

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

ORION HEALTHCORP, INC., *et al.*,

Debtors.

Chapter 11

Case No. 18-71748 (AST)

(Jointly Administered)

Howard M. Ehrenberg, as Trustee,
Plaintiff
v.

Adv. Pro. No. 20-08046 (AST)

John Johnston, *et al.*,
Defendants

Howard M. Ehrenberg, as Trustee,
Plaintiff
v.

Adv. Pro. No. 18-08048 (AST)

Richard Ian Griffiths, *et al.*,
Defendants.

Howard M. Ehrenberg, as Trustee,
Plaintiff.
v.

Adv. Pro. No. 18-08053 (AST)

Joel Plasco, *et al.*
Defendants.

Howard M. Ehrenberg, as Trustee,
Plaintiff.
v.

Adv. Pro. No. 20-08048 (AST)

Elizabeth Kelly,
Defendant.

**ORDER AUTHORIZING THE TRUSTEE TO ENTER INTO AND APPROVING THE
AGREEMENTS BY AND BETWEEN THE TRUSTEE AND VARIOUS DEFENDANTS**

Upon the motion dated October 18, 2021 (the “Motion”),¹ of Howard M. Ehrenberg (the “Movant”), the duly appointed liquidating trustee in the above-captioned Chapter 11 cases, seeking

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion

entry of an order pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure and section 105 of title 11 of the United States Code, 11 U.S.C. §§ 101, et seq., authorizing the Movant to enter into two Agreements enclosed herein as Exhibit A and Exhibit B; and this Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b) and/or proceedings that are otherwise related to a case under title 11 pursuant to 28 U.S.C. § 157(c); and this Court having determined that the relief requested in the Motion is in the best interest of the Debtors' estates, creditors and other parties-in-interest; and this Court having determined that the Agreements enclosed here as Exhibit A and Exhibit B are reasonable and entered into in good faith and at arm's length; 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 before the Court and after due deliberation and sufficient cause appearing therefor; it is

ORDERED, that all unresolved objections to the Motion, if any, are hereby overruled; and it is further

ORDERED, that the Directors and Officers Settlement Agreement is approved in its entirety and the Trustee is authorized to execute and consummate the Directors and Officers Settlement Agreement; and it is further

ORDERED, that the Kelly Release is approved in its entirety and the Trustee is authorized to execute and consummate the Kelly Release; and it is further


ORDERED, that the Parties may take any further actions necessary to implement the terms of the Agreements; and it is further

ORDERED, that this Order represents a separate Order with respect to each of the Agreements; and it is further

ORDERED, that the Bankruptcy Court shall retain jurisdiction with respect to any issues arising from the implementation of this Order and the Agreements, including, but not limited to any disputes that may arise with the IRS in connection with the Trustee's request for the issuance of tax refunds related to the IRS Withholdings that are the subject of the Directors' and Officers' Settlement Agreement.

Dated: December 16, 2021
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge