

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE:	§	
	§	
LITTLE RIVER HEALCARE HOLDINGS, LLC, <i>ET AL.</i>,	§	CASE NO. 18-60526-RBK
	§	CHAPTER 7
DEBTORS.	§	(Jointly Administered)
	§	

**LIMITED OBJECTION OF CAPITAL PARTNERS FINANCIAL GROUP USA, INC
TO FIRST INTERIM FEE APPLICATION OF GRAVES DOUGHERTY
HEARON & MOODY, PC AS COUNSEL FOR THE ESTATES**

COMES NOW Capital Partners Financial Group USA, Inc. (“CPFG-USA”), a creditor and party in interest, and files this Objection to the First Interim Fee Application of Graves Dougherty Hearon & Moody, PC as Counsel for the Estates (the “Interim Application”). In support thereof CPFG-USA respectfully states as follows:

1. Prior to the Petition Date, CPFG-USA leased certain personal property to the Debtors (the “CPFG-Alleged Equipment”). The Trustee rejected these leases. *See* Docket Nos. 632 and 782. CPFG-USA asserts an ownership interest in the proceeds of the CPFG-Alleged equipment which was auctioned by the Chapter 7 Trustee with the agreement of CPFG-USA. *See* Docket Nos. 864 and 892. Pursuant to the order approving the auction of the CPFG-Alleged Equipment, the Chapter 7 Trustee is required to segregate the net proceeds of the auction resulting from the CPFG Alleged Equipment. *See* Docket No. 892 at 2. Such funds shall be kept segregated and shall not be commingled with other proceeds pending further order or judgment of the Court. *Id.*

2. CPFG-USA has no objection to the reasonableness, necessity, or allowance of the fees requested by Graves Dougherty Hearon & Moody, PC. However, CPFG-USA does object to the payment of any allowed fees with the proceeds of the CPFG-Alleged Equipment. Whether or

not such proceeds are property of the bankruptcy estates must be determined in an adversary proceeding.

3. CPFG-USA files this objection to preserve and reserve all rights, claims, arguments, and positions with respect to ownership of the proceeds of the CPFG-Alleged Equipment pending resolution or adjudication of the ownership issue in an adversary proceeding.

WHEREFORE, PREMISES CONSIDERED, Capital Partners Financial Group USA, Inc. respectfully requests that the Interim Application be approved with the provision that no fees or expenses be paid with the proceeds of the CPFG-Alleged Equipment, and that the Bankruptcy Court grant it such other and further relief to which it may be justly entitled.

Dated: June 4, 2019

Respectfully Submitted,

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ATTORNEY FOR CAPITAL PARTNERS
FINANCIAL GROUP USA, INC.

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing pleading was forwarded via this Courts CM/ECF notification system to the parties registered for such service on June 4, 2019, and upon the following by regular United States mail:

James Studensky
3912 W. Waco Drive
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Brian Talbot Cumings
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/s/ Kell C. Mercer

Kell C. Mercer