

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

HENRY ANESTHESIA ASSOCIATES, LLC,

Debtor.

HENRY ANESTHESIA ASSOCIATES, LLC,

Movant,

v.

BANK OF AMERICA, N.A., GEORGIA
DEPARTMENT OF LABOR, GEORGIA
DEPARTMENT OF REVENUE, and
INTERNAL REVENUE SERVICE,

Respondents.

CHAPTER 11

CASE NO. 20-68477

CONTESTED MATTER

**MOTION REQUESTING ENTRY OF ORDER
AUTHORIZING THE USE OF CASH COLLATERAL**

COMES NOW Henry Anesthesia Associates, LLC (“Debtor”), and hereby files this “Motion Requesting Entry of Order Authorizing the Use of Cash Collateral” (the “Motion”). In support of the Motion, Debtor shows the Court as follows:

Jurisdiction

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The statutory predicates for the relief requested herein is 11 U.S.C. §§ 105(a) and 363.

Background

2. On July 28, 2020 (the “Petition Date”), Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (as amended, modified, or supplemented the “Bankruptcy Code”).

3. Debtor is a Georgia Corporation and as its business, Debtor is the operator of an

anesthesia practice (the "Business" or sometimes the "Practice"). Debtor's budget is attached hereto as Exhibit "A".

5. Pursuant to Bankruptcy Code Sections 1107 and 1108, Debtor continues to operate its business as a debtor-in-possession. Debtor is currently a debtor-in-possession and is taking any and all actions necessary to preserve, protect, and maximize the value of the estate and effectively reorganize.

6. In order to preserve the estate, Debtor must have access to cash to pay the operating expenses of the Business. If Debtor does not have the authority to use its available cash to pay operating expenses of the Business, including insurance, taxes and compensate its work force, the Business' going concern value will be significantly harmed and the estate and creditors will be negatively affected. Moreover, Debtor's work force will be unfairly impacted.

Liens

7. Upon information and belief, Bank of America, N.A. asserts a lien upon and security interest in Debtor's assets as more particularly described in the UCC Financing Statement number 007-2018-043404 filed on September 19, 2018 in the records of the Superior Court of Barrow County, Georgia securing an asserted outstanding indebtedness of approximately \$1,635,000.00.

8. Upon information and belief, the Georgia Department of Labor asserts liens upon Debtor's assets as more particularly described in: (i) Lien Book 1388, Page 298 filed on March 23, 2018 in the records of the Superior Court of Henry County, Georgia securing an asserted outstanding indebtedness of \$4,484.72; (ii) Lien Book 1417, Page 4 filed on July 23, 2018 in the records of the Superior Court of Henry County, Georgia securing an asserted outstanding indebtedness of \$4,484.72; and (iii) Lien Book 1451, Page 198 filed on July 23, 2018 in the records of the Superior Court of Henry County, Georgia securing an asserted outstanding indebtedness of \$1,947.19.

9. Upon information and belief, the Internal Revenue Service asserts liens upon Debtor's assets as more particularly described in (i) the Notice of Federal Lien, Book 1490, Page 52 filed on June 24, 2019 in the records of the Superior Court of Henry County, Georgia stating an asserted outstanding indebtedness of \$779,906.19 and (ii) the Notice of Federal Lien, Book 1507, Page 334 filed on October 8, 2010 in the records of the Superior Court of Henry County, Georgia stating an asserted outstanding indebtedness of \$2,303,568.50.

10. Upon information and belief, the Georgia Department of Revenue asserts liens upon Debtor's assets as more particularly described (i) State Tax Execution Number REV 190778913 in Lien Book 1479, Page 130 filed on May 6, 2019 in the records of the Superior Court of Henry County, Georgia (also recorded as REV 205155001, in Lien Book 4879, Page 414 on June 25, 2020) in the amount of \$176,450.22 with an asserted outstanding balance due of \$112,234.05 and (ii) State Tax Execution Number REV 201619016 filed on June 25, 2020 in the records of the Superior Court of Fulton County, Georgia, in Lien Book 1559, Page 289 with an asserted outstanding balance due of \$93,087.74.

11. On July 22, 2020, the Georgia Department of Revenue issued levies (the "State Levies") against Debtor's bank accounts at (i) Bank of America and (ii) SunTrust Bank regarding the amounts asserted as due pursuant to the aforementioned State Tax Executions.

12. On the Filing Date, Debtor had cash bank balances, including funds on hold due to the State Levies or other collection activity as follows: (i) SunTrust Bank approximately \$14,000 including (a) \$9,000.00 subject to a "legal order hold" for State Tax Executions and (b) \$5,000 of available funds; and (ii) Bank of America \$228,665.48 including (a) \$169,755.48 subject to a "legal order hold," which upon belief is for the State Tax Executions and (b) \$58,900.00 labeled as "Balance Hold." (All such funds, including funds currently placed on hold, are referred to as the "Held Funds"). The Held Funds constitute property of the estate for which Debtor requests permission to utilize said funds pursuant to this Motion.

13. Debtor is the exclusive anesthesia provider at Piedmont Henry Hospital. Debtor additionally provides anesthesia services to South Atlanta Ambulatory Surgical Center and Regenerative Orthopaedics Surgery Center, LLC.

14. Debtor's practice consist of 26 full-time staff consisting of anesthesiologists, anesthetists, and 4 support staff, and typically 9 *pro re nata* (or as needed) anesthesiologists and anesthetists (collectively referred to as the "Anesthesia Team").

15. Debtor was previously a Debtor in chapter 11 bankruptcy case 19-64159-LRC, which was dismissed by Debtor in order to allow Debtor to obtain Paycheck Protection Program forgivable funds under the CARES Act. Debtor is continuing to struggle financially from the effects of the Covid Pandemic. Debtor was able to obtain said funds and was in negotiations with Bank of America regarding a potential work out, when the State Levies were served. Debtor cannot operate under the threat of tax levies and liens even as it starts the recovery from the effects of the Covid Pandemic. Importantly, as the sole anesthesia provider to Henry Piedmont Hospital, Debtor is required by its contract with Piedmont Henry Hospital to maintain certain levels of anesthetists and doctors. Debtor must have access to cash to do so.

Relief Requested

16. By this Motion, Debtor requests that the Court enter an order authorizing Debtor's use of cash collateral based on the Budget attached hereto as Exhibit "A". Debtor requests the court hold an expedited interim hearing on this Motion on or before Thursday, July 30, 2020 to prevent any harm to Debtor's ongoing business operations as Debtor must have the ability to continue operating in the ordinary course of business. Debtor is simultaneously filing its "Motion Requesting Entry of Order Authorizing Payment of Prepetition Compensation and Taxes" (the "Compensation Motion") and a Motion Requesting Expedited Hearing regarding this Motion and the Compensation Motion. The next pay date for such is July 31, 2020 and covers the period of July 12, 2020 through July 25, 2020 and includes employees and PRN contractors.

Debtor must have authorization to fund said compensation on Thursday, July 30, 2020 to run payroll on Friday, July 31, 2020.

17. Debtor's request includes permission to utilize all Held Funds, rather on hold from the State Execution or other collection activity by the depository institution or otherwise, and that all such holds be released immediately upon granting of this Motion.

Basis for Relief

18. Section 363(c)(2) provides that a debtor in possession may not use Cash Collateral unless an entity that has an interest in such cash collateral consents or the court approves the use of such cash collateral. Section 363(p) provides that at a hearing on the use of cash collateral, the entity asserting an interest in the cash collateral has the burden of proof on the issue of the validity, priority, or extent of such interest. Rule 4001(b)(2) provides that the Court may not hold a final hearing on a motion to use cash collateral earlier than 14 days after service of the motion but may authorize the use of cash collateral prior to a final hearing as necessary to avoid immediate and irreparable harm to the estate pending a final hearing. All of the funds on hold in the Debtor's bank account are still in the possession of Debtor and are property of the estate. Regardless, 11 U.S.C. §542(a) requires an entity (other than a custodian) holding any property of the debtor that the trustee can use under § 363 to turn that property over to the trustee. "The reorganization estate includes property of the debtor that has been seized by a creditor prior to the filing of a petition for reorganization." The United States Supreme Court addressed this matter at issue in this case in United States v. Whiting Pools, Inc., 462 U.S. 198, 198 (1983)

19. Debtor requests the Court enter an Order (i) authorizing Debtor to use Cash Collateral generated from the Business and otherwise: (a) in accordance with the budget attached hereto as Exhibit "A", the line items of which Debtor may modify by no more than 10 percent (10%) and Debtor may carry over any unused budgeted amount, (b) for payment of U.S. Trustee fees and (c) or for other matters pursuant to orders entered by this Court after

appropriate notice and hearing, except further provided that Debtor may pay the actual amount owed or deposit required to any utility, taxing authority, the United States Trustee, insurance company or as necessary to maintain staffing and service levels required pursuant to Debtor's service contracts and (ii) ordering all Held Funds be released so that funds are available to Debtor for use pursuant to the Motion, or, to the extent necessary, any Held Funds are turned over to the Debtor, all immediately upon the granting of this Motion.

20. Debtor has an immediate need to continue the operation of the Business and to protect the interests of the estate. Without the use of Cash Collateral and the ability to operate, Debtor will not be able to maintain the going concern value of the estate or serve the needs of the community during the ongoing Covid Pandemic.

21. The entry of an Order granting Debtor's Motion to use Cash Collateral will minimize disruption of the Debtor's Business and is in the best interests of Debtor's estate and its creditors. Therefore, it is in the interest of no one for any interruption to occur during Debtor's reorganization.

22. Notice pursuant to Federal Rule of Bankruptcy Procedure 4001(b) is being sent to all parties required by such rule. Specifically, notice of this Motion and any hearing thereon shall be provided to each Respondent, the United States Trustee and Debtor's creditors.

23. Debtor requests that the Court approve the expenditures listed in Exhibit "A" which are reasonably necessary for the continued operation of Debtor's business affairs. Debtor has included a proposed Interim Cash Collateral Order as Exhibit "B" hereto.

WHEREFORE, for all of the above reasons, Debtor requests that the Court:

a) authorize the Debtor to pay the expenses and other expenditures reasonably necessary for the continued operation of the Debtor's Business to avoid immediate and irreparable harm to the estate as detailed on Exhibit "A" and in this Motion;

b) all Held Funds be released so that funds are available to Debtor for use pursuant to the Motion, or, to the extent necessary, any Held Funds are turned over to the Debtor, all immediately upon the granting of this Motion

c) schedule an expedited interim hearing on this Motion on or before Wednesday, July 29, 2020; and schedule a final hearing on this motion;

d) enter the Interim Order attached hereto as Exhibit "B" and granting the relief sought therein; and

e) grant the Debtor such other and further relief as may be just and equitable.

RESPECTFULLY SUBMITTED this 28th day of July, 2020.

JONES & WALDEN LLC

/s/ Leslie M. Pineyro

Leslie M. Pineyro
Georgia Bar No. 969800
Proposed Attorney for Debtor
699 Piedmont Ave, NE
Atlanta, GA 30308
(404) 564-9300
lpineyro@joneswalden.com

**Exhibit "A" to Motion
Budget**

**Henry Anesthesia Associates
 Budget Overview: Henry Anesthesia Associates, LLC - FY20 Proforma
 August 3rd-August 31st 2020**

