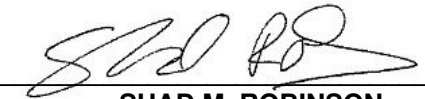




IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: January 09, 2025.


SHAD M. ROBINSON
UNITED STATES BANKRUPTCY JUDGE

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

In Re:	§	
	§	
WESTLAKE SURGICAL, L.P. D/B/A	§	Case No. 23-10747
THE HOSPITAL AT WESTLAKE	§	Chapter 11
MEDICAL CENTER,	§	
	§	
Debtor.	§	

ORDER GRANTING AMENDED MOTION FOR AN ORDER (I) SHORTENING THE TIME FOR APPROVAL OF THE AMENDED DISCLOSURE STATEMENT AND APPROVING THE AMENDED DISCLOSURE STATEMENT OR ALTERNATIVELY CONDITIONALLY APPROVING THE AMENDED DISCLOSURE STATEMENT; (II) SETTING VOTING AND CONFIRMATION DEADLINES; (III) FIXING RECORD DATE; (IV) APPROVING SOLICITATION PROCEDURES; AND (V) APPROVING RELATED PROCEDURES AND DEADLINES

On January 7, 2025, the Court considered Westlake Surgical, L.P. d/b/a The Hospital at Westlake Medical Center's (the "**Debtor**" or "**Westlake**") *Amended Motion for an Order (I) Shortening the Time for Approval of the Disclosure Statement and Approving the Disclosure*

Statement or Alternatively Conditionally Approving the Disclosure Statement; (II) Setting Voting and Confirmation Deadlines; (III) Fixing Record Date; (IV) Approving Solicitation Procedures; and (IV) Approving Related Procedures and Deadlines (the “**Motion**”).¹ In consideration of the arguments provided therein, the Court hereby conditionally approves the Disclosure Statement and sets the following dates and deadlines along with setting the hearing (the “**Combined Hearing**”) on final approval of the *Amended Disclosure Statement as Modified* (Docket No. 623) (the “**Disclosure Statement**”) and confirmation of the Amended Plan of Reorganization (Docket No. 609) (the “**Plan**”).

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN THAT:

1. The Motion is hereby approved and the relief requested therein granted.
2. The Disclosure Statement is conditionally approved as containing adequate information within the meaning of section 1125 of the Bankruptcy Code, and the Debtor is authorized to distribute the Disclosure Statement, attached hereto as **Exhibit A**, and the solicitation materials as set forth herein.
3. January 8, 2025 is set as the Voting Record Date for determining the holders of Claims entitled to vote to accept or reject the Plan.
4. By January 10, 2025, the Debtor, through the Notice and Claims Agent, shall serve, by first class mail, (i) on all creditors entitled to vote on the Plan, the Disclosure Statement with all exhibits attached thereto (including the Plan), this Order (excluding exhibits), a ballot substantially conforming to the form attached to this Order as **Exhibits B-1 or B-2** as applicable

¹ Terms used but not defined herein have the meanings ascribed to such terms by *Westlake Surgical, L.P. d/b/a the Hospital at Westlake Medical Center's Amended Disclosure Statement Under 11 U.S.C. § 1125 as Modified* (as may be amended, the “Disclosure Statement”) [Docket No. 623].

(the “**Ballot**”), and the notice of the Combined Hearing substantially conforming to the form attached to this Order as **Exhibit C** (the “**Combined Hearing Notice**”); (ii) on all creditors holding Claims or Interests in classes not entitled to vote on the Plan, the notice of non-voting status substantially conforming to the form attached to this Order as **Exhibit D** (the “**Non-Voting Status**”); and (iii) on all known holders of Claims against or Interests in the Debtor and all other parties in interest listed on the Debtor’s creditor matrix or master service list, the Combined Hearing Notice.

5. February 10, 2025 by 5:00 p.m. (prevailing Central Time) (the “**Voting and Opt-In Deadline**”) is fixed as the last day for submitting Ballots accepting or rejecting the Plan and electing to opt in to the Plan’s third-party release; *provided, that*, if, prior to the date of the confirmation hearing, the estimated aggregate amount of Allowed Administrative Expense Claims (other than eCapital Claims and Professional Fee Claims) required to be paid by the Debtor under the Plan which are not subject to an Administrative Expense Payment Arrangement increases by 10% or more from the estimated aggregate amount of such Allowed Claims as of the time that the Debtor filed the “then-current” version of **Exhibit F** to the Plan pursuant to Section 4.01 of the Plan, the Voting and Opt-In Deadline shall be extended through the confirmation hearing solely as it relates to eCapital Healthcare Corp..

6. February 10, 2025 by 5:00 p.m. (prevailing Central Time) (the “**Objection Deadline**”) is also fixed as the deadline for any party in interest to file and serve any objection to final approval of the Disclosure Statement or confirmation of the Plan. Any such objections shall be filed and served so as to be actually received by the Objection Deadline upon the following parties: (i) counsel for the Debtor, Charlie Shelton (cshelton@haywardfirm.com); (ii) counsel for

the Official Committee of Unsecured Creditors, Matthew Linder (mlinder@whitecase.com), Laura Baccash (laura.baccash@whitecase.com); (iii) counsel for the plan sponsor (Westlake Principal Partners), Kell Mercer (kell.mercer@mercerc-law-pc.com), Phil Lamberson (plamberson@winstead.com), Annmarie Chiarello (achiarello@winstead.com); (iv) counsel for the DIP Lender, eCapital Healthcare Corp., Ed Green (egreen@foley.com), Jake Gordon (jake.gordon@foley.com); and (v) counsel for the Office of the United States Trustee for the Western District of Texas, Gary W. Wright (Gary.wright3@usdoj.gov).

7. February 3, 2025 is set as the deadline for the Debtor to file with the Court the Plan Supplement, as set forth in the Plan.

8. February 18, 2025 is set as the deadline for the Debtor to file with the Court (a) a ballot summary in the form required by Local Bankruptcy Rule 3018(b) with a copy of the ballots (the “**Voting Report**”); (b) a memorandum of legal authorities addressing any objections filed to the Plan; and (c) a proposed form of Order confirming the Plan, under notice coversheet.

9. The Court shall hold a combined hearing on final approval of the Disclosure Statement and confirmation of the Plan at February 24, 2025 at 10:00 a.m. in Homer J. Thornberry Federal Judicial Building, 903 San Jacinto Blvd., Austin Courtroom 1, Austin, TX 78701. Parties wishing to appear remotely should follow the Court’s instructions regarding request permission to appear remotely and guidelines for remote attendance located at: <https://www.txwb.uscourts.gov/honorable-shad-m-robinson-us-bankruptcy-judge>.

10. The notice and objection procedures set forth in this Order constitute good and sufficient notice of the Combined Hearing and deadlines and procedures for voting on the Plan, opting into the Plan’s third-party release, and objecting to the adequacy of the Disclosure

Statement or confirmation of the Plan, and no other or further notice shall be necessary.

11. Objections, if any, not filed and served in the manner set forth above may, in the Court's discretion, not be considered and may be overruled.

12. Ballots that are not properly submitted prior to the Voting and Opt-In Deadline may be counted only by agreement of the Debtor (in consultation with the Committee) or by order of the Court. The extension of the Voting and Opt-In Deadline for any creditor as set forth in this paragraph shall be documented in the Voting Report.

13. All elections to opt in to the Plan's third-party release that are properly submitted on the applicable Ballot prior to the Voting and Opt-In Deadline shall be irrevocable and may not be withdrawn.

14. The Debtor shall cause the Notice and Claims Agent to serve the Committee's recommendation letter, substantially conforming to the form attached to this Order as **Exhibit E** on all holders of General Unsecured Claims entitled to vote in Class 5.

15. The Notice and Claims Agent is authorized to assist the Debtors in: (a) soliciting votes on the Plan and distributing the solicitation materials as set forth herein; (b) receiving, tabulating, and reporting on Ballots cast to accept or reject the Plan by holders of Claims entitled to vote on the Plan; and (c) responding to inquiries from holders of Claims, holders of Interests, and other parties in interest relating to the Disclosure Statement, the Plan, the Ballot, and all other related documents and matters related thereto, including the procedures and requirements for voting to accept or reject the Plan, opting into the Plan's third-party release, and objecting to final approval of the Disclosure Statement and confirmation of the Plan.

16. Notice of the Motion as provided therein shall be deemed good and sufficient notice

of the Motion and the requirements of the Bankruptcy Local Rules are satisfied by such notice.

17. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

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

END OF ORDER

Order Submitted By:

HAYWARD PLLC

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The Hospital at Westlake Medical Center***