

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
GULF COAST HEALTH CARE LLC, <i>et al.</i> , ¹)	Case No. 21-11336 (KBO)
)	
Debtors.)	(Jointly Administered)
)	
)	Related Doc. No. 315

**ORDER AUTHORIZING THE RETENTION AND EMPLOYMENT OF
KLEHR HARRISON HARVEY BRANZBURG LLP AS DELAWARE
CO-COUNSEL FOR THE PATIENT CARE OMBUDSMAN
EFFECTIVE *NUNC PRO TUNC* TO OCTOBER 25, 2021**

Upon the application (the “Application”)² of Daniel T. McMurray, the Patient Care Ombudsman appointed in these chapter 11 cases, (“the Ombudsman”) for the entry of an order (this “Order”) authorizing him to retain and employ Klehr Harrison Harvey Branzburg LLP (“Klehr Harrison”) as his Delaware co-counsel effective *nunc pro tunc* to October 25, 2021, pursuant to sections 105(a), 327(a), 328(a), and 330 of title 11 of the United States Code (the “Bankruptcy Code”), Rules 2014(a) and 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rules 2014-1 and 2016-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”); and the Court having reviewed the Application, the Declaration of Raymond H. Lemisch, a partner at Klehr Harrison (the “Lemisch Declaration”) and the Court having found that the Court has

¹ The last four digits of Gulf Coast Health Care, LLC’s federal tax identification number are 9281. There are 62 Debtors in these chapter 11 cases, for which the Debtors have requested joint administration. A complete list of the Debtors and the last four digits of their federal tax identification numbers are not provided herein. A complete list of such information may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://dm.epiq11.com/GulfCoastHealthCare>. The location of Gulf Coast Health Care, LLC’s corporate headquarters and the Debtors’ service address is 40 South Palafox Place, Suite 400, Pensacola, FL 32502.

² Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Application.

jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Debtors having confirmed their consent to entry of final orders or judgment by this Court pursuant to Bankruptcy Rule 7008 and Local Rule 9013-1(f); and the Court having found that venue of this proceeding and the Application in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found based on the representations made in the Application and in the Lemisch Declaration that (a) Klehr Harrison does not hold or represent an interest adverse to Ombudsman or the Debtors' estates and (b) Klehr Harrison is a "disinterested person" as defined in section 101(14) of the Bankruptcy Code and as required by section 327(a) of the Bankruptcy Code; and the Court having found that the relief requested in the Application is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and the Court having found that the Ombudsman provided adequate and appropriate notice of the Application under the circumstances and that no other or further notice is required; and the Court having reviewed the Application and having heard statements in support of the Application at a hearing held before the Court (the "Hearing"); and the Court having determined that the legal and factual bases set forth in the Application and at the Hearing establish just cause for the relief granted herein; and any objections to the relief requested herein having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Application is granted to the extent set forth herein.
2. The ombudsman is authorized to retain and employ Klehr Harrison as his counsel *nunc pro tunc* to October 25, 2021 in accordance with the terms and conditions set forth in the Application.
3. Klehr Harrison is authorized to provide the Ombudsman with the professional services as described in the Application.

4. Klehr Harrison shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with the Debtors' chapter 11 cases in compliance with sections 328, 330, and 331 of the Bankruptcy Code (as applicable) and applicable provisions of the Bankruptcy Rules, Local Rules, and any other applicable procedures and orders of the Court.

5. Notwithstanding anything to the contrary in the Application, or the Declaration attached to the Application, the reimbursement provisions allowing the reimbursement of fees and expenses incurred in connection with participating in, preparing for, or responding to any action, claim, suit, or proceeding brought by or against any party that relates to the legal services provided under the Application and fees for defending any objection to Klehr Harrison's fee applications under the Bankruptcy Code are not approved.

6. Notwithstanding anything to the contrary in the Application, any order entered in connection therewith, or any agreement entered into in connection with the Ombudsman's retention of Klehr Harrison, Klehr Harrison shall not seek reimbursement of expenses for office supplies.

7. Klehr Harrison shall provide ten business days' notice to the Ombudsman, Debtors, the U.S. Trustee, and any official committee before any increases in the rates set forth in the Application are implemented and shall file such notice with the Court. The U.S. Trustee retains all rights to object to any rate increase on all grounds, including the reasonableness standard set forth in section 330 of the Bankruptcy Code, and the Court retains the right to review any rate increase pursuant to section 330 of the Bankruptcy Code.

8. Klehr Harrison shall use its reasonable best efforts to avoid duplication of services provided by any of the Ombudsman's other retained professionals in these chapter 11 cases.

9. The Ombudsman and Klehr Harrison are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Application.

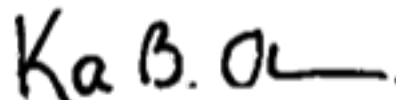
10. Notice of the Application as provided therein is deemed to be good and sufficient notice of such Application, and the requirements of the Local Rules are satisfied by the contents of the Application.

11. To the extent the Application, the Lemisch Declaration is inconsistent with this Order, the terms of this Order shall govern.

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

13. Notwithstanding anything to the contrary in the Application, the Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: December 7th, 2021
Wilmington, Delaware



KAREN B. OWENS
UNITED STATES BANKRUPTCY JUDGE