	Week 1 -Aug 3rd,2020	Week 2-Aug 10th, 2020	Week 3- Aug 17th, 2020	Week 4- Aug 24th, 2020	Week 5- August 31st, 2020	Total
Income						
Gross Receipts	\$ 125,300.00	\$ 122,000.00	\$ 125,000.00	\$ 125,000.00	\$ 115,000.00	\$ 612,300.00
Patient Refunds Given	\$ 243.40	\$ 243.40	\$ 243.40	\$ 243.40	\$ 243.40	\$ 1,217.00
Total Income	\$ 125,056.60	\$ 121,756.60	\$ 124,756.60	\$ 124,756.60	\$ 114,756.60	\$ 611,083.00
Gross Profit	\$ 125,056.60	\$ 121,756.60	\$ 124,756.60	\$ 124,756.60	\$ 114,756.60	\$ 611,083.00
Expenses						
401K Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Bank Charges	\$ -	\$ -	\$ 1,640.09	\$ -	\$ 1,640.09	\$ 3,280.18
Billing Expense	\$ 3,978.64	\$ 3,978.64	\$ 3,978.64	\$ 3,978.64	\$ 3,978.64	\$ 19,893.20
Charitable Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CME Reimbursement	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 240.00	\$ 1,200.00
Contractor	\$ 30,000.00	\$ -	\$ 22,500.00	\$ -	\$ 22,500.00	\$ 75,000.00
Dues & Subscriptions	\$ 400.00	\$ -	\$ 200.00	\$ 200.00	\$ 200.00	\$ 1,000.00
Insurance	\$ 7,821.66	\$ -	\$ 7,821.66	\$ -	\$ 7,821.66	\$ 23,464.98
Insurance - Disability and Life	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 1,500.00
Insurance - Liability	\$ 3,895.40	\$ 3,895.40	\$ 3,895.40	\$ 3,895.40	\$ 3,895.40	\$ 19,477.00
Insurance-Work Comp	\$ -	\$ -	\$ -	\$ -	\$ 921.80	\$ 921.80
Job Materials	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 500.00
Meals and Entertainment	\$ 62.50	\$ 62.50	\$ 62.50	\$ 62.50	\$ 62.50	\$ 312.50
Office Expenses	\$ 833.34	\$ -	\$ 833.33	\$ -	\$ 833.33	\$ 2,500.00
Rivet	\$ 2,333.34	\$ -	\$ 2,333.33	\$ -	\$ 2,333.33	\$ 7,000.00
Payroll Expenses	\$ -	\$ -	\$ 202.20	\$ -	\$ 202.20	\$ 404.40
Referral Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Shipping and delivery expense	\$ 36.00	\$ 36.00	\$ 36.00	\$ 36.00	\$ 36.00	\$ 180.00
Startek IT	\$ -	\$ -	\$ 250.00	\$ -	\$ 250.00	\$ 500.00
Taxes & Licenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Taxes	\$ 49,750.80	\$ -	\$ 49,750.80	\$ -	\$ 10,950.80	\$ 110,452.40
Wages	\$ -	\$ 150,760.00	\$ -	\$ 150,760.00	\$ -	\$ 301,520.00
Total Payroll Expenses	\$ 49,750.80	\$ 150,760.00	\$ 49,750.80	\$ 150,760.00	\$ 10,950.80	\$ 411,972.40
Training	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adequate Protection	\$ -	\$ -	\$ -	\$ -	\$ 30,000.00	\$ 30,000.00
Counsel	\$ -	\$ -	\$ 600.00	\$ -	\$ 600.00	\$ 1,200.00
CPA	\$ -	\$ -	\$ 362.50	\$ -	\$ 362.50	\$ 725.00
US Trustee Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Expenses	\$ 99,751.68	\$ 159,372.54	\$ 95,106.45	\$ 159,572.54	\$ 87,228.25	\$ 601,031.46
Net Operating Income	\$ 25,304.92	\$ (37,615.94)	\$ 29,650.15	\$ (34,815.94)	\$ 27,528.35	\$ 10,051.54
Net Income	\$ 25,304.92	\$ (37,615.94)	\$ 29,650.15	\$ (34,815.94)	\$ 27,528.35	\$ 10,051.54

**Exhibit "B" to Motion
Proposed Interim Cash Collateral Order**

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

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Debtor.

HENRY ANESTHESIA ASSOCIATES, LLC,

Movant,

v.

**BANK OF AMERICA, N.A., GEORGIA
DEPARTMENT OF LABOR, GEORGIA
DEPARTMENT OF REVENUE, and
INTERNAL REVENUE SERVICE,**

Respondents.

CHAPTER 11

CASE NO. 20-68477

CONTESTED MATTER

**INTERIM ORDER GRANTING DEBTOR'S EMERGENCY MOTION REQUESTING
AUTHORIZATION TO USE CASH COLLATERAL**

THIS MATTER came before the Court on the Debtor's Motion Requesting Entry of Order Authorizing the Use of Cash Collateral filed on July 28, 2020 (the "Motion¹"). The Court, having

¹ Terms not otherwise defined herein shall have the meaning ascribed to the same in the Motion.

considered the Motion, the Budget filed by the Debtor and attached to the Motion as Exhibit "A" and all other matters of record, finds as follows:

A. On July 28, 2020 (the "Petition Date"), Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division, commencing this Bankruptcy Case (the "Case").

