

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: §  
§ CASE NO. 15-41684-BTR-11  
FOREST PARK MEDICAL CENTER AT §  
FRISCO, LLC, § CHAPTER 11  
*Debtor* §

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LIMITED OBJECTION OF TEXAS CAPITAL BANK, N.A., TO DEBTOR'S  
EMERGENCY MOTION SEEKING INTERIM AND FINAL ORDERS  
(1) AUTHORIZING THE DEBTOR TO OBTAIN POST-PETITION FINANCING,  
(2) GRANTING LIENS AND SUPER-PRIORITY ADMINISTRATIVE EXPENSE STATUS,  
(3) MODIFYING THE AUTOMATIC STAY, AND (4) SETTING AND PRESCRIBING  
FORM AND MANNER OF NOTICE FOR FINAL HEARING

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Texas Capital Bank, N.A. ("TCB"), the Debtor's secured creditor and party-in-interest herein files this Limited Objection to the Debtor's Emergency Motion Seeking Interim and Final Orders (1) Authorizing the Debtor to Obtain Post-Petition Financing, (2) Granting Liens and Super-Priority Administrative Expense Status, (3) Modifying the Automatic Stay, and (4) Setting and Prescribing Form and Manner of Notice for Final Hearing ("Motion").

1. On September 22, 2015 (the "Petition Date"), the Debtor filed a voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").

2. TCB is the secured lender to the Debtor, holding properly perfected first priority liens on substantially all of the Debtor's assets.

3. On September 22, 2015 the Debtor filed the Motion.

4. As set forth in the Motion, the Debtor seeks approval of post-petition financing from Sabra Texas Holdings, L.P. ("Sabra"). That financing arrangement would affect TCB's liens and the collection and management of TCB's cash collateral.

5. TCB has had preliminary discussions with the Debtor and Sabra and is in general agreement with the concept of the proposed financing arrangement.

6. TCB has not, however, had the opportunity to fully review final versions of the proposed financing documents or the proposed orders authorizing interim financing.

7. Accordingly, TCB files this Limited Objection to the Motion.

8. TCB objects to the Motion and any proposed priming liens sought by Sabra and requests that any interim or final order granting the Motion expressly provide:

(a) That all accounts or collections arising from services rendered on or prior to a date agreed between the Debtor, Sabra and TCB are and shall remain the collateral of TCB and shall not be used by the Debtor and shall be segregated from any DIP proceeds; and

(b) That all liens provided to Sabra pursuant to the proposed DIP financing shall be subordinate to all prior and perfected liens held by TCB in the Debtor's assets.

9. TCB further reserves its rights to object to the Debtor's proposed cash management procedures and the proposed form of order approving the Motion and to any post-petition filings that affect TCB's interest in its collateral.

WHEREFORE, PREMISES CONSIDERED, TCB requests that the Court take notice of this Limited Objection and grant TCB such other and further relief to which it is entitled.

DATED: September 23, 2015

Respectfully submitted,

/s/ James G. Rea (2015-09-23)

**J. MARK CHEVALLIER**  
State Bar No. 04189170  
**JAMES G. REA**  
State Bar No. 24051234  
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**ATTORNEYS FOR TEXAS CAPITAL  
BANK, N.A.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing was served via electronic mail or U.S. First Class mail, postage prepaid on September 23, 2015 on the following parties:

William Medford  
LEWIS BRISBOIS BISGAARD & SMITH, LLP  
2100 Ross Avenue, Suite 2000  
Dallas, Texas 75201  
PROPOSED ATTORNEYS FOR THE DEBTORS  
AND DEBTORS IN POSSESSION

US Trustee  
OFFICE OF THE U.S. TRUSTEE  
110 North College Avenue, Suite 300  
Tyler, Texas 75702-7231

ATTACHED SERVICE LIST

/s/ James G. Rea (2015-09-23)  
**JAMES G. REA**

Label Matrix for local noticing  
0540-4  
Case 15-41684  
Eastern District of Texas  
Sherman  
Wed Sep 23 11:22:21 CDT 2015

Allergen USA, Inc.  
2525 Dupont Dr.  
Irvine, CA 92612-1599

Bell Nunnally and Martin, LLC  
3232 McKinney Ave., Ste. 1400  
Dallas, TX 75204-7422

CPM Medical LLC  
1565 N. Central Expwy., Ste. 200  
Richardson, TX 75080-3563

J. Mark Chevallier  
McGuire, Craddock & Strother, P.C.  
2501 N. Harwood, Suite 1800  
Dallas, TX 75201-1613

Forest Park Medical Center at Frisco, LLC  
5500 Frisco Square Blvd.  
Frisco, TX 75034-3305

Identity Media Services, LLC  
400 East Royal Ln., Ste. 290  
Irving, TX 75039-3602

Inpatient Physicians Assoc. PLLC  
6901 Snider Plaza, #130  
Dallas, TX 75205-5649

Intuitive Surgical  
P.O. Box 39000  
San Francisco, CA 94139-0001

Johnson and Johnson Healthcare  
425 Hoes Lane  
Piscataway, NJ 08854-4103

LDR Spine USA, Inc.  
P.O. Box 671716  
Dallas, TX 75267-1716

Lifecell Corporation  
P.O. Box 203888  
Houston, TX 77216-3888

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Medical Information Technology, Inc.  
1 Meditech Circle  
Westwood, MA 02090-1542

Medline Industries, Inc.  
One Medline Place  
Mundelein, IL 60060-4486

Pro Silver Star Ltd.  
1 Cowboys Parkway  
Irving, TX 75063-4924

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Ricoh USA, Inc.  
P.O. Box 660342  
Dallas, TX 75266-0342

Sabra Texas Holdings, L. P.  
c/o Deirdre B. Ruckman, Marcus Helt  
Gardere  
3000 Thanksgiving Tower  
1601 Elm St.  
Dallas, TX 75201-4761

Thomas C. Scannell  
Gardere Wynne Sewell LLP  
1601 Elm Street, Ste. 3000  
Dallas, TX 75201-4761

Siemens Medical Solutions USA Inc  
51 Valley Stream Parkway  
Malvern, PA 19355-1406

Smith and Nephew, Inc.  
1450 Brooks Rd.  
Memphis, TN 38116-1892

Stryker Endoscopy  
P.O. Box 93276  
Chicago, IL 60673-3276

Styker Instruments  
4100 East Milham Road  
Kalamazoo, MI 49001

U.S. Attorney General  
Department of Justice  
Main Justice Building  
10th & Constitution Ave., NW  
Washington, DC 20530-0001

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Office of the U.S. Trustee  
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Suite 300  
Tyler, TX 75702-7231

Valley Services, Inc.  
P.O. Box 742992  
Atlanta, GA 30374-2992

Vibrant Management  
c/o Glendon Todd LLC  
2101 Cedar Springs, Ste. 1540  
Dallas, TX 75201-2164

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Texas Capital Bank, N.A.

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	1
Total	28