

**EOD**  
09/24/2015

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

**IN RE:**

**FOREST PARK MEDICAL CENTER  
AT FRISCO, LLC**

**DEBTOR.**

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**CHAPTER 11**

**CASE NO. 15-41684 - BTR**

**ORDER GRANTING DEBTOR’S EMERGENCY MOTION FOR AN ORDER  
AUTHORIZING (I) THE DEBTOR TO PAY PRE-PETITION WAGES AND BENEFITS  
OR ALTERNATIVELY, TO PAY OR HONOR PREPETITION OBLIGATIONS TO  
CERTAIN CRITICAL VENDORS AND (II) BANKS TO HONOR AND PAY CHECKS  
ISSUED TO PAY PRE-PETITION WAGES AND WITHHOLDINGS**

Upon consideration of the Motion, dated September 22, 2015 (the “Motion”),<sup>1</sup> of Forest Park Medical Center at Frisco, LLC, as debtor and debtor-in-possession (the “Debtor”), for an order pursuant to Sections 105(a), 363(b) and 507(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 et. seq. (the “Bankruptcy Code”) authorizing (I) the Debtor to pay pre-petition wages and benefits or alternatively, to pay or honor prepetition obligations to certain critical vendors and (II) banks to honor and pay checks issued to pay Pre-Petition Wages and Withholdings, as more fully described in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and venue of this case and the Motion in this district being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having determined that the

<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors and other parties in interest; and due and proper notice of the Motion having been given, and it appearing that no other or further notice need be provided; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation; and sufficient cause appearing therefor, it is

**ORDERED** that the Motion is **GRANTED**; and it is further

**ORDERED** that the Motion is necessary to the Debtor's reorganization efforts and to avoid irreparable harm as the payment of Pre-Petition Wages<sup>2</sup> to the hospital Employees and Shared Services Staff is essential to the continuing business operations and the Debtor's ability to reorganize; and it is further

**ORDERED** that such Pre-Petition Wages and Withholdings are tantamount to or analogous to priority wage claims pursuant to 11 U.S.C. § 507(a)(4) payable on a fourth-level priority basis in bankruptcy; it is further

**ORDERED** that the Court approves and hereby authorizes but does not require the Debtor to pay, \$190,000.00 in Pre-Petition Wages, \$69,500.00 in Withholdings, \$223,000.00 in Benefits, and \$3,000.00 in Expenses, for a total of \$485,500.00; and it is further

**ORDERED** that the Debtor's banking institutions receive, process, honor and pay any amounts drawn on the Debtor's accounts with respect to its Pre-Petition Wages, Withholdings, Benefits, and Expenses; and it is further

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<sup>2</sup> All defined terms not defined herein shall have the meanings ascribed to them in the Motion.

**ORDERED** that, notwithstanding anything herein to the contrary, the authority granted herein to the Debtor, including to make payments and honor obligations, is subject in all respects to the terms and conditions of the Debtor's post-petition financing agreement, including any budget contained therein, and any order approving the same.

Signed on 9/24/2015

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HONORABLE BRENDA T. RHOADES,  
CHIEF UNITED STATES BANKRUPTCY JUDGE

PREPARED BY:

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**PROPOSED DEBTOR'S COUNSEL**