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 REQUEST FOR ISSUING AN ORDER RE: ARBITRATION HEARING

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 the *Request for Issuing of an Order Scheduling of the Prison Official to Set Up an Appointment for the Arbitration Hearing and Pre-Hearing Conference* [ECF No. 2764] (the "Request") filed by Darren Johnson ("Mr. Johnson").

In his Request, Mr. Johnson states that neither the PI/WD Trustee nor the arbitrator have coordinated with Michigan Department of Corrections ("MDOC") staff regarding Mr. Johnson's arbitration that is scheduled for November 9, 2026, at 11:00AM EST. Mr. Johnson's statements are incorrect.

On Friday, October 30, 2026, the PI/WD Trustee received a letter from Mr. Johnson requesting that the PI/WD Trustee contact MDOC's litigation coordinator to schedule the arbitration. That same day, October 30, 2026, the PI/WD Trustee called the MDOC and left a voicemail with MDOC's litigation coordinator regarding Mr. Johnson's scheduled arbitration.

On November 3, 2026, the PI/WD Trustee emailed MDOC staff to request confirmation

[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.

that Mr. Johnson would be permitted to attend his scheduled arbitration hearing. *See* emails attached as Exhibit A. On November 4, 2026, the PI/WD Trustee received email confirmation from the MDOC litigation coordinator that his confirmation request was received. *See id*. On November 6, 2026, the MDOC litigation coordinator confirmed that Mr. Johnson would be notified of his scheduled telephone arbitration hearing on November 9, 2026, and indicated that the necessary arrangements were in place for his participation in the arbitration hearing. *See id.*

The request also notes that Mr. Johnson was unable to attend his pre-hearing conference scheduled for September 14, 2026, possibly due to mail delays or MDOC facility issues. Mr. Johnson seeks to reschedule his pre-hearing conference before the arbitration hearing on November 9, 2026. The PI/WD Trust Alternative Dispute Resolution Procedures provide that a pre-arbitration hearing conference is not required. Nevertheless, at the time set for the arbitration hearing on November 9, 2026, the PI/WD Trustee will accommodate Mr. Johnson's request and set aside a portion of time for a pre-hearing conference before the arbitration hearing.

Dated: November 6, 2026
Phoenix, AZ

Respectfully submitted,

NACH, RODGERS, HILKERT & SANTILLI

/s/ Paul M. Hilkert

Paul M. Hilkert (SDTX Bar No. 3912203)
1220 E. Osborn Rd., Suite 101
Phoenix, AZ 85014
Telephone: (602) 258-6000
paul.hilkert@nrhslaw.com

COUNSEL FOR THE PI/WD TRUST

CERTIFICATE OF SERVICE

I certify that on November 6, 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 November 6, 2026 by U.S. Mail to the following address:

Darren Johnson #753595
St. Louis Correctional Facility
8585 N. Croswell Road
St. Louis, MI 48880

/s/ Danica Acosta

EXHIBIT "A"

From: Houlden, Mary Jo (MDOC)
To: Michael Zimmerman
Subject: RE: Tehum Care Services - Scheduled Arb
Date: Friday, November 6, 2026 7:29:08 AM

Good morning,

I will let prisoner Johnson know that he has a phone call scheduled for Monday. I think we are all set. Thank you!

Mary Jo Houlden
Litigation Coordinator
St. Louis Correctional Facility
(989) 681-7030

From: Michael Zimmerman <mz@berryriddell.com>
Sent: Thursday, November 5, 2026 5:52 PM
To: Houlden, Mary Jo (MDOC) <HouldenM@michigan.gov>
Cc: dmaguire@ambazlaw.com <Dawn@MaguireLawAZ.com>; Abigail Knox McCullom <akm@berryriddell.com>; Paul Hilkert <paul.hilkert@nrhslaw.com>
Subject: RE: Tehum Care Services - Scheduled Arb

CAUTION: This is an External email. Please report suspicious emails via the "Report to Abuse" button in Outlook

Good afternoon, Mary Jo.

Mr. Johnson filed the attached document today seeking a court order directing MDOC to set an appointment for his arbitration scheduled for **November 9, 2026 at 11:00 a.m. EST**.

