

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION**

In Re:	)	
	)	Chapter 11
	)	
Randolph Hospital, Inc. d/b/a Randolph Health, <i>et al.</i> ,	)	Case No. 20-10247 (LMJ)
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)
	)	
	)	

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**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

DAVID RODRIGUEZ, being duly sworn, deposes and says:

1. I am employed as a Case Manager by Epiq Corporate Restructuring, LLC, located at 777 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.
2. On June 30, 2020, I caused to be served the “First Monthly Statement of Patient Care Ombudsman and Otterbourg P.C., as Counsel to the Patient Care Ombudsman, for Allowance of Compensation for the Period of May 5, 2020 Through and Including May 31, 2020,” a sample of which is annexed hereto as Exhibit A, by causing true and correct copies to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those parties listed on the annexed Exhibit B.

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<sup>1</sup> The Debtors are Randolph Hospital, Inc. d/b/a Randolph Health; MRI of Asheboro, LLC d/b/a Randolph MRI Center; and Randolph Specialty Group Practice.

3. All envelopes utilized in the service of the foregoing contained the following legend:  
“LEGAL DOCUMENTS ENCLOSED. PLEASE DIRECT TO THE ATTENTION  
OF ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT.”

/s/ David Rodriguez  
David Rodriguez

Sworn to before me this  
1<sup>st</sup> day of July, 2020

/s/ Cassandra Murray

Notary Public, State of New York

No. 01 MU6220179

Qualified in Queens County

Commission Expires April 12, 2022

## **EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION**

In re	)	
	)	CASE NO. 20-10247
Randolph Hospital, Inc. d/b/a Randolph Health, <i>et al.</i> ,	)	
	)	CHAPTER 11
	)	
Debtors. <sup>1</sup>	)	(JOINTLY ADMINISTERED)
	)	

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**FIRST MONTHLY STATEMENT OF PATIENT CARE OMBUDSMAN  
AND OTTERBOURG P.C., AS COUNSEL TO THE PATIENT CARE  
OMBUDSMAN, FOR ALLOWANCE OF COMPENSATION FOR THE  
PERIOD OF MAY 5, 2020 THROUGH AND INCLUDING MAY 31, 2020**

In accordance with the Court’s *Final Order Establishing Procedures for Monthly Compensation and Reimbursement of Expenses of Professionals* (the “Monthly Compensation Order”) [Dkt. No. 140], Melanie L. Cyganowski, as the patient care ombudsman (the “PCO”) duly appointed in the above-captioned cases (the “Cases”), and Otterbourg P.C., as the PCO’s counsel (“Otterbourg” and, together with the PCO, the “Applicants”)<sup>2</sup>, hereby submit their monthly statement (the “Monthly Statement”) for compensation for the period of May 5, 2020 through and including May 31, 2020 (the “Statement Period”). In support of this Monthly Statement, Applicants respectfully state as follows:

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<sup>1</sup> The Debtors are Randolph Hospital, Inc. d/b/a Randolph Health, Case No. 20-10247; Randolph Specialty Group Practice, Case No. 20-10248; MRI of Asheboro, LLC d/b/a Randolph MRI Center, Case No. 20-10249.

<sup>2</sup> Pursuant to an *Agreed Order Authorizing the Appointment of a Patient Care Ombudsman Pursuant to 11 U.S.C. § 333* entered on May 5, 2020, Melanie L. Cyganowski was appointed as the PCO for the Debtors in these Cases. [Dkt. No. 217] Notice of the appointment was filed on May 11, 2020 by the Bankruptcy Administrator for the Middle District of North Carolina (the “Bankruptcy Administrator”). [Dkt. No. 231]. On June 4, 2020, the Court entered an Order authorizing the employment of Otterbourg as counsel to the PCO, effective as of May 5, 2020. [Dkt. No. 271].

