/4/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6 or Fed. R. Crim. P. 45.

		No proposed order.Motions referred to William S. Brown.(rweb,) (Entered: 03/21/2025)
03/21/2025	4	Local Rule 26.01 Answers to Interrogatories by Frances Douglas.(rweb,) (Entered: 03/21/2025)
03/24/2025	8	**PROPER FORM ORDER. Case to be brought into proper form by 4/14/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6. Signed by Magistrate Judge William S. Brown on 3/24/25. (rweb,)** (Entered: 03/24/2025)
03/24/2025	9	**ORDER REGARDING AMENDMENT. Plaintiff's Complaint is subject to summary dismissal. Plaintiff may be able to cure the deficiencies of the Complaint by filing an amended complaint within twenty-one (21) days. If Plaintiff fails to file an amended complaint, this action will be recommended for summary dismissal. Case to be brought into proper form by 4/14/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6. Signed by Magistrate Judge William S. Brown on 3/24/25. (rweb,)** (Entered: 03/24/2025)
03/24/2025	10	**TEXT ORDER granting 2 Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge William S. Brown on 3/24/25.(rweb,)** (Entered: 03/24/2025)
03/24/2025	11	***DOCUMENT MAILED 9 Order Regarding Amendment, 8 Proper Form Order, 10 Text Order on Motion for Leave to Proceed in forma pauperis, summons, USM-285 and amended complaint formn placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 03/24/2025)
04/03/2025	13	***DOCUMENT RE-MAILED per 12 , 9 Order Regarding Amendment, 8 Proper Form Order, 10 Text Order on Motion for Leave to Proceed in forma pauperis, summons, USM-285 form and blank amended complaint form placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 04/03/2025)
04/11/2025	14	AMENDED COMPLAINT against ModivCare Solutions, LLC, filed by Frances Douglas. Service due by 7/10/2025. (Attachments: # 1 Envelope)(rweb,) Modified on 5/6/2025 see 19 additional attachments (rweb,). (Entered: 04/14/2025)
04/15/2025	17	**SECOND PROPER FORM ORDER. Case to be brought into proper form by 5/6/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6. Signed by Magistrate Judge William S. Brown on 4/15/25. (rweb,)** (Entered: 04/15/2025)
04/15/2025	18	***DOCUMENT MAILED 17 Second Proper Form Order, summons and USM-285 placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 04/15/2025)
05/06/2025	19	Additional Attachments to Main Document 14 Amended Complaint. (Attachments: # 1 Supporting Documents, # 2 Envelope)(rweb,) (Entered: 05/06/2025)

