



The relief described hereinbelow is **SO ORDERED**.

Signed August 24, 2021.



Ronald B. King
Chief United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

In Re:	§	Chapter 7
	§	
LITTLE RIVER HEALTHCARE HOLDINGS, LLC, <i>et al.</i>	§	Case No. 18-60526-rbk
	§	
Debtors.	§	(Jointly Administered)
	§	

**AGREED ORDER GRANTING JOINT MOTION OF PEGGY BORGFELD,
RYAN DOWNTON, JEFFREY MADISON, AND KEVIN OWENS FOR AN
ORDER ALLOWING PAYMENTS UNDER DEBTOR'S D&O INSURANCE POLICIES
AND TO MODIFY STAY TO THE EXTENT THE AUTOMATIC STAY APPLIES**

CAME ON FOR CONSIDERATION the joint motion of Peggy Borgfeld, Ryan Downton, Jeffrey Madison, and Kevin Owens for Relief from the Automatic Stay, to the Extent Necessary, to Allow Payments of Past and Future Defense Costs and Other Covered Loss Under Debtor Little River Healthcare Holdings, LLC's D&O Insurance Policies (the "**Joint Motion**").¹ The Court having considered same, and any response(s) thereto, and finding that notice of the Joint Motion was proper, is of the opinion that the Joint Motion should be GRANTED; it is therefore

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Joint Motion.

ORDERED, ADJUDGED, and DECREED that the Joint Motion is hereby GRANTED in as set forth herein; it is further

ORDERED that the automatic stay imposed under section 362(a) of the Bankruptcy Code does not apply, or, to the extent it does apply, it is lifted and modified to allow the Insurers to make payments and/or advancements under the Policies to advance future defense costs and other covered Loss, relative to claims being asserted against the D&Os in the Litigation, and to pay already incurred defense costs; it is further

ORDERED that the automatic stay imposed under section 362(a) of the Bankruptcy Code shall not subject the Insurers to liability for making and/or advancing any payment in connection with past, present, and/or future defense costs or other covered Loss paid under the Policies; it is further

ORDERED that nothing in this Order modifies the terms and conditions of the Policies and all parties reserve their rights thereunder; it is further

ORDERED that no claim against the Trustee or any of the bankruptcy estates shall be deemed allowed by virtue of this Order for any liability, obligation, claim, or the like for any deductible, retention, or other amount required to be paid or transferred to the Insurers, and any claim against the Trustee or any of the bankruptcy estates based on any of the foregoing may be asserted in this Bankruptcy Case, and the Trustee and the bankruptcy estates reserve all rights to object to any such claim, on any basis, including with respect to its allowance or priority or administrative status; it is further

ORDERED that this Order is effective immediately upon its entry, notwithstanding the potential applicability of Fed. R. Bankr. P. 4001(a)(3); it is further

ORDERED that this Court shall retain jurisdiction with respect to all matters arising from or related to this Order.

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PROPOSED ORDER SUBMITTED BY:

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