**Total Fees Sought for the Statement Period**

1. By this Monthly Statement, Applicants seek fees for services rendered during the Statement Period as follows:

Fees of the PCO	\$5,325.75 <sup>3</sup>
Fees of Otterbourg, as counsel to the PCO	\$6,502.05 <sup>4</sup>
Total Fees	\$11,827.80

2. Pursuant to the Monthly Compensation Order, Applicants seek payment of **\$9,462.24** from the Debtors for the Statement Period, representing (a) 80% of the PCO's fees for services rendered (\$4,260.60) and (b) 80% of Otterbourg's fees for services rendered (\$5,201.64).<sup>5</sup>

3. Applicants have attached a list of the individuals and their respective titles who provided services during the Statement Period, their respective billing rates, the aggregate hours spent by each individual, and contemporaneously maintained time entries for each individual in increments of tenths of an hour. More specifically, attached to this Monthly Statement are the following documents:

**Exhibit A:** Summary of Services Rendered/Application for Compensation and Reimbursement of Expenses by Applicants;

**Exhibit B:** Categorized Summary of Services Rendered by Applicants;

**Exhibit C:** Detailed Itemization of the services rendered, the date rendered and the amount of time spent, and of the expenses incurred from May 5, 2020 through May 31, 2020 for the PCO; and

<sup>3</sup> The \$5,325.75 reflects the PCO's agreement to reduce its fees billed by 10% for these Cases. Absent the discount, the original amount of the PCO's fees would have totaled \$5,917.50.

<sup>4</sup> The \$6,502.05 reflects Otterbourg's agreement to reduce its fees billed by 10% for these Cases. Absent the discount, the original amount of Otterbourg's fees would have totaled \$7,224.50.

<sup>5</sup> Applicants did not incur any expenses during the Statement Period. Applicants reserve the right to request the reimbursement of expenses that may have been inadvertently excluded from this Monthly Statement.

**Exhibit D:** Detailed Itemization of the Services rendered, the date rendered and the amount of time spent, and of the expenses incurred from May 5, 2020 through May 31, 2020 for Otterbourg.

4. Notice of this Monthly Statement will be served upon the following parties (collectively, the “Notice Parties”): (a) Hendren, Redwine & Malone, PLLC, 4600 Marriott Drive, Suite 150, Raleigh, NC 27612, Attn: Rebecca F. Redwine, Esq.; (b) Nelson Mullins Riley & Scarborough LLP, 1320 Main Street, 17<sup>th</sup> Floor, Columbia, SC 29201, Attn: Jody Bedenbaugh, Esq.; (c) the Office of the U.S. Bankruptcy Administrator, 101 S. Edgeworth Street, Greensboro, NC 27401, Attn: Robert E. Price, Jr., Esq.; (d) Spilman Thomas & Battle, PLLC, 110 Oakwood Drive, Suite 500, Winston-Salem, NC 27103, Attn: Rayford K. Adams III, Esq.; and (e) Sills Cummis & Gross, PC, One Riverfront Plaza, Newark, NJ 07102, Attn: Andrew H. Sherman, Esq.

5. Pursuant to the Monthly Compensation Order, objections, if any, to this Monthly Statement must be served upon Applicants and the Notice Parties within twenty (20) days after service of this Monthly Statement and set forth the nature of the objection, the specific grounds therefor, and the amount of fees or expenses at issue.

6. Applicants reserve the right to amend, supplement or otherwise modify this Monthly Statement and all attachments and exhibits thereto as it deems necessary and/or proper.

Respectfully submitted, this the 30th day of June, 2020.

OTTERBOURG P.C.

By: /s/ Robert C. Yan  
Robert C. Yan, Esq.  
230 Park Avenue  
New York, NY 10169  
Telephone: (212) 661-9100  
Email: [ryan@otterbourg.com](mailto:ryan@otterbourg.com)  
Attorney Bar No. 4067021  
*Counsel for Melanie L. Cyganowski,  
Patient Care Ombudsman*

## **EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

In re	)	
	)	CASE NO. 20-10247
Randolph Hospital, Inc. d/b/a Randolph Health, <i>et al.</i> ,	)	
	)	CHAPTER 11
	)	
Debtors. <sup>1</sup>	)	(JOINTLY ADMINISTERED)
	)	

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**SUMMARY OF SERVICES RENDERED/  
APPLICATION FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES**

By: Melanie L. Cyganowski as Patient Care Ombudsman

During the period from May 5, 2020 through May 31, 2020, the undersigned performed professional services in the above-captioned case in the capacity of Patient Care Ombudsman. Included in this Application as **Exhibit C** is a detailed itemization of time expended in the performance of these professional services.

Name	Title	Hourly Rate	Hours	Total	Hourly Rate Previously allowed by the Court
Melanie L. Cyganowski as Patient Care Ombudsman	Partner	\$1,315.00	4.5	\$5,917.50	\$1,315.00
Total			4.5	\$5,917.50	
10% Discount				(\$591.75)	
Expenses				\$0.00	
<b>Total Amount Requested</b>	<b>\$5,325.75</b>				

I certify that the information contained in this application is true and accurate and that the application complies with the court's chapter 11 fee guidelines currently in effect.

This 30<sup>th</sup> day of June, 2020.

/s/ Melanie L. Cyganowski  
 Melanie L. Cyganowski, Esq.  
 Patient Care Ombudsman

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<sup>1</sup> The Debtors are Randolph Hospital, Inc. d/b/a Randolph Health, Case No. 20-10247; Randolph Specialty Group Practice, Case No. 20-10248; MRI of Asheboro, LLC d/b/a Randolph MRI Center, Case No. 20-10249.



UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

In re	)	
	)	CASE NO. 20-10247
Randolph Hospital, Inc. d/b/a Randolph Health, <i>et al.</i> ,	)	
	)	CHAPTER 11
	)	
Debtors. <sup>1</sup>	)	(JOINTLY ADMINISTERED)
	)	

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**SUMMARY OF SERVICES RENDERED/  
APPLICATION FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES**

By: Otterbourg P.C. as Counsel to the Patient Care Ombudsman

During the period from May 5, 2020 through May 31, 2020, the undersigned firm performed professional services in the above-captioned case in the capacity as Counsel to the Patient Care Ombudsman. Included in this Application as **Exhibit D** is a detailed itemization of time expended in the performance of these professional services.

Name	Title	Hourly Rate	Hours	Total	Hourly Rate Previously allowed by the Court
Robert C. Yan	Associate	\$625.00	3.8	\$2,375.00	\$625.00
Jessica K. Hildebrandt	Paralegal	\$305.00	15.9	\$4,849.50	\$305.00
Total			19.7	\$7,224.50	
10% Discount				(722.45)	
Expenses				\$0.00	
<b>Total Amount Requested</b>	<b>\$6,502.05</b>				

I certify that the information contained in this application is true and accurate and that the application complies with the court's chapter 11 fee guidelines currently in effect.

This 30<sup>th</sup> day of June, 2020.

/s/ Robert C. Yan  
 Robert C. Yan, Esq.  
 Otterbourg P.C.  
 Counsel to the Patient Care Ombudsman

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<sup>1</sup> The Debtors are Randolph Hospital, Inc. d/b/a Randolph Health, Case No. 20-10247; Randolph Specialty Group Practice, Case No. 20-10248; MRI of Asheboro, LLC d/b/a Randolph MRI Center, Case No. 20-10249.

## **EXHIBIT B**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

In re	)	
	)	CASE NO. 20-10247
Randolph Hospital, Inc. d/b/a Randolph Health, <i>et al.</i> ,	)	
	)	CHAPTER 11
	)	
Debtors. <sup>1</sup>	)	(JOINTLY ADMINISTERED)
	)	

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**CATEGORIZED SUMMARY OF SERVICES RENDERED**

By: Melanie L. Cyganowski as Patient Care Ombudsman

During the period from May 5, 2020 through May 31, 2020, the undersigned performed professional services in the above-captioned case in the capacity of Patient Care Ombudsman and Counsel to the Patient Care Ombudsman.

The following summarizes by category the time expended by Applicants:

Category	Hourly Rate	Hours	Total
General Case Administration	\$1,315.00	1.7	\$2,235.50
Reporting	\$1,315.00	2.8	\$3,682.00
Total:		4.5	\$5,917.50
<b>Total with 10% Discount:</b>	<b>\$5,325.75</b>		

This 30<sup>th</sup> day of June, 2020.

/s/ Melanie L. Cyganowski  
Melanie L. Cyganowski, Esq.  
Patient Care Ombudsman

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<sup>1</sup> The Debtors are Randolph Hospital, Inc. d/b/a Randolph Health, Case No. 20-10247; Randolph Specialty Group Practice, Case No. 20-10248; MRI of Asheboro, LLC d/b/a Randolph MRI Center, Case No. 20-10249.

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

In re	)	
	)	CASE NO. 20-10247
Randolph Hospital, Inc. d/b/a Randolph	)	
Health, <i>et al.</i> ,	)	CHAPTER 11
	)	
Debtors. <sup>1</sup>	)	(JOINTLY ADMINISTERED)
	)	

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**CATEGORIZED SUMMARY OF SERVICES RENDERED**

By: Otterbourg P.C. as Counsel to the Patient Care Ombudsman

During the period from May 5, 2020 through May 31, 2020, the undersigned performed professional services in the above-captioned case in the capacity of Patient Care Ombudsman and Counsel to the Patient Care Ombudsman.

The following summarizes by category the time expended by Applicants:

Category	Hourly Rate	Hours	Total
General Case	\$625.00	2.0	\$1,250.00
Administration	\$305.00	9.2	\$2,806.00
Reporting	\$625.00	1.8	\$1,125.00
	\$305.00	6.7	\$2,043.50
Total:		19.7	\$7,224.50
<b>Total with 10% Discount:</b>	<b>\$6,502.05</b>		

This 30<sup>th</sup> day of June, 2020.

/s/ Robert C. Yan  
 Robert C. Yan, Esq.  
 Otterbourg P.C.  
 Counsel to the Patient Care Ombudsman

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<sup>1</sup> The Debtors are Randolph Hospital, Inc. d/b/a Randolph Health, Case No. 20-10247; Randolph Specialty Group Practice, Case No. 20-10248; MRI of Asheboro, LLC d/b/a Randolph MRI Center, Case No. 20-10249.

## **EXHIBIT C**

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter No.: 19538/0901  
Matter Name: IN RE RANDOLPH HEALTH  
Billing Partner: RL STEHL

June 25, 2020  
BILL NO. 210785

For Services Rendered Through May 31, 2020:

Phase: 42			Reporting
<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/14/20 MLC	Conference call(s) Conference call with Dr West and Angela Orth and other Randolph Hospital personnel re patient care issues	1.20	1,578.00
05/15/20 MLC	Analysis of Memorandum Review and analysis of notes from call with Dr West and hospital placement of operations	1.00	1,315.00
05/19/20 MLC	Correspondence Correspondence with Dr West and review of confidentiality restrictions	.30	394.50
05/28/20 MLC	Analysis of Memorandum Review of declaration filed by Louis Robinchaux re hospital operations	.30	394.50
TOTAL PHASE 42		2.80	\$3,682.00
Phase: 45			Case Administration / General Services

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter: 19538/0901  
Page 2

June 25, 2020  
BILL NO. 210785

<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/05/20 MLC	Court Appearance - General [Randolph Hospital] Appeared in court hearing at time of potential appointment as PCO	.60	789.00
05/05/20 MLC	Prepare for Meeting [Randolph Hospital] Prepared for court hearing as proposed PCO	.30	394.50
05/06/20 MLC	Draft/revise Reviewed and revised draft notice of appointment as PCO	.20	263.00
05/06/20 MLC	Correspondence Correspondence with Debtor's counsel and BA re notice of appointment	.10	131.50
05/07/20 MLC	Draft/revise [Randolph Health] Follow up review of certain revisions to Otterbourg retention application	.30	394.50
05/08/20 MLC	Correspondence Follow up with Debtor's counsel and BA re notice of appointment	.20	263.00
TOTAL PHASE 45		1.70	\$2,235.50
		TOTAL FOR SERVICES	\$5,917.50

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter: 19538/0901  
Page 3

June 25, 2020  
BILL NO. 210785

TOTAL THIS STATEMENT \$5,917.50

Total with 10% Accommodation \$5,325.75



## **EXHIBIT D**

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter No.: 19538/0902  
Matter Name: IN RE RANDOLPH HEALTH - COUNSEL  
Billing Partner: RL STEHL

June 25, 2020  
BILL NO. 210786

For Services Rendered Through May 31, 2020:

Phase: 42			Reporting
<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/12/20 RCY	Correspondence Emails from Randolph management to schedule introductory meeting and next steps.	.10	62.50
05/14/20 RCY	Telephone Call(s) Conference call with C. West, T. Crawford, MLC and JKH re: introductory call, background and next steps for administration and of PCO's monitoring duties.	1.20	750.00
05/14/20 RCY	Telephone Call(s) Follow up call with MLC to discuss initial meeting with management/administration	.20	125.00
05/14/20 RCY	Correspondence Email to MLC re: virtual tour of facility.	.10	62.50
05/14/20 RCY	Examine Documents Compare notes of conference call with Randolph management for PCO digestion.	.20	125.00

