

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

AKUMIN INC., *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 23-90827 (CML)

(Jointly Administered)

**THIRD SUPPLEMENTAL STIPULATION AND AGREED ORDER GRANTING
EXTENSION OF TIME TO ASSUME OR REJECT CREDITOR CONTRACTS**

This Third Supplemental Stipulation and Agreed Order (the “Stipulation”) is entered into by and among (a) the above-captioned reorganized debtors (collectively, “Reorganized Debtors,” and prior to the Effective Date,² the “Debtors”) and (b) 626 Holdings, Inc.; 626 OpCo, LLC; 626 AWI, LLC; 626 ISS, LLC; 626 Parts, LLC; 626 Holdings Equity, LLC; Tito’s Intermediate, Inc.; Tito’s Holdings, LLC; PRC Tito’s LLC; A Walsh Imaging, Inc.; Vista Imaging Tech, LLC; Innovatus Imaging Corp.; Injector Support & Service, LLC; Phigem Parts, Inc.; HC Capital Holdings 2106D, LLC; and any of their predecessors, successors, or assigns (collectively, “626,” and together with the Reorganized Debtors, the “Parties”). The Parties hereby stipulate and agree as follows:

WHEREAS, on November 30, 2023, the United States Bankruptcy Court for the Southern District of Texas (the “Court”) entered an order [Docket No. 272] (the “Confirmation Order”), which, among other things, provided that the Debtors shall assume or reject any executory

¹ A complete list of each of the Reorganized Debtors in these chapter 11 cases may be obtained on the website of Reorganized Debtors’ claims and noticing agent at <https://dm.epiq11.com/Akumin>. The Reorganized Debtors’ service address is 8300 W. Sunrise Boulevard, Plantation, Florida 33322.

² Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the Confirmation Order (as defined below).

contracts with 626 (the “Contracts”) within 60 days of the entry of the Confirmation Order. Thus, the original deadline to assume or reject the Contracts was January 29, 2024.

WHEREAS, on January 29, 2024, the Parties filed their *Stipulation and Agreed Order Granting Extension of Time to Assume or Reject Creditor Contracts* agreeing to extend the deadline to assume or reject the Contracts to February 13, 2024 [Docket No. 385]. The Court signed the agreed order on January 30, 2024 at Docket No. 387.

WHEREAS, on February 13, 2024, the Parties filed their *Supplemental Stipulation and Agreed Order Granting Extension of Time to Assume or Reject Creditor Contracts* agreeing to extend the deadline to March 1, 2024 [Docket No. 412]. The Court signed the agreed order on February 14, 2024 at Docket No. 414.

WHEREAS, on February 28, 2024, the Parties filed their *Second Supplemental Stipulation and Agreed Order Granting Extension of Time to Assume or Reject Creditor Contracts* agreeing to extend the deadline to March 15, 2024 [Docket No. 419]. The Court signed the agreed order on February 29, 2024 at Docket No. 421.

WHEREAS, the Parties have engaged in good faith discussions and have reached an agreement in principal on terms to assume the Contracts as amended pursuant to their agreement.

WHEREAS, the Parties require an additional extension of time to finalize the amendments to and assumption of the Contracts.

WHEREAS, the Parties wish to preserve their rights while finalizing the amendments to and assumption of the Contracts.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION, IT IS ORDERED AS FOLLOWS:

1. The foregoing recitals are hereby incorporated by reference into this Stipulation with the same force and effect as if fully set forth hereinafter.

2. The Parties agree that the Reorganized Debtors' deadline to assume or reject the Contracts is extended to March 29, 2024.

3. Neither this Stipulation, nor any terms contained herein shall be offered or received in evidence or in any way referred to in any legal action or administrative proceeding among or between the Parties hereto, other than as may be necessary to obtain approval and to enforce this Stipulation.

4. Neither this Stipulation nor any negotiations and writings in connection with this Stipulation will in any way be construed as or deemed to be evidence of or an admission on behalf of any Party regarding any claim or right that such Party may have against the other Party.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Stipulation.

THE FOREGOING STIPULATION IS HEREBY APPROVED AND SO ORDERED.

Signed: March _____, 2024

CHRISTOPHER M. LOPEZ
UNITED STATES BANKRUPTCY JUDGE

STIPULATED AND AGREED ON MARCH 12, 2024 BY:

/s/ Jennifer F. Wertz

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