

Tuesday, April 1, 2025

District of Delaware Bankruptcy Court

Rajeev Varma, M.D. (plaintiff/creditor)

V

Quorum Health Corporation (defendant, CH11 debtor)

AND

Davidson Kempner, Goldentree, Quincy Health, all private equity shareholders et al (from original case)

CASES: DEB 20-10766 BLS (original parent case)

DEB: AP: 21-51190 BLS (adversary proceeding)

BRIEF : RESPONSE TO QUORUM HEALTH CORPORATION LITIGATION TRUSTEE MOTION WITH PROPOSED ORDER TO EXTEND LITIGATION TRUST UNTIL JULY 7, 2027 (Two year extension requested by trustee dated March 14, 2025)

Mr. Golden, the BANKRUPTCY litigation trustee, had submitted a motion in the parent case of this chapter 11 proceeding in which he had requested an extension of two years to keep the litigation trust active since it is scheduled to expire at the five year. Laps which would occur originally on July 7, 2025. The motion submitted by the litigation trustee on March 14, 2025, Had requested that the court submit an order approving the extension for two more years after July 7th 2025 until July 7th 2027. The litigation trustees submitted a motion and a proposed order. I have not submitted on the docket since more than one year ago on approximately March 6th, 2024. I had kept a mental reminder that the deadline to submit any form of response was today on April 1, 2025. Usually, the deadline would be midnight of the calendar day in the time zone of the prevailing court. However, I have noticed, after reviewing again, the proposed order by the litigation trustee that the deadline suggested in the proposed order would be 4:00 PM Eastern standard time on April 1, 2025. I have just noticed that and hence I am submitting a preliminary response that I am in agreement with the

litigation trustee that the litigation trust should be extended until July 7, 2027 since it is highly unlikely that the litigation related to the litigation trust, including the avoidance litigation would be resolved by July 7th, 2025. It is important that I submit an update brief/response in regards to this impending deadline issue so that the bankruptcy court can potentially submit an order approving the extension and if by chance the court were to mimic the proposed order by the litigation trustee that was submitted on 3/14/2025 by Mr. Golden, the Court might want to amend the 4:00 PM deadline as there is no effectuated court-ordered deadline on order in this bankruptcy case as of yet and my response to the motion and proposed order by the litigation trustee should help guide the court that I am in agreement with the extension of the litigation trust until July 7th, 2027. This is highly important because the litigation trust substantively cannot exist unless there is the existence of a major unsecured creditor (i.e. me with an active \$100 million allowed claim) in the prepackaged chapter 11 case originally filed in Delaware on April 7, 2020. I will submit an addendum that will relate back to this brief that is dated today on Tuesday, April 1, 2025 that will provide an updated schedule of when I will lift and modify the automatic stay and modify the 524 discharge injunction and lift the exculpation on BANKRUPTCY professionals that will become defendants and essentially effectuate the ability to litigate against third-party non-debtors as per the June 2024 Harrington vs Perdue case by SCOTUS. I realize that a temporary injunction protecting third party non debtors may still continue on a temporary basis to facilitate negotiation and litigation up until a creditor decides to lift the automatic stay and to relinquish releases that were included in the original Chapter 11 plan protecting third party non debtors. Essentially, third party non debtors are ultimately not protected by a third party release in a Chapter 11 plan but may receive a temporary injunction until a active formative step is taken by a creditor such as myself to lift the automatic stay, modify the discharge injunction, and relinquish the active third party releases that are delineated in the original Chapter 11 plan that became effective on July 7th, 2020. Thank you.

Sincerely,

/s/Rajeev Varma, M.D.

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