

**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)
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LEXINGTON INSURANCE COMPANY AND NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA'S RESERVATION OF RIGHTS AS TO JOINT CHAPTER 11 PLAN OF THE TORT CLAIMANTS' COMMITTEE, OFFICIAL COMMITTEE OF UNSECURED CREDITORS, AND DEBTOR [DOCKET NO. 1815]

Lexington Insurance Company (“**Lexington**”) and National Union Fire Insurance Company of Pittsburgh, Pa (“**National Union**”), on their own behalf and on behalf of each related company that provided insurance and insurance services to the Debtor (previously known as Corizon Health, Inc. and/or Valitas Health Services, Inc.) and its related entities (collectively, “**AIG**”), by their attorneys, Zeichner Ellman & Krause LLP, hereby file this reservation of rights as to the Joint Chapter 11 Plan of the Tort Claimants’ Committee, Official Committee of Unsecured Creditors, and Debtor (the “**Proposed Plan**”) [Docket No. 1740] jointly filed by the Debtor, Tort Claimants’ Committee, the Official Committee of Unsecured Creditors, and Tehum Care Services, Inc. (collectively, the “**Plan Proponents**”) in the above-captioned case.

BACKGROUND

1. AIG provided insurance for the Debtor and predecessors. Nothing in this response and reservation of rights is intended to change such insurance.
2. AIG filed Proof of Claim Numbers 583 and 584 (the “**AIG Proofs of Claim**”) in this case in liquidated and unliquidated amounts.



RESERVATION OF RIGHTS

3. AIG has standing to object to the Proposed Plan as a creditor. Further, AIG has standing to object to the Proposed Plan as an insurer under *Truck Ins. Exch. v. Kaiser Gypsum Co.*, 144 S. Ct. 1414 (2024).

4. To the extent any party in interest objects or provides informal comments to the Proposed Plan, including without limitation any comments concerning the Insurance Provision in Article IX.L of the Proposed Plan or any other provisions that affect insurers, and the Plan Proponents agree to discuss those objections or informal comments with the responding party(ies), AIG requests the opportunity to participate in any and all additional discussions and negotiations over potential further revisions, edits, additions, supplements, or restatements to the Proposed Plan (and join in any subsequently filed objections to the Proposed Plan) to ensure that the Proposed Plan fully preserves the rights and defenses of AIG as reflected in the Proposed Plan sent for solicitation. [Docket. No. 1815].

5. To that end, this response and reservation of rights is submitted without prejudice to, and with full reservation of, AIG's rights, claims, defenses, objections, and remedies, including the right to object to any further modifications to the Proposed Plan on which creditors voted, supplement this response and reservation of rights or modify, amend, or withdraw this response and reservation of rights, to seek discovery, to raise additional objections or join in others and to introduce evidence at any hearing related to the Proposed Plan, and

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

without in any way limiting any other rights of AIG to object to the Proposed Plan, or join in any other objection to the Proposed Plan, on any grounds, as may be appropriate.

Dated: New York, New York
February 21, 2025

ZEICHNER ELLMAN & KRAUSE LLP

By: */s/ Michael S. Davis*

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*Attorneys for Lexington Insurance Company
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behalf of each related company that provided
insurance and insurance services to the Debtor
and its related entities*

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2025, a true and correct copy of the foregoing **LEXINGTON INSURANCE COMPANY AND NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURH, PA'S RESERVATION OF RIGHTS AS TO JOINT CHAPTER 11 PLAN OF THE TORT CLAIMANTS' COMMITTEE, OFFICIAL COMMITTEE OF UNSECURED CREDITORS, AND DEBTOR [DOCKET NO. 1815]** was served via the Court's CM/ECF system to all parties consenting through service through the same.

By: /s/ Michael S. Davis
Michael S. Davis