05/07/2025	22	**ORDER authorizing service of process by clerk and directing plaintiff to notify the clerk in writing of any change of address. Signed by Magistrate Judge William S. Brown on 5/7/25. (rweb,)** (Entered: 05/07/2025)
05/07/2025	23	Summons Issued as to ModivCare Solutions, LLC. Service due by 8/5/2025. (rweb,) (Entered: 05/07/2025)
05/07/2025	24	***DOCUMENT MAILED 22 Order Service - Non-Inmate placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 05/07/2025)
07/24/2025	26	Summons Returned Unexecuted (Restricted Access) by Frances Douglas as to ModivCare Solutions, LLC. (rweb,) (Entered: 07/24/2025)
08/07/2025	28	**SECOND SERVE ORDER authorizing service of process by clerk and directing plaintiff to notify the clerk in writing of any change of address. Signed by Magistrate Judge William S. Brown on 8/7/25. (rweb,)** (Entered: 08/07/2025)
08/07/2025	29	Summons Issued as to ModivCare Solutions, LLC. Service due by 11/5/2025. (rweb,) (Entered: 08/07/2025)
08/07/2025	30	***DOCUMENT MAILED 28 Second Serve Order Service - Non-Inmate placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 08/07/2025)
09/08/2025	32	SUMMONS Returned Executed by Frances Douglas. ModivCare Solutions, LLC served on 9/2/2025, answer due 9/23/2025. (rweb,) (Entered: 09/08/2025)
09/22/2025	33	MOTION to Deny and Strike Defendant's Claim of Sovereign Immunity by Frances Douglas. Response to Motion due by 10/6/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6 or Fed. R. Crim. P. 45. No proposed order.Motions referred to William S. Brown.(rweb,) (Entered: 09/22/2025)
10/14/2025	34	**TEXT ORDER denying 33 Plaintiff's Motion to Deny and Strike Defendant's Claim of Sovereign Immunity. Plaintiff contends that Defendant asserts sovereign immunity as a defense to Plaintiff's claims and asks the Court to strike the sovereign immunity defense from Defendant's pleadings and preclude Defendant from asserting such a defense. Defendant has not appeared in this matter nor filed any pleadings. Plaintiff also asks that the Court order Plaintiff's removal from "any pending or active bankruptcy proceedings in the State of South Carolina and Texas that are related to or arise from" the underlying events because of the harm and financial hardship that Defendant has caused. Plaintiff has not stated any proper basis for the Court to remove her from other proceedings. Accordingly, Plaintiff's Motion is DENIED. IT IS SO ORDERED. Signed by Magistrate Judge William S. Brown on 10/14/25.(rweb,)** (Entered: 10/14/2025)
10/14/2025	35	***DOCUMENT MAILED 34 Text Order placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 10/14/2025)
10/27/2025	36	MOTION for Default Judgment as to ModivCare Solutions, LLC by Frances Douglas. Response to Motion due by 11/10/2025. Add an additional 3 days only if

		served by mail or otherwise allowed under Fed. R. Civ. P. 6 or Fed. R. Crim. P. 45. No proposed order.Motions referred to William S. Brown.(rweb,) (Entered: 10/27/2025)
10/28/2025	37	**TEXT ORDER finding as MOOT 36 Plaintiff's Motion for Default Judgment without prejudice. "To obtain a default judgment, a party must first seek an entry of default under Federal Rule of Civil Procedure 55(a)." *Justice v. M.N.S. & Assoc., LLC,* 638 F.Supp.3d 554, 558 (W.D.N.C. 2022) (citations and internal quotation marks omitted); *see Eagle Fire, Inc. v. Eagle Integrated Controls, Inc.,* C/A No. 3:06cv264, 2006 WL 1720681, at *5 (E.D. Va. June 20, 2006) ("The entry of default is a procedural prerequisite to the entry of a default judgment."). Plaintiff has not taken this initial step to request an entry of default. Federal Rule of Civil Procedure 55(a) states that the clerk must enter default "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defendant, and that failure is shown by affidavit or otherwise." Fed. R. Civ. P. 55(a). After the clerk enters default, the party may move for a default judgment under Federal Rule of Civil Procedure 55(b). IT IS SO ORDERED. Signed by Magistrate Judge William S. Brown on 10/28/25.(rweb,)** (Entered: 10/28/2025)
10/28/2025	38	***DOCUMENT MAILED 37 Text Order on Motion for Default Judgment placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 10/28/2025)
11/12/2025	39	MOTION for Default Judgment as to ModivCare Solutions, LLC by Frances Douglas. Response to Motion due by 12/1/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6 or Fed. R. Crim. P. 45. (Attachments: # 1 Affidavit)No proposed order.Motions referred to William S. Brown.(rweb,) (Entered: 11/13/2025)
11/13/2025	40	**TEXT ORDER. Plaintiff has filed a 39 Motion captioned as a Motion for Default Judgment. Obtaining a default judgment is a two-step process. The first step in that process is that "a party must first seek an entry of default under Federal Rule of Civil Procedure 55(a)." *Justice v. M.N.S. & Assoc., LLC,* 638 F.Supp.3d 554, 558 (W.D.N.C. 2022) (citations and internal quotation marks omitted); *see Eagle Fire, Inc. v. Eagle Integrated Controls, Inc.,* C/A No. 3:06cv264, 2006 WL 1720681, at *5 (E.D. Va. June 20, 2006) ("The entry of default is a procedural prerequisite to the entry of a default judgment."). The Court liberally construes this Motion as requesting an entry of default. Accordingly, the Clerk is directed to file an entry of default pursuant to Federal Rule of Civil Procedure 55(a). After the Clerk files an entry of default, Plaintiff may then file a motion requesting default judgment under Federal Rule of Civil Procedure 55(b). IT IS SO ORDERED. Signed by Magistrate Judge William S. Brown on 11/13/25. (rweb,)** (Entered: 11/13/2025)
11/13/2025	41	Clerk's ENTRY OF DEFAULT as to ModivCare Solutions, LLC. (rweb,) (Entered: 11/13/2025)
11/13/2025	42	***DOCUMENT MAILED 41 Clerk's Entry of Default, 40 Text Order, placed in U.S. Mail from Greenville Clerks Office to Frances Douglas, PO Box 74, Startex, SC 29377. (rweb,) (Entered: 11/13/2025)

