

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

EOD
09/24/2015

IN RE: FOREST PARK MEDICAL CENTER AT FRISCO, LLC <p style="text-align: center;">DEBTOR.</p>	§ § § § § § § § § §	CHAPTER 11 CASE NO. 15-41684- BTR
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INTERIM ORDER APPROVING DEBTOR’S APPLICATION FOR ENTRY OF AN ORDER AUTHORIZING THE EMPLOYMENT, RETENTION AND DESIGNATION OF MICHAEL S. MILLER AS CHIEF RESTRUCTURING OFFICER, AS OF THE PETITION DATE

Upon consideration of the Application, dated September 22, 2015 (the “Application”),¹ of Forest Park Medical Center at Frisco, LLC, as debtor and debtor-in-possession (the “Debtor”), for an order approving the retention and employment of Michael S. Miller (“ Mr. Miller”) as Chief Restructuring Officer for the Chapter 11 Estate in the above-referenced case (the “Case”). The Application has been properly served. Upon review of the Application, it appears to the Court that the proposed professional is "disinterested" as that term is defined in 11 U.S.C. §101(14) and that the proposed professional represents or holds no interest adverse to the Estate. Accordingly,

IT IS THEREFORE ORDERED, ON AN INTERIM BASIS, that the Application is **GRANTED** and that the employment of Mr. Miller as Chief Restructuring Officer for the Chapter 11 Estate in the above-referenced case is hereby **APPROVED**; and it is further

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

ORDERED that the proposed use of the Debtor's assets pursuant to 11 U.S.C. §363(b) to retain Mr. Miller as set forth in the Application represents a reasonable exercise of the Debtor's business judgment; and it is further

ORDERED that Mr. Miller is retained by the Debtor as of the Petition Date to provide the ordinary course duties of a Chief Restructuring Officer and may work with the Debtor to do the following:

- Manage the Debtor's Chapter 11 case, including, without limitation, sole management and oversight of any sale of the Debtor's assets and development of a Disclosure Statement and Plan of Reorganization, with no reporting responsibilities to the Debtor's Board.
- Managing the "working group" professionals who are assisting the Debtor in the reorganization process or who are working for the Debtor's various stakeholders to improve coordination of their effort and individual work product to be consistent with the Debtor's overall restructuring goals.
- Assist in obtaining and presenting information required by parties in interest in the Debtor's bankruptcy process including official committees appointed by the United States Bankruptcy Court for the Eastern District of Texas.
- Provide assistance in such areas as testimony before this Court on matters that are within the scope of this engagement and within his area of testimonial competencies.
- Assist with such other matters as may be requested that fall within Mr. Miller's expertise and that are mutually agreeable.

ORDERED, that Mr. Miller's employment, retention and designation of Mr. Miller as Chief Restructuring Officer is in the best interests of the Debtor and the estate; and it is further

ORDERED that Mr. Miller will seek compensation and reimbursement of expenses as a professional included in the applications or notices of Deloitte according to the procedures later ordered by this Court or in accordance with applicable fee application procedures as provided in the Bankruptcy Code, Bankruptcy Rules, and local rules of this Court per the terms set forth in the Application; and it is further

ORDERED, that this Court shall retain jurisdiction over all matters arising from or related to the interpretation and implementation of this Order; and it is further

ORDERED that a **FINAL** hearing on the Application will be held on October 16, 2015 at 10:00 a.m.; and it is further

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

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

PREPARED BY:

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