B. Since the Petition Date, Debtor has operated as a debtor-in-possession under Sections 1107 and 1108 of the Bankruptcy Code.

C. Debtor is a Georgia limited liability company. Debtor is the operator of an anesthesia practice (the "Business" or sometimes the "Practice").

D. Upon information and belief, Bank of America, N.A. asserts a lien upon and security interest in Debtor's assets as more particularly described in the UCC Financing Statement number 007-2018-043404 filed on September 19, 2018 in the records of the Superior Court of Barrow County, Georgia securing an asserted outstanding indebtedness of approximately \$1,635,000.00.

E. Upon information and belief, the Georgia Department of Labor asserts liens upon Debtor's assets as more particularly described in: (i) Lien Book 1388, Page 298 filed on March 23, 2018 in the records of the Superior Court of Henry County, Georgia securing an asserted outstanding indebtedness of \$4,484.72; (ii) Lien Book 1417, Page 4 filed on July 23, 2018 in the records of the Superior Court of Henry County, Georgia securing an asserted outstanding indebtedness of \$4,484.72; and (iii) Lien Book 1451, Page 198 filed on July 23, 2018 in the records of the Superior Court of Henry County, Georgia securing an asserted outstanding indebtedness of \$1,947.19.

F. Upon information and belief, the Internal Revenue Service asserts liens upon Debtor's assets as more particularly described in (i) the Notice of Federal Lien, Book 1490, Page 52 filed on June 24, 2019 in the records of the Superior Court of Henry County, Georgia stating

an asserted outstanding indebtedness of \$779,906.19 and (ii) the Notice of Federal Lien, Book 1507, Page 334 filed on October 8, 2010 in the records of the Superior Court of Henry County, Georgia stating an asserted outstanding indebtedness of \$2,303,568.50.

G. Upon information and belief, the Georgia Department of Revenue asserts liens upon Debtor's assets as more particularly described in (i) State Tax Execution Number REV 190778913 in Lien Book 1479, Page 130 filed on May 6, 2019 in the records of the Superior Court of Henry County, Georgia (also recorded as REV 205155001, in Lien Book 4879, Page 414 on June 25, 2020) in the amount of \$176,450.22 with an asserted outstanding balance due of \$112,234.05 and (ii) State Tax Execution Number REV 201619016 filed on June 25, 2020 in the records of the Superior Court of Fulton County, Georgia, in Lien Book 1559, Page 289 with an asserted outstanding balance due of \$93,087.74.

H. On July 22, 2020, the Georgia Department of Revenue issued levies (the "State Levies") against Debtor's bank accounts at (i) Bank of America and (ii) SunTrust Bank regarding the amounts asserted as due pursuant to the aforementioned State Tax Executions.

I. Debtor shows that it requires the use of Cash Collateral, including the Held Funds, to pay its operating expenses.

J. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This case is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Notice has been properly given in light of the circumstances in order to avoid irreparable harm to the Debtor's estate.

For the reasons stated on the record, and the Court being otherwise informed, it is hereby ORDERED that:

1. The aforesaid findings, enumerated in paragraphs A through J above, are hereby incorporated into this Order as if fully set forth herein.

2. For as long as the Debtor faithfully performs its obligations under this Order and until 11:59 p.m. EDT on the date of the Final Hearing (as defined herein); or as extended by the

Court or consent of the parties, the Debtor shall have the right to use the Cash Collateral on an interim basis subject to the terms of this Order.

3. Debtor is authorized to use Cash Collateral generated from the Business, including funds on deposit in Debtor's bank accounts and including Held Funds, as required in Debtor's business judgment in accordance with the Budget (the line items of which Debtor may modify by no more than ten percent (10%) and Debtor may carry over any unused budgeted amount and for other amounts allowed or awarded pursuant to orders entered by this Court after appropriate notice and hearing. Notwithstanding anything to the contrary herein, Debtor may use Cash Collateral to pay the actual amount owed or deposit required to any utility, taxing authority, the United States Trustee, insurance company or as necessary to maintain staffing and service levels required pursuant to Debtor's service contracts.