11/13/2025	43	***DOCUMENT MAILED 41 Clerk's Entry of Default placed in U.S. Mail from Greenville Clerks Office to ModivCare Solutions, LLC, Registered Agent Solutions Inc., 317 Roth Vista Rd., Lexington, SC 29073. (rweb,) (Entered: 11/13/2025)
11/21/2025	44	SUGGESTION OF BANKRUPTCY Upon the Record by ModivCare Solutions, LLC. (Attachments: # 1 Exhibit Voluntary Bankruptcy Petition)(Morrison, Elizabeth) (Entered: 11/21/2025)
11/21/2025	45	MOTION to Set Aside 41 Clerk's Entry of Default by ModivCare Solutions, LLC. Response to Motion due by 12/5/2025. Add an additional 3 days only if served by mail or otherwise allowed under Fed. R. Civ. P. 6 or Fed. R. Crim. P. 45. (Attachments: # 1 Exhibit Notice of Entry of Default)No proposed order.Motions referred to William S. Brown.(Morrison, Elizabeth) (Entered: 11/21/2025)

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

IN RE:	:	**Chapter 11**
		Case No. 25-90309
MODIVCARE, INC.,	:	
Debtors	:	
V.	:	
Frances Douglas	:	
Unsecured Creditor	:	

PROPOSED ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY AND WAIVING THE FOURTEEN-DAY STAY OF THE ORDER

THIS MATTER comes before the Court upon the Motion of Frances Douglas for relief from the automatic stay to permit continuation of the pending federal civil action styled Frances Douglas v. ModivCare Solutions, LLC, Civil Action No. 7:25-cv-02319-BHH-WSB, in the United States District Court for the District of South Carolina.

After consideration of the Motion, any responses, the record, and the arguments presented, and for good cause shown, the Court finds that limited relief from the automatic stay is appropriate under 11 U.S.C. § 362(d)(1).

IT IS THEREFORE ORDERED:

1. The automatic stay imposed by 11 U.S.C. § 362(a) is LIFTED as to Frances Douglas for the limited purpose of permitting her to continue and prosecute Civil Action No. 7:25-cv-02319-BHH-WSB through determination of liability and damages, entry of final judgment, and any appeal.

2. To the extent complete lifting of the stay is not required, the automatic stay is alternatively MODIFIED to authorize the same litigation activity.

3. Douglas is further authorized, to the extent permitted by applicable non-bankruptcy law and the terms and limits of any applicable insurance policy, to pursue, establish, and recover any available insurance proceeds arising from or relating to the claims asserted in the District Court action, including proceeds potentially available under any applicable **commercial general liability, business liability, excess liability, umbrella, or other insurance coverage** maintained for the benefit of or providing coverage to ModivCare Solutions, LLC.

