



SO ORDERED.

SIGNED this 17 day of May, 2017.

**Austin E. Carter
United States Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

In re:)	
)	Chapter 11
OCONEE REGIONAL HEALTH)	
SYSTEMS, INC., <i>et al.</i> , ¹)	Case No. 17-51005-AEC
)	
Debtors.)	(Jointly Administered)
_____)		

**ORDER GRANTING DEBTORS' MOTION TO AUTHORIZE PAYMENT OF
PREPETITION WAGES, PAYROLL TAXES, CERTAIN EMPLOYEE BENEFITS
AND RELATED EXPENSES TO EMPLOYEES**

¹ The last four digits of the employer identification number for each of the Debtors follow in parenthesis: (i) Oconee Regional Health Systems, Inc. (9394), (ii) Oconee Regional Medical Center, Inc. (9398), (iii) Oconee Regional Health Services, Inc. (9397), (iv) Oconee Regional Emergency Medical Services, Inc. (3857), (v) Oconee Regional Health Ventures, Inc. (sometimes d/b/a Oconee Neurology Services) (8516), (vi) Oconee Internal Medicine, LLC (1712), (vii) Oconee Orthopedics, LLC (3694), (viii) ORHV Sandersville Family Practice, LLC (1236), and (ix) Oconee Regional Senior Living, Inc. (5613). The Debtors' corporate mailing address is 821 North Cobb Street, Milledgeville, Georgia, 31061.

Oconee Regional Health Systems, Inc., Oconee Regional Medical Center, Inc., Oconee Regional Health Services, Inc., Oconee Regional Emergency Medical Services, Inc., Oconee Regional Health Ventures, Inc. (sometimes d/b/a Oconee Neurology Services), Oconee Internal Medicine, LLC, Oconee Orthopedics, LLC, ORHV Sandersville Family Practice, LLC, and Oconee Regional Senior Living, Inc. (the “*Debtors*”), filed a motion (the “*Motion*,” Doc. No. 24) for entry of an order authorizing them to honor and pay all outstanding Employee Obligations,¹ including any prepetition amounts owed, and continue to pay such Employee Obligations in the ordinary course of business.

The Court has jurisdiction to consider the Motion and the relief requested in the Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of these cases in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409. The Motion and the relief requested in the Motion constitute a core proceeding pursuant to 28 U.S.C. § 157(b).

The Debtors sought an expedited hearing and emergency, interim relief on the Motion. Debtors’ Motion for Expedited Hearing and Emergency Interim Relief Pursuant to Local Bankruptcy Rule 2002-1(G) (Doc. No. 11). In light of the relief requested, this Court granted the request for an expedited hearing, in its Order Granting Debtors’ Motion for Expedited Hearing to Consider Certain Interim, First-Day Relief (Doc. No. 15).

The Court has considered the Motion and the statements and arguments made at a hearing on the Motion, held on May 12, 2017. This Court has determined that the relief requested in the Motion is in the best interests of Debtors, their estates, creditors, and other parties in interest. Debtors gave due and proper notice of the Motion and the Court has determined that additional or further notice of the Motion is not necessary. The Court has determined that the legal and

¹ Capitalized terms used in this Order that are not otherwise defined herein shall have the meanings ascribed to them in the Motion.

factual bases set forth in the Motion establish just cause for the relief granted in this Order, and after due deliberation, and sufficient cause appearing therefor,

IT IS ORDERED THAT:

1. The Motion is **GRANTED**.
2. The Debtors are authorized (but not directed) to honor and pay all Employee Obligations, including Unpaid Wages, to remit Deductions (including the 403(b) Deductions) to the applicable third parties, to pay all Payroll Taxes, to pay all amounts required to maintain their Insurance Plans (including remitting funds paid by Employees for COBRA), to pay the Plan Administration Fee (not to exceed \$500), to pay the Debtors' 401(a) Contribution, and to permit Employees to utilize any Time-Off Benefits, provided all of the foregoing amounts and obligations are in the ordinary course of business. In addition, to the extent any Employee has suffered any actual monetary penalty or charge due to the inadvertent dishonor of any check of the Debtors on account of the Employee Obligations, the Debtors shall be allowed to reimburse the Employee for such amount.
3. The authority granted by this Order shall only be up to the applicable statutory cap for each Employee under Sections 507(a)(4) or 507(a)(5) of the Bankruptcy Code.
4. The Debtors' banks and financial institutions are hereby authorized to honor and pay any checks issued, and to make other transfers, in respect of the Employee Obligations.
5. Any payments pursuant to this Order shall only be made to the extent allowed by any orders authorizing the Debtors to incur post-petition financing or use cash collateral, including any budget approved by such orders.
6. With respect to the relief sought herein, the requirements set forth in Bankruptcy Rule 6003 are satisfied.

7. Notwithstanding the possible applicability of Bankruptcy Rules 6004(a) and 6004(h) or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry and the requirements of Bankruptcy Rules 6004(a) and 6004(h) are hereby waived.

8. Any party in interest in these Chapter 11 cases shall have until June 5, 2017 to file a written objection to the Motion or to this Order. Any such objection must be served upon (a) Debtors' counsel, Bryan Cave, LLP, 1201 West Peachtree Street, NW, 14th Floor, Atlanta, Georgia 30309, Attention: Mark Duedall, and (b) the Office of the United States Trustee, 440 Martin Luther King Jr. Boulevard, Suite 302, Macon, Georgia 31201-7910 (Attn: Elizabeth A. Hardy). If any objection is timely filed and served, then the Court will convene a hearing to consider such objection, but this Order shall remain in full force and effect and binding in all respects unless and until there is any further ruling from this Court. If no objection is timely filed and served, then this Order will be deemed a final order without need for any further action of this Court.

9. This Court shall retain jurisdiction with respect to any matters, claims, rights, or disputes arising from or related to the implementation of this Order.

10. The Debtors are directed, within two business days of the entry of this Order, to serve a copy of this Order upon all the parties which were served with the Motion, along with any parties that have filed notice of appearance in these cases.

***** END OF DOCUMENT *****

Prepared and presented by:

BRYAN CAVE LLP

/s/ Mark I. Duedall

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Proposed Counsel for the Debtors and Debtors-in-Possession

No objection as to form:

GUY G. GEBHARDT, ACTING UNITED STATES TRUSTEE, REGION 21

/s/ Robert G. Fenimore

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