

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

In re:

WELLPATH HOLDINGS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-90533 (ARP)

(Jointly Administered)

**Re Docket Nos.: 785, 1005, 1098, 1148,
1151, 1152, 1175, 1180,
1258, 1259, 1334, 1341,
& 1401**

**ORDER (I) ENFORCING THE AUTOMATIC STAY TO LIFT STAY
MOVANTS ON A FINAL BASIS, AND (II) GRANTING RELATED RELIEF**

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://dm.epiq11.com/Wellpath>. The Debtors' service address for these chapter 11 cases is 3340 Perimeter Hill Drive, Nashville, Tennessee 37211.

Upon the motions (the “Motions”)¹ of the Movants² for entry of final orders, pursuant to section 362(a) of the Bankruptcy Code, modifying the automatic stay as to above-captioned debtors and debtors in possession (collectively, the “Debtors”) and Non-Debtor Defendants (as defined in the *Debtors’ Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants* [Docket No. 17] (the “Stay Extension Motion”) in the Lawsuits (as defined herein), as more fully described in the Motions; and the Court having jurisdiction to consider the Motions and the relief requested therein pursuant to 28 U.S.C. § 1334 and the *Order of Reference to Bankruptcy Judges*, General Order 2012-6 (S.D. Tex. May 24, 2012) (Hinojosa, C.J.); and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157; and the Court having found that it may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of the chapter 11 cases and related proceedings being proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motions having been provided to the Notice Parties, such notice having been adequate and appropriate under the

¹ The “Motions” mean, collectively, (a) *Motion for Relief from the Automatic Stay* [Docket No 785] (the “McGinnis Motion”); (b) *Motion for Relief from Stay* [Docket No. 1005] (the “Buchanan Motion”); (c) *Creditor’s Notice of Appearance & Notice for Relief from Stay* [Docket No. 1098] (the “Beres Motion”); (d) *Motion for Relief for the Above Case for Compensatory and Punitive Damages* [Docket No. 1148] and *Plaintiff Motion to File a Motion for Relief from Stay Pursuant to 11 U.S.C. 362* [Docket No. 1258] (together, the “Hill Motions”); (e) *Motion to Modify Claims and Object to Claims of Stay of Claims Under 362 Bankruptcy Mandatory Abstention Provisions Under 28 U.S.C.S §1334(c)(2)* [Docket No. 1151] and *Motion to Modify Stay of Claims of Stay and Object to Claims of Stay for Relief from the Automatic Stay* [Docket No. 1152] (together, the “Quinn Motions”); (f) *Motion for Relief from Stay* [Docket No. 1175] (the “Stockton Motion”); (g) *Plaintiff Motion for Relief from Stay* [Docket No. 1180] (the “Williams Motion”); (h) *Motion for Relief* [Docket No. 1259] (the “Hughes Motion”); (i) *Requesting Plaintiff Motion of Stay Determination of Scott Prince and Mark Abel* [Docket No. 1334] (the “Cooper Motion”); (j) *Motion to Lift Stay on No. 3:20-cv-1106 and Permission to Freeze Debtor’s Assets* [Docket No. 1341] (the “Davis Motion”); and (k) *Motion to Modify and Objection to Claims for the Termination of Automatic Stay* [Docket No. 1401] (the “Perez Motion”).

² The “Movants” mean, collectively, (a) Vern E. McGinnis, Jr. (the “McGinnis Movant”); (b) Christopher Buchanan (the “Buchanan Movant”); (c) Melanie M. Beres (“Beres Movant”); (d) Adam Hill (the “Hill Movant”); (e) Phillip Quinn (the “Quinn Movant”); (f) Joshua M. Stockton (the “Stockton Movant”); (g) Henry Williams (the “Williams Movant”); (h) Brian Hughes (the “Hughes Movant”); (i) Bruce X. Cooper (the “Cooper Movant”); (j) Kevin Davis (the “Davis Movant”); and (j) Francisco Perez (the “Perez Movant”).

