

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

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09/24/2015

IN RE: FOREST PARK MEDICAL CENTER AT FRISCO, LLC, DEBTOR.	§ § § § § § § § § §	CHAPTER 11 CASE NO. 15-41684-BTR-11
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ORDER GRANTING EMERGENCY MOTION OF DEBTOR (1) TO AUTHORIZE CERTAIN PROCEDURES TO MAINTAIN THE CONFIDENTIALITY OF PATIENT INFORMATION, (2) FOR AUTHORITY TO FILE UNDER SEAL SEPARATE MATRIX AND SCHEDULE F CONTAINING PATIENT INFORMATION, (3) TO MODIFY NOTICE TO PATIENTS, AND (4) FOR RELIEF FROM REQUIRED FORM OF MAILING MATRIX WITH REGARD TO SEPARATE MATRIX

Upon the emergency motion (the "Motion")² filed by the above-captioned debtor and debtor-in-possession (the "Debtor") seeking entry of an order authorizing certain procedures to maintain the confidentiality of patient information, including authority to (a) file a separate creditor matrix (a "Patient Matrix") and separate supplemental Schedule F for the Debtor (collectively, the "Supplemental Schedule F") containing patient information, and (b) to give notice to Patients¹ via written transmission and direction to a claims agent's website, as well as via publication; the Court, having reviewed the Motion and having heard the statements of counsel in support of the relief requested in the Motion at the hearing before the Court (the "Hearing"), finds that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, this matter is core pursuant to 28 U.S.C. § 157(b)(2)(A), notice of the Motion and the Hearing was sufficient under the

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

circumstances and that no further notice need be given, and the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein,

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. The Debtor is authorized to file the Patient Matrix and each separate Supplemental Schedule F under seal.
3. The Clerk of the Court shall accept the Patient Matrix and each separate Supplemental Schedule F for filing and shall file the Patient Matrix and each Supplemental Schedule F under seal.
4. The Debtor shall omit any reference to current or former patients from the publicly filed matrix of creditors and any certificate of service not filed under seal.
5. The Debtor shall make an unredacted copy of the Schedules and Statements available to (a) the Court and to the United States Trustee upon request; and (b) any other party-in-interest only after this Court has entered an order, after notice and a hearing, authorizing the Debtor to do so.
6. The Debtor shall maintain the Patient Matrix and shall make the Patient Matrix, or any portion thereof, available to any party-in-interest only after this Court has entered an order, after notice and a hearing, authorizing the Debtor to do so.
7. The Patient Matrix and each separate Supplemental Schedule F shall be kept confidential indefinitely and shall not be deemed unsealed 60 days after the final disposition of the bankruptcy proceedings.

8. The form of notice to Patients attached as an exhibit to the Motion and described therein is approved.

9. The notice to Patients provided by the Debtor as set forth in the Motion, including 1) via written transmission of the Notice of Commencement of this Bankruptcy Case and Proof of Claim form, as well as a communication informing the Patients how to request further notice of future pleadings and access to the claims agent's website; and 2) via publication as set forth herein, shall be deemed effective, adequate, and sufficient notice to all Patients and reasonably calculated under the circumstances to apprise those parties of the filing of the Debtor's Chapter 11 Case and the deadline by which proofs of claim must be filed in this case and no further notices and/or pleadings are required to be given to the Patients in this case unless any such Patient requests further notices and/or pleadings or such timely files a proof of claim.

10. The Debtor is not required to file the Patient Matrix in the format required by the Local Rules. The Patient Matrix may be submitted in a format that can be readily created from the Debtor's existing records.

11. 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.

12. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this Order.

Signed on 9/24/2015

Brenda T. Rhoades SR
HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE