

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

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

**DECLARATION OF DISINTERESTEDNESS OF POLSINELLI PC PURSUANT  
TO ORDER AUTHORIZING THE RETENTION AND COMPENSATION OF  
CERTAIN PROFESSIONALS USED IN THE ORDINARY COURSE OF BUSINESS**

I, SCOTT A. BERDAN, ESQ., declare under penalty of perjury:

1. I am A SHAREHOLDER of POLSINELLI PC, located at 1401 LAWRENCE STREET, SUITE 2300, DENVER, COLORADO 80202, AMONG OTHER LOCATIONS (the “*Firm*”). The Firm’s practice consists of: BEING A FULL-SERVICE NATIONAL LAW FIRM, WITH LEGAL PRACTICES INCLUDING CORPORATE GOVERNANCE, SECURITIES AND CORPORATE FINANCE, COMMERCIAL LITIGATION, HEALTH CARE AND EMPLOYEE BENEFITS.

2. Neither I, the Firm, nor any other owner or associate of the Firm, insofar as I have been able to ascertain, has any connection with the above-captioned debtors (collectively, the “*Debtors*”), their creditors, or any other parties in interest, or their attorneys, except as set forth in this declaration (this “*Declaration*”).

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



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3. The Firm worked with the Debtors in the following capacities: SECURITIES LAWS AND SECURITIES AND EXCHANGE COMMISSION COMPLIANCE AND PUBLIC REPORTING MATTERS; CORPORATE GOVERNANCE MATTERS; GENERAL CORPORATE LAW MATTERS; EMPLOYEE BENEFITS AND EQUITY INCENTIVE PLAN COMPENSATION MATTERS; COMMERCIAL CONTRACT CUSTOMER NEGOTIATION MATTERS; CUSTOMER ACCOUNT RECEIVABLE COLLECTION MATTERS; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES INVESTIGATION COUNSELING REGARDING SECTION 1557 OF THE AFFORDABLE CARE ACT (ACA); GENERAL HEALTH CARE REGULATORY COUNSELING; FLORIDA MEDICAID SPECIAL INVESTIGATIONS UNIT (SIU) INVESTIGATION COUNSELING; NONEMERGENCY MEDICAL TRANSPORTATION COUNSELING; AND RELATED COMMERCIAL MATTERS.

4. The Debtors have requested that the Firm represent and advise the Debtors with respect to the above matters and such other matters as may be ordinarily rendered by the Firm, and the Firm has agreed to do so.

5. The Debtors owe the Firm \$7,668.00 for prepetition services, the payment of which is subject to limitations contained in the United States Bankruptcy Code, 11 U.S.C. §§ 101–1532.

6. I understand that the amount owed by any of the Debtors to the Firm for prepetition services will be treated as a general unsecured claim.

7. Except as set forth herein, no promises have been received by the Firm, or any owner or associate thereof, as to compensation in connection with the Debtors' chapter 11 cases, other than in accordance with the provisions of the Bankruptcy Code, the Bankruptcy Rules, the Bankruptcy Local Rules, the U.S. Trustee Guidelines, and all orders of the Bankruptcy Court.

8. The Firm and its owners may have in the past represented, currently represent, and may in the future represent, entities that are affiliates of, or related to, the Debtors or other parties in interest in the Debtors' chapter 11 cases or in matters unrelated to the Debtors' chapter 11 cases. However, the Firm does not, and will not, represent any such entity in connection with the Debtors' chapter 11 cases and does not have any relationship with any such entity, its attorneys, or accountants that would be materially adverse to the Debtors or their estates.

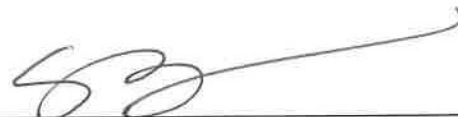
9. Neither I nor any principal, partner, director, officer, of, or professional employed by, the Firm has agreed to share or will share any portion of the compensation to be received from the Debtors with any other person other than the principal and regular employees of the Firm.

10. Neither I nor any principal, partner, director, officer, of, or professional employed by, the Firm, insofar as I have been able to ascertain, holds, or represents any interest adverse to the Debtors or their estates with respect to the matter(s) upon which this Firm is to be employed.

11. The Firm is conducting further inquiries regarding its retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the Firm should discover any facts bearing on the matters described herein, the Firm will supplement the information contained in this Declaration.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 9, 2025

  
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SCOTT A. BERDAN, ESQ., AS A  
SHAREHOLDER OF POLSINELLI PC