4. To the extent any applicable insurance policy provides coverage for the claims asserted by Douglas, the automatic stay is LIFTED OR MODIFIED as necessary to permit Douglas to make a claim against such coverage, communicate and negotiate with the applicable insurer or claims administrator, establish the insurer's obligations and available coverage, and receive payment of any settlement, judgment, or other amount payable from applicable insurance proceeds, subject to the terms, conditions, exclusions, and policy limits of such coverage and further order of this Court where required.

5. This Order permits liquidation and establishment of the amount and validity of any claim held by Frances Douglas. It does not authorize execution, levy, garnishment, collection, or enforcement against property of the Debtor or property of the bankruptcy estate except upon further order of this Court or as otherwise permitted by applicable bankruptcy law.

6. Nothing in this Order determines the merits of the District Court action, whether a contract was breached or abandoned, whether fraud occurred, the identity or authority of any person who communicated with Douglas, the allowance or priority of any bankruptcy claim, or any defense available to any party. Those matters remain for determination in the appropriate forum.

7. Nothing contained herein shall be construed as authorizing Douglas to obtain a double recovery. Any amounts received from applicable insurance coverage shall be credited or treated as required by applicable law and any further orders of this Court.

8. The fourteen-day stay provided by Fed. R. Bankr. P. 4001(a)(4) is WAIVED, and this Order shall be effective immediately upon entry.

9. This Court retains jurisdiction to interpret and enforce this Order.

AND IT IS SO ORDERED.

_____
United States Bankruptcy Judge

Date: _____
_____, Texas

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS

In Re: ModivCare Inc.
A & B Homecare Solutions, L.L.C.

Debtor(s)

Case No.: 25−90309

Chapter: 11

NOTICE OF HEARING ON RELIEF FROM STAY

On 10/20/26, a motion was filed seeking relief from the automatic stay of 11 U.S.C. 362. The court has set the preliminary hearing on the motion for:

DATE:

TIME:

LOCATION:

If you object to the lifting of the stay, no later than seven days before the hearing you must:

1. File with the Clerk and affidavit stating that:
   a. You have conferred with the movant in a good faith effort to reach an agreement with the dates and times of the conferences,
   b. The efforts were unsuccessful, and
   c. A hearing is required.

2. File with the Clerk your written answer opposing the motion; include:
   a. The particular grounds for the opposition under Federal Rules 8(b) and 11;
   b. The identity of the interest in the property;
   c. The provable value of the property and the equity after deduction of all encumbrances; and
   d. Attach copies of your affidavit of conferences and the motion to your answer.

3. Serve a copy of the written answer on the movant.

Your written answer will be your request for hearing. No hearing will be held on the request of movant or on an answer received within seven days before the hearing.

Date Issued: 10/20/26

Nathan Ochsner
Clerk, U.S. Bankruptcy Court

To the Movant: A copy of this notice with a copy of your motion must be served within 24 hours of receipt from the Clerk. A proof of service form is attached.

Federal Rule of Civil Procedure 8(b)

Defenses: Admissions and Denials. (1) In responding to a pleading, a party must (A) state in short and plain terms its defenses to each claim asserted against it; and (B) admit or deny the allegations asserted against it by an opposing party. (2) A denial must fairly respond to the substance of the allegation. (3) A party that intends in good faith to deny all the allegations of a pleading − including the jurisditional grounds − may do so by general denial. A party that does not intend to deny all the allegations must either specifically deny designated allegations or generally deny all except those specifically admitted. (4) A party that intends in good faith to deny only part of an allegation must admit the part that is true and deny the rest.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS

In Re: ModivCare Inc.
A & B Homecare Solutions, L.L.C. Case No.: 25−90309

Debtor(s)

PROOF OF SERVICE
Motion for Relief from Stay and Notice of Hearing

On behalf of the movant, I certify that I am more than 18 years of age, and I served a copy of the motion for relief from stay with the notice of hearing.

(a) on this date: _____

(b) by this method: _____

_____

(c) on these entities: _____

_____

_____

_____

I certify under penalty of perjury that this is true.

_____ _____
Date Signed Signature

_____
Counsel (typed)

_____
For Party