circumstances, and it appearing that no other or further notice need be provided; and the Court having reviewed and considered the Motions, the *Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay* [Docket No. 827] (the "First Omnibus Objection"), the *Debtors' Second Omnibus Objection to Motions for Relief from the Automatic Stay* [Docket No. 1336] (the "Second Omnibus Objection"), the *Declaration of James Seitz as Director of Insurance of Wellpath Holdings, Inc. and Certain of Its Affiliates and Subsidiaries in Support of the Debtors' Omnibus Objection to Motions for Relief from the Automatic Stay and Stay Extension Reply* [Docket No. 828] (the "Seitz Declaration"), the *Supplemental Declaration of James Seitz as Director of Insurance of Wellpath Holdings, Inc. and Certain of Its Affiliates and Subsidiaries in Support of the Debtors' Stay Extension Reply* [Docket No. 898] (the "Supplemental Seitz Declaration"), the *Second Supplemental Declaration of James Seitz as Director of Insurance of Wellpath Holdings, Inc. and Certain of Its Affiliates and Subsidiaries in Support of the Debtors' Omnibus Objections to Motions for Relief from the Automatic Stay and Stay Enforcement Motion* [Docket No. 912] (the "Second Supplemental Seitz Declaration"); the *Third Supplemental Declaration of James Seitz as Director of Insurance of Wellpath Holdings, Inc. and Certain of Its Affiliates and Subsidiaries in Support of the Debtors' Second Omnibus Objection to Motions for Relief from the Automatic Stay* [Docket No. 1337] (the "Third Supplemental Seitz Declaration"), and the *Debtors' Third Omnibus Objection to Motions for Relief from the Automatic Stay* [Docket No. 1746] (the "Third Omnibus Objection"), the *Fourth Supplemental Declaration of James Seitz as Director of Insurance of Wellpath Holdings, Inc. and Certain of Its Affiliates and Subsidiaries in Support of the Debtors' Third Omnibus Objection to Motions for Relief from the Automatic Stay* [Docket No. 1747] (the "Fourth Supplemental Seitz Declaration"), and the First Day Declaration; and the Court having held a hearing, if necessary, to consider the relief requested

in the Motions on a final basis (the “Hearing”); and the Court having determined that the legal and factual bases set forth in the Motions, the First Omnibus Objection, the Second Omnibus Objection, the Seitz Declaration, the Supplemental Seitz Declaration, the Second Supplemental Seitz Declaration, the Third Supplemental Seitz Declaration, the Third Omnibus Objection, the Fourth Supplemental Seitz Declaration, and the First Day Declaration and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT

1. Pursuant to section 362 of the Bankruptcy Code, any claims or causes of action that have been or may be asserted against the Debtors and the Non-Debtor Defendants, are stayed until the earlier of (a) the effective date of a confirmed chapter 11 plan, (b) dismissal of the chapter 11 cases of the Debtors, (c) conversion of these cases to chapter 7 of the Bankruptcy Code, or (d) April 30, 2025, in the lawsuits listed herein (collectively, the “Lawsuits”):

- a. *McGinnis v. Hill et al.*, Case No. 1:24-cv-00073 (W.D. Pa.);
- b. *Buchanan v. Roberts et al.*, Case No. 3:24-cv-00074 (E.D. Ark.);
- c. *Beres v. Neuro Behavioral Hospital – West Palm Beach*, Case No. 2024-CA-007932, in the Circuit Court of the 15th Judicial Circuit in and for Palm Beach, Florida;
- d. *Hill v. Wellpath Medical Corp., et al.*, Case No. 4:24-cv-00284 (E.D. Ark.);
- e. *Hill v. Stukey, et al.*, Case No. 4:24-cv-00518 (E.D. Ark.);
- f. *Quinn v. WellPath Medical Services et al.*, Case No. 3:24-cv-01248 (M.D. Pa.);
- g. *Stockton v. Wellpath LLC et al.*, Case No. 4:24-cv-00680 (E.D. Ark.);
- h. *Williams v. Payne et al.*, Case No. 4:22-cv-00826 (E.D. Ark.);
- i. *Hughes v. Haynes et al.*, Case No. 4:24-cv-00932 (E.D. Ark.);

- j. *Cooper v. Prince et al.*, Case No. 4:24-cv-00487 (M.D. Pa.);
- k. *Davis v. Cowden*, Case No. 3:20-cv-01106 (M.D. Pa.); and
- l. *Perez v. Ransome, et al.*, Case No. 1:22-cv-01087 (M.D. Pa.).

2. Except as set forth herein, the *Amended Final Order (I) Enforcing the Automatic Stay to Non-Debtor Defendants on a Final Basis, and (II) Granting Related Relief* [Docket No. 1480] otherwise remains a fully enforceable order and the automatic stay's application to the Debtor and all other Non-Debtor Defendants in the Lawsuits shall remain in full force and effect, including as extended by any further order of this Court.

2. Nothing in this Order shall (a) prejudice the right of any Movant to seek relief from the automatic stay pursuant to section 362 of the Bankruptcy Code for injunctive relief related solely to medical care or upon an unforeseeable change in circumstances or (b) supersede or abrogate any prior order interpreting, extending, or granting relief from the automatic stay for injunctive relief related to medical care.

3. Nothing in this Order shall prejudice the right of the Debtors to seek additional relief from the Court related to the automatic stay pursuant to section 362 of the Bankruptcy Code, including additional extensions of the stay to Debtors and Non-Debtor Defendants in the Lawsuits.

4. Any Bankruptcy Rule or Bankruptcy Local Rule that might otherwise delay the effectiveness of this Order is hereby waived, and the terms and conditions of this Order shall be effective and enforceable immediately upon its entry.

5. The Debtors are authorized to take any action deemed necessary or appropriate to implement and effectuate the terms of, and the relief granted in, this Order without seeking further order of the Court.

6. The Court shall retain exclusive jurisdiction over any matter arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: _____, 2025
Houston, Texas

ALFREDO R. PÉREZ
UNITED STATES BANKRUPTCY JUDGE