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter: 19538/0902  
Page 2

June 25, 2020  
BILL NO. 210786

<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/14/20 JKH	Conference call(s) Introductory call with chief medical officer and chief nursing officer	1.20	366.00
05/14/20 JKH	Memo Preparing detailed summary of initial call to assist PCO.	2.10	640.50
05/21/20 JKH	Review Documents Review background materials in preparation of draft PCO report.	.70	213.50
05/22/20 JKH	Prepare Legal Papers Prepare draft first pco report	2.70	823.50
TOTAL PHASE 42		8.50	\$3,168.50

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Phase: 45	Case Administration / General Services
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<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/05/20 RCY	Examine Documents Examine draft retention papers, local rules and court documents and comment on retention papers.	1.10	687.50
05/05/20 RCY	Examine Documents Follow up on logistics for PCO monitoring by remote means.	.10	62.50

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter: 19538/0902  
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June 25, 2020  
BILL NO. 210786

<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/05/20 JKH	Prepare Legal Papers Randolph - prepare draft retention application	2.20	671.00
05/05/20 JKH	Prepare Legal Papers Randolph - prepare draft notice of appointment and exhibits	1.20	366.00
05/05/20 JKH	Correspondence Randolph - Review email communications related to hearing and appointment	.20	61.00
05/06/20 RCY	Examine Documents Initial due diligence review and review of background information to assist PCO's understanding of case and in furtherance of PCO's monitoring duties.	.60	375.00
05/06/20 RCY	Examine Documents Follow up on progress of submission of retention application.	.20	125.00
05/06/20 JKH	Review/analyze Randolph - review and edit retention application with proposed changes	.40	122.00
05/06/20 JKH	Research Review first day declaration, internet articles and company website for background information for PCO review.	2.30	701.50

OTTERBOURG P.C.  
230 PARK AVENUE  
NEW YORK, NY 10169-0075

Client/Matter: 19538/0902  
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June 25, 2020  
BILL NO. 210786

<u>DATE</u> <u>ATTORNEY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
05/06/20 JKH	Memo Prepare outline of background company information	1.40	427.00
05/07/20 JKH	Draft/revise Review and make proposed changes from debtor's counsel re: application for retention	.70	213.50
05/12/20 JKH	Correspondence Email communications re: ECF registration	.20	61.00
05/12/20 JKH	Draft/revise Update roster with additional contacts for PCO follow up and information gathering.	.30	91.50
05/26/20 JKH	Research Re: telephonic appearances and email communication to clerk re: same	.30	91.50
TOTAL PHASE 45		11.20	\$4,056.00
TOTAL FOR SERVICES			\$7,224.50
TOTAL THIS STATEMENT			\$7,224.50
Total with 10% Accommodation			\$6,502.05

## **EXHIBIT B**

Claim Name	Address Information
HENDREN, REDWINE & MALONE, PLLC	(COUNSEL TO THE DEBTORS) ATTN: REBECCA F. REDWINE 4600 MARRIOTT DRIVE, SUITE 150 RALEIGH NC 27612
NELSON MULLINS RILEY & SCARBOROUGH L.L.P.	(COUNSEL TO THE DEBTORS) ATTN: JODY A. BEDENBAUGH, GRAHAM S. MITCHELL 1320 MAIN STREET, 17TH FLOOR COLUMBIA SC 29201
SILLS CUMMIS & GROSS, PC	(COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS) ATTN: ANDREW H. SHERMAN, BORIS I. MANKOVETSKIY ONE RIVERFRONT PLAZA NEWARK NJ 07102
SPILMAN THOMAS & BATTLE, PLLC	(COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS) ATTN: RAYFORD K. ADAMS III 110 OAKWOOD DRIVE, SUITE 500 WINSTON-SALEM NC 27103
US BANKRUPTCY ADMINISTRATOR	ATTN: ROBERT E. PRICE, JR., ESQ. 101 SOUTH EDGEWORTH STREET GREENSBORO NC 27401

<b>Total Creditor count 5</b>
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