

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

 IN RE:
 Case No.: 12-33299-H4-11

 SBMC Healthcare, LLC,
 Chapter 11

 Debtor.
 Related to Document No: 32, 62

 BECKMAN COULTER, INC.,
 Movant,

 VS.
 SBMC Healthcare, LLC,

 Respondent.
 Respondent.

AGREED ORDER ON BECKMAN COULTER INC'S MOTION FOR RECONSIDERATION OF COURT ORDER DATED MAY 4, 2012 APPROVING CONTRACT AND AUTHORIZING SALE OF EQUIPMENT FREE AND CLEAR OF LIENS AND PERMITTING REPLACEMENT LIENS FOR USE OF CASH

COLLATERAL (62) AND NOW, this 2012, upon day of

consideration of Beckman Coulter Inc.'s Motion for Reconsideration of Court Order Dated May 4, 2012 Approving Contract and Authorizing Sale of Equipment Free and Clear of Liens and Permitting Replacement Liens for Use of Cash Collateral (the "Motion for Reconsideration"), filed on behalf of Beckman Coulter, Inc. ("Beckman), in which Beckman and SBMC Healthcare, LLC (Debtor") request the entry of this Agreed Order. As evidenced by the signature of their respective counsel below, Beckman and the Debtor consent to the content and entry of this Agreed Order.

THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

A. The Debtor does not have title to the Equipment, as it belongs to Beckman;

- B. That the Debtor rejects lease numbers 27757US and 22850US;
- C. That Beckman Coulter, Inc. is granted immediate relief from the automatic stay to retrieve its Equipment;
- D. That the Equipment has been retrieved by Beckman; and
- E. That Beckman Coulter, Inc. shall have 60 days from the entry of this order to file a claim for rejection damages.

IT IS SO ORDERED.

Dute: 5/29/2017

BY THE COURT:

Jeff Bohm U.S. Bankruptcy Judge

AGREED TO AND APPROVED BY:

BICKERSTAFF HEATH DELGADO ACOSTA LLP

By: <u>/s/ John R. Jones</u> John R. Jones, Esquire Texas Bar No. 10919500 950 Echo Lane, Ste. 357 Houston, Texas 77024 Tel. (713) 984-9997 Fax. (713) 984-2894

Local Counsel for:

BERNSTEIN LAW FIRM, P.C.

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Attorneys for Beckman Coulter, Inc.

Dated: May 29, 2012

AND

A-haven Pele By:

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Attorney for the Debtor

Dated: May 21, 2012