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

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

RESPONSE BY THE PI/WD TRUSTEE TO CREDITOR AAKASH DALAL'S MOTION TO ENFORCE THE CHAPTER 11 PLAN OF REORGANIZATION

Michael Zimmerman (the "PI/WD Trustee"), the trustee for the Tehum Personal Injury Settlement Trust (the "PI/WD Trust"), by and through his undersigned counsel, hereby submits this Response ("Response") to Creditor Aakash Dalal's Motion to Enforce the Chapter 11 Plan of Reorganization [ECF No. 2707] (the "Motion").[2]

PRELIMINARY STATEMENT

Aakash Dalal ("Dalal" or "Movant") asks the Court to compel the PI/WD Trustee to submit Dalal's request for reconsideration of the valuation of his PI/WD Trust Claim (the "Reconsideration Request") to arbitration. Dalal's Reconsideration Request was submitted to arbitration pursuant to the reconsideration procedures established by the PI/WD Trust Agreement and the TDPs. Arbitration instructions have been provided to Dalal, a pre-arbitration conference has been scheduled, and an arbitration date has been provided. Accordingly, the Motion should be

[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] Capitalized terms used in this Response but not otherwise defined herein shall have the meanings ascribed to such terms in the confirmed Plan, the Tehum Personal Injury Settlement Trust Agreement (the "PI/WD Trust Agreement"), or the Trust Distribution Procedures for Personal Injury Claims (the "TDPs"), or as the context otherwise requires. For clarity, references in this Response to a "PI/WD Trust Claim" or an "Allowed PI/WD Trust Claim" correspond to a "Trust Claim" or an "Allowed Trust Claim," respectively, as those terms are used in the TDPs. The PI/WD Trust Agreement and TDPs are located at ECF No. 1855.

denied as moot.

RELEVANT BACKGROUND

1. On February 13, 2023 (the "Petition Date"), Tehum Care Services, Inc. f/k/a Corizon Health Services (the "Debtor") filed its voluntary petition for relief under chapter 11 of the Bankruptcy Code in this Court (the "Bankruptcy Case").

2. On February 28, 2025, the Debtor, the Tort Claimants' Committee, and the Official Committee of Unsecured Creditors filed the First Modified Joint Chapter 11 Plan of Reorganization [ECF No. 2010-1] (the "Plan").

3. On March 3, 2025, the Court entered the Order Confirming the First Modified Joint Chapter 11 Plan of Reorganization [ECF No. 2014] (the "Confirmation Order"). The Confirmation Order approved the PI/WD Trust Agreement and authorized establishment of the PI/WD Trust to administer, process, settle, resolve, liquidate, satisfy, and pay Allowed Channeled PI/WD Trust Claims in accordance with the Plan and the PI/WD Trust Documents.

4. The Confirmation Order further provided that, on the Effective Date, the TDPs became effective and authorized the PI/WD Trustee to implement the TDPs in accordance with the PI/WD Trust Documents to reach fair, reasonable, and equitable settlements with holders of Allowed Channeled PI/WD Trust Claims. Confirmation Order ¶ 26.

5. The Plan became effective on March 31, 2025 [ECF No. 2088] (the "Effective Date"). As of that date, the PI/WD Trust and the TDPs became operative in accordance with the Plan, Confirmation Order, and PI/WD Trust Agreement.

6. The PI/WD Trust Agreement identifies the Confirmation Order, the Plan, the PI/WD Trust Agreement, and its exhibits, including the TDPs attached as Exhibit 3, as the governing "Trust Documents." PI/WD Trust Agreement § 1.1.

7. On April 10, 2026, the PI/WD Trust Claims Administrator sent Dalal a Notice of Tier Designation & Notice of Interim Trust Distribution (the "Allowed Claim Notice"), advising him that his claim had been designated as a Tier 4 claim with a Scaling Factor of 1.0.

8. On April 22, 2026, Dalal submitted a Reconsideration Request challenging the valuation of his claim and requesting arbitration.

9. On July 31, 2026, Dalal filed the Motion asserting that his Reconsideration Request had not yet been submitted to arbitration and asking the Court to compel compliance with the Plan and PI/WD Trust Documents.

10. Dalal's Reconsideration Request was submitted to arbitration pursuant to the procedures established by the PI/WD Trust Agreement and the TDPs. Arbitration instructions have been provided to Dalal, and a pre-arbitration call has been scheduled.

RESPONSE

The PI/WD Trust Agreement and TDPs establish the procedures governing Dalal's Reconsideration Request. The PI/WD Trust Agreement provides that Allowed PI/WD Trust Claims will be compensated in accordance with the PI/WD Trust Documents, including the TDPs, and that the PI/WD Trustee will develop non-binding ADR Procedures to resolve Reconsideration Requests.

The TDPs permit a claimant to request reconsideration of either claim eligibility or the valuation of his or her Submitted Claim within ninety (90) days after receipt of a Disallowed Claim Notice or Allowed Claim Notice. See TDPs, Art. IV.K. Neither the PI/WD Trust Agreement nor the TDPs establishes a fixed number of days within which the PI/WD Trustee must transmit a Reconsideration Request to an arbitrator, schedule an arbitration, or complete the ADR Procedures. Dalal timely submitted his Reconsideration Request on April 22, 2026.

Dalal's Reconsideration Request was referred to arbitration in accordance with the PI/WD Trust Agreement and the TDPs. Arbitration instructions have been provided to Dalal, a pre-arbitration conference has been scheduled for October 19, 2026, and an arbitration has been scheduled for December 8, 2026. Accordingly, the Motion should be denied as moot.

CONCLUSION

For the foregoing reasons, the PI/WD Trustee respectfully requests that the Court deny the Motion as moot and grant such other and further relief as the Court deems appropriate.

Dated: September 17, 2026
Phoenix, AZ

Respectfully submitted,

NACH, RODGERS, HILKERT & SANTILLI

/s/ Paul M. Hilkert

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COUNSEL FOR THE PI/WD TRUST

CERTIFICATE OF SERVICE

I certify that on September 17, 2026, I caused a true and correct copy of the foregoing document to be served by the Court's CM/ECF notification system, which will send notice of electronic filing to all counsel of record. I further caused a true and correct copy of the foregoing document to be served on September 17, 2026 by U.S. Mail to the following address:

Aakash Dalal
SBI# 792652E
215 Burlington Road South
Bridgeton, NJ 08302

/s/ Becca Casteel