I expect to file a response informing the court that Mr. Johnson is mistaken. I have been in contact with you to coordinate so Mr. Johnson can attend the scheduled arbitration.

If possible, can you please inform Mr. Johnson that I have been in contact with you?

Also, please respond and let me know if MDOC requires anything additional from me so Mr. Johnson can call-in for the scheduled arbitration.

Thank you,

Michael

Michael Zimmerman

Attorney
BERRY RIDDELL LLC
6750 E. Camelback Road |Suite 100 | Scottsdale, Arizona 85251
480-682-3914 office | 602-503-9944 cell | mz@berryriddell.com

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From: Michael Zimmerman
Sent: Wednesday, November 4, 2026 4:47 PM
To: 'Houlden, Mary Jo (MDOC)' <HouldenM@michigan.gov>
Cc: dmaguire@ambazlaw.com <Dawn@MaguireLawAZ.com>; Abigail Knox McCullom <akm@berryriddell.com>; Paul Hilkert <paul.hilkert@nrhslaw.com>
Subject: RE: Tehum Care Services - Scheduled Arb

Thank you for confirming your receipt, Mary Jo.

The good thing about a Monday on a Wednesday is that you have a very short week!

Please let me know if there is anything additional that I need to coordinate the scheduled arbitration.

Thank you,

Michael

Michael Zimmerman
Attorney
BERRY RIDDELL LLC
6750 E. Camelback Road |Suite 100 | Scottsdale, Arizona 85251
480-682-3914 office | 602-503-9944 cell | mz@berryriddell.com

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From: Houlden, Mary Jo (MDOC) <HouldenM@michigan.gov>
Sent: Wednesday, November 4, 2026 2:17 PM
To: Michael Zimmerman <mz@berryriddell.com>

Subject: RE: Tehum Care Services - Scheduled Arb

Hi! Sorry!!! RECEIVED!! (It's been a MONDAY on a WEDNESDAY)

Mary Jo Houlden
Litigation Coordinator
St. Louis Correctional Facility
(989) 681-7030

From: Michael Zimmerman <mz@berryriddell.com>
Sent: Tuesday, November 3, 2026 11:33 AM
To: Houlden, Mary Jo (MDOC) <HouldenM@michigan.gov>
Cc: dmaguire@ambazlaw.com <Dawn@MaguireLawAZ.com>; Abigail Knox McCullom <akm@berryriddell.com>; Paul Hilkert <paul.hilkert@nrhslaw.com>
Subject: FW: Tehum Care Services - Scheduled Arb

CAUTION: This is an External email. Please report suspicious emails via the "Report to Abuse" button in Outlook

Good morning, Mary Joe.

Thank you for your return call yesterday. Please respond to confirm your receipt of this email.

Mr. Johnson's arbitration is scheduled for **November 9, 2026 at 11:00 a.m. EST**. Mr. Johnson needs access to **call-in to the arbitration at my telephone number (480) 682-3914**. See attached "9.17.2026 Arbitration Notice (D. Johnson)." I had previously mailed Mr. Johnson the attached ADR Packet.

I am the Court-appointed Trustee of the Tehum Care Services Settlement Trust ("Trust"). The Trust was created as part of a Bankruptcy Court Order confirming a Chapter 11 Bankruptcy Plan (the "Order"). Mr. Johnson is a Trust claimant. He has requested to arbitrate the designation of his claim in the Trust, as is his right provided in the Order. I have not attached the accompanying Order or Trust documents, but I can provide them if necessary. They are long.

I am in receipt of the attached correspondence from an incarcerated claimant, Darren Johnson(#753595). I am *a* lawyer, but I am not Mr. Johnson's lawyer.

The arbitrator, Dawn Maguire, is also copied on this email.

Thank you,

Michael Zimmerman, Trustee

Michael Zimmerman
Attorney
BERRY RIDDELL LLC
6750 E. Camelback Road |Suite 100 | Scottsdale, Arizona 85251
480-682-3914 office | 602-503-9944 cell | mz@berryriddell.com

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