

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

In re:	)	
	)	Chapter 11
	)	
MODIVCARE INC., <i>et al.</i> ,	)	Case No. 25-90309 (ARP)
	)	(Jointly Administered)
	)	
Debtors. ¹	)	Re: Docket No. 457
	)	

STIPULATION AND AGREED ORDER (I) SCHEDULING CERTAIN DATES AND DEADLINES IN CONNECTION WITH CONFIRMATION OF THE DEBTORS' PLAN OF REORGANIZATION AND ASSOCIATED PROCEEDINGS, (II) ESTABLISHING CERTAIN PROTOCOLS, AND (III) GRANTING RELATED RELIEF

This Stipulation and Agreed Order (the “**Stipulation**”) is entered into by and among (a) the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”), (b) the official committee of unsecured creditors (the “**Committee**”), and (c) the Prepetition First Lien Agent, Consenting Creditors, and DIP Lenders (each a “**Participating Party**” and collectively, the “**Participating Parties**”). The Participating Parties hereby stipulate and agree as follows:

WHEREAS, on August 20, 2025 (the “**Petition Date**”), each Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of Texas (the “**Court**”).

WHEREAS, on September 4, 2025, the Debtors filed the *Emergency Motion of Debtors’ for Entry of an Order (A) Approving Disclosure Statement; (B) Scheduling Confirmation Hearing; (C) Establishing Related Objection and Voting Deadlines; (D) Approving Related Solicitation Procedure, Ballots, and Release Opt-Out Forms and Form and Manner of Notice; (E) Approving*

¹ 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.

Procedures for Assumption of Executory Contracts and Unexpired Leases; (F) Approving Equity Rights Offering Procedures and Related Materials; and (G) Granting Related Relief [Docket No. 122] (the “**Disclosure Statement Motion**”).

WHEREAS, on October 2, 2025, the Committee filed the *Objection of the Official Committee of Unsecured Creditors to the Debtors’ Emergency Motion for Approval of the Disclosure Statement and Related Solicitation Procedures* [Docket No. 421]. On October 5, 2025, the Debtors filed their *Omnibus Reply to Objections to Disclosure Statement and Solicitation Procedures Motion* [Docket No. 448].

WHEREAS, on October 6, 2025 the Court held a hearing on the Disclosure Statement Motion. At the conclusion of the hearing, the Court approved the Disclosure Statement Motion which established November 18, 2025 as the date for a confirmation hearing.

WHEREAS, on October 10, 2025 the Court held a scheduling conference. At the conclusion of the conference, the Court stated that he would set December 8, 9, and 10, 2025 as the dates for the confirmation hearing.

WHEREAS, the Participating Parties have agreed, subject to approval of the Court, to the litigation schedule as set forth in paragraph 1 below.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION IT IS SO ORDERED THAT:

1. The following dates and deadlines shall govern discovery in connection with confirmation (such dates and deadlines, the “**Confirmation Schedule**”):

Event	Date
Deadline for Debtors to file responses and objections in response to the Committee's discovery served on September 10, 2025	October 10, 2025
Deadline for submission of initial expert reports	October 17, 2025
Deadline for the Debtors' substantial completion of documents in response to the Committee's First RFPs served on September 10, 2025	October 24, 2025
Deadline for objecting parties to serve any additional 30(b)(6) or individual deposition notices to the Debtors	October 31, 2025
Deadline to file preliminary witness lists for the standing hearing and confirmation hearing*	November 7, 2025
Deadline for submission of rebuttal expert reports	November 10, 2025
Deadline for Independent Director to submit investigation report, findings, or declaration	November 10, 2025
Deadline to file plan supplements	November 14, 2025
Deadline to file any standing motion	November 14, 2025
Deadline for the conclusion of fact discovery, including any depositions of any fact witnesses who will testify at confirmation	November 19, 2025
Deadline for expert discovery to conclude	November 21, 2025
Voting deadline and deadline to return release opt-out form	November 25, 2025
Deadline to file objections to plan confirmation	November 25, 2025
Deadline to exchange deposition designations and to file exhibit and final witness lists* for the confirmation hearing	November 26, 2025
Deadline to exchange objections and counter-objections to deposition designations and to confer on objections to exhibits	December 4, 2025
Deadline to file responses/objections to any standing motions	December 4, 2025
Deadline for Debtors' reply in support of confirmation	December 4, 2025
Confirmation Hearing (unless otherwise agreed to by the Participating Parties, witnesses for any standing motion will be sequenced first, with the rest of confirmation witnesses to follow, so the Court has an opportunity to rule on standing first if it wants to do)	December 8-10, 2025

* Preliminary witness lists should include any witnesses a party may call at the hearings to allow other parties sufficient time to depose those witnesses. Final witness lists should narrow down the list to those witnesses the party actually intends to call at the hearings but may not add new witnesses absent good cause.

2. The failure of any party to produce documents, without establishing good cause, shall preclude such party from introduce such documents as evidence at the Confirmation Hearing. This provision does not apply to any summaries of voluminous materials or demonstratives.

3. The failure of any party to produce expert reports by the applicable deadline shall preclude such party from submitting such expert testimony.

4. Expert reports shall conform with the requirements in Federal Rules of Civil Procedure Rule 26(a)(2)(B).

5. No Participating Party waives any objection by agreeing to this Confirmation Schedule Order.

6. The foregoing recitals are hereby incorporated by reference into this Stipulation with the same force and effect as if fully set forth hereinafter.

7. The Schedule is hereby approved and the Participating Parties shall comply with the dates and deadlines set forth therein.

8. The Schedule may be modified, amended, extended, or supplemented by agreement of the Parties without further order of the Court; *provided* that upon any modification, amendment, extension, or supplement that affects a submission to or hearing before the Court, the Parties shall provide notice to the Court (email being sufficient) of the modified dates and deadlines.

9. Nothing in this Stipulation shall preclude any party in interest from raising a formal objection to the dates and deadlines set forth in the Schedule.

10. The terms and conditions of this Stipulation will be immediately effective and enforceable upon its entry.

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

Dated October __, 2025

Alfredo R. Pérez
United States Bankruptcy Judge

Stipulated and agreed by:

October 15, 2025
Houston, Texas

/s/ Charles R. Koster

WHITE & CASE LLP

Charles R. Koster (Texas Bar No. 24128278)
609 Main Street, Suite 2900
Houston, Texas 77002
Telephone: (713) 496-9700
Facsimile: (713) 496-9701
Email: charles.koster@whitecase.com

WHITE & CASE LLP

J. Christopher Shore (*pro hac vice* pending)
Scott Greissman (*pro hac vice* pending)
Andrew Zatz (*pro hac vice* pending)
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 819-8200
Facsimile: (212) 354-8113
Email: cshore@whitecase.com
sgreissman@whitecase.com
azatz@whitecase.com

- and -

WHITE & CASE LLP

Gregory F. Pesce (*pro hac vice* pending)
111 South Wacker Drive, Suite 5100
Chicago, Illinois 60606
Telephone: (312) 881-5400
Facsimile: (312) 881-5450
Email: gregory.pesce@whitecase.co

*Proposed Counsel for the Official Committee of
Unsecured Creditors*

- and -

/s/ Timothy A. ("Tad") Davidson II

Hunton Andrews Kurth LLP

Timothy A. ("Tad") Davidson II (Texas Bar No. 24012503)
Catherine A. Rankin (Texas Bar No. 24109810)
Brandon Bell (Texas Bar No. 24127019)
600 Travis Street, Suite 4200
Houston, TX 77002
