

**ENTERED**

May 11, 2026

Nathan Ochsner, Clerk

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

In re:	)	
	)	
MODIVCARE, INC., <i>et al.</i> <sup>1</sup>	)	Chapter 11
	)	
Reorganized Debtors.	)	Case No. 25-90309 (ARP)
	)	(Jointly Administered)
	)	
	)	

**SCHEDULING AND BIFURCATION ORDER**

In connection with consideration of *White & Case LLP’s Final Application for Allowance of Compensation and Reimbursement of Expenses for the Period from September 9, 2025 Through December 29, 2025* [Docket No. 1290] and the *Final Fee Application of AlixPartners, LLP, Financial Advisor to the Official Committee of Unsecured Creditors, for Allowance of Compensation for Professional Services Rendered and Reimbursement of Expenses Incurred for the Period from September 10, 2025 Through December 29, 2025* [Docket No. 1288] (collectively, the “Fee Applications”); the *Objection to Final Fee Application Filed by AlixPartners, LLP* [Docket No. 1351] and the *Objection to Final Fee Application Filed by White & Case, LLP* [Docket No. 1354] (collectively, the “Fee Objections”); *White & Case LLP’s Reply in Support of Its Final Application for Allowance of Compensation and Reimbursement of Expenses for the Period From September 9, 2025 Through December 29, 2025* [Docket No. 1410] and the *Reply of AlixPartners, LLP to Objection to Its Final Fee Application* [Docket No. 1411] (collectively, the “Replies”); *Motion to Compel White & Case LLP to Respond to Discovery Requests* [Docket No.

<sup>1</sup> A complete list of each of the Reorganized Debtors in these chapter 11 cases and the last four digits of each Reorganized Debtor’s taxpayer identification number (if applicable) may be obtained on the website of the Reorganized Debtors’ proposed claims and noticing agent at <https://www.veritaglobal.net/ModivCare>. Reorganized Debtor ModivCare Inc.’s principal place of business and the Reorganized Debtors’ service address in these chapter 11 cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.



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1409]; *Modivcare Topco, LLC's Emergency Motion for Reconsideration of (I) Order Bifurcating Legal and Factual Issues and (II) Order Requiring Deposit of Funds into Court Registry* [Docket No. 1427]; *White & Case LLP's Objection to ModivCare TopCo, LLC's Motion to Compel* [Docket No. 1458]; *White & Case LLP's Objection to ModivCare TopCo, LLC's Emergency Motion for Reconsideration of (I) Order Bifurcating Legal and Factual Issues and (II) Order Requiring Deposit of Funds into Court Registry* [Docket No. 1466]; and in accordance with the United States Bankruptcy Court for the Southern District of Texas (the "Court") rulings on the record at the hearing held on April 30, 2026, it is hereby ORDERED that:

1. The Court will adjudicate the reasonableness of White & Case LLP's ("White & Case") and AlixPartners LLP's ("AlixPartners") fees under section 330 of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") first based on the evidentiary record already established in the chapter 11 cases, the Fee Applications, the Fee Objections, and the Replies ("Phase 1"). The issues adjudicated during Phase 1 shall include, but not be limited to whether:

- i. this Court may or should amend its October 31, 2025 orders authorizing the retention of (a) White & Case as bankruptcy counsel to the official committee of unsecured creditors (the "Committee") effective as of September 9, 2025 and approving White & Case's billing rates for this representation [Docket No. 616] and (b) AlixPartners as financial advisor to the Committee effective as of September 10, 2025 and approving the compensation terms set forth in the applicable engagement letter [Docket No. 644];
- ii. TopCo may object to the reasonableness of any time entry or expense item not specifically identified in the Fee Objections;
- iii. there is a basis to establish a different standard under which to assess the reasonableness of the Debtors' professionals' fees which this Court has approved without objection and the Committee's professionals' fees sought in the Fee Applications;
- iv. under the applicable standard and without any additional discovery, the Court can determine the reasonableness of the fees being sought; and

2. The parties shall submit any additional briefing for the Phase 1 issues on or before June 3, 2026. Any response briefs shall be due on or before June 8, 2026.

3. In Phase 1 the Court will not consider any additional evidence beyond the Fee Applications, the Fee Objections, the Replies, and matters as to which this Court may take judicial notice. The hearing on Phase 1 will be on June 9, 2026, at 10:00 a.m.


4. If the Court determines that it cannot fully resolve the Objection and the Fee Applications in Phase 1, the Court will consider additional evidence related to the Fee Objections that are not resolved in Phase 1 ("Phase 2"). All Parties reserve the right to seek any appropriate discovery in Phase 2 related to any issues not adjudicated in Phase 1. A hearing on Phase 2 will, if necessary, be set by further order of the Court.

5. All discovery related to the Fee Applications shall be stayed pending resolution of Phase 1 or other order of the Court.

6. The terms and conditions of this Order are immediately effective and enforceable upon its entry.

7. This Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: May 09, 2026

  
Alfredo R Pérez  
United States Bankruptcy Judge