4. Held Funds shall be released so that funds are available to Debtor for use pursuant to this Order, or, to the extent necessary, any Held Funds shall be turned over to the Debtor, all immediately upon the entry of this Order.

5. For purposes of providing adequate protection to Respondents for the Debtor's use of Cash Collateral, without limiting any security interests or liens in the post-petition Cash Collateral that are granted or extended to a Respondent pursuant to 11 U.S.C. § 552, Respondents are hereby granted a security interest in, and lien upon all of the post-petition cash collateral to the same extent, validity, amount, and priority as a Respondent's pre-petition security interests and lien upon such cash collateral (the "Replacement Liens") to secure against any diminution in value of any prepetition cash collateral in which the Respondent holds a valid, enforceable and perfected lien or security interest resulting from the Debtor's use of Cash Collateral.

6. Subject to Paragraph 9 herein, this Order is without any prejudice to Respondents' right to dispute at any time the Debtor's continued use of the Cash Collateral on an interim basis, seek relief from the stay or dismissal of this Case, and contest the nature, extent, validity or priority

of any lien or security interest; and the entry of this Order is not to be interpreted as an agreement by Respondent to support or accept final use of Cash Collateral, the filing of the Debtor's bankruptcy petition, any plan of reorganization or disposal of assets under Section 363 of the Bankruptcy Code, or any other proposed treatment of a Respondent's asserted claim(s).

7. This Order is entered without prejudice to the rights of Respondent or other creditors to seek additional adequate protection or other relief available under the Bankruptcy Code, other applicable law or applicable loan documents. Nothing herein shall be construed or interpreted as consent by Respondent to entry of a final order authorizing the use of Cash Collateral. Entry of this Order is without prejudice to the rights of Respondent, creditors or any party in interest to challenge or otherwise contest entry of a final order authorizing the use of Cash Collateral.

8. This Order is also entered without prejudice to the claims, rights, and actions that: (A) Debtor may have to challenge the nature, validity, or extent of the liens or debts asserted by Respondent; and (B) Respondent may assert in any action by Debtor to challenge the nature, validity, or extent of the liens or debts it may assert.

9. Notwithstanding anything to the contrary within Bankruptcy Rule 4001(b)(2) or any other rule of similar import, this Order shall be effective immediately upon its entry.

10. This Order shall constitute an interim order for the authorization to use the Cash Collateral pursuant to Section 363 of the Bankruptcy Code and Fed.R.Bankr.P. 4001(b)(2). Any person who objects to the relief provided herein on a final basis:

- a. **Must file** a written objection, stating the grounds therefor, on or by August 13, 2020² ("Objection Deadline"):

Clerk, U.S. Bankruptcy Court
75 Ted Turner Drive, SW
Room 1340
Atlanta, Georgia 30303

² The deadline for filing objections electronically through the Court's electronic case filing system shall be 11:59:59 p.m. The deadline for filing objections manually with the Clerk's office shall be 4:00 p.m.

- b. **Must serve** a copy of said objection on Debtor's counsel so that such written objection is received by Debtor's counsel by the Objection Deadline at the following address:

Leslie M. Pineyro, Esq.
Jones & Walden LLC
699 Piedmont Ave NE
Atlanta, GA 30308

- c. **Must advocate** the objection at the Final Hearing. If objections are timely filed and served by the Objection Deadline in accordance with this Order, a Final Hearing will be held on the **20th day of August, 2020 at 10:15 a.m. United States Courthouse, Courtroom 1204, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303.** *Given the current public health crisis, hearings may be telephonic only. Please check the "[Important Information Regarding Court Operations During COVID-19 Outbreak](#)" tab at the top of the GANB Website (<http://www.ganb.uscourts.gov>) prior to the hearing for instructions on whether to appear in person or by phone.* It is further. Any objection not timely filed, served and advocated at the hearing shall be deemed waived. If no objection is filed as set forth above by the Objection Deadline, this Order and the relief granted herein shall thereupon stand APPROVED on a final basis without further notice or hearing.

[End of Order]

Prepared and presented by:
JONES & WALDEN LLC

/s/ Leslie M. Pineyro
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Distribution List:

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Henry Anesthesia Associates, LLC, 1133 Eagles Landing Parkway, Stockbridge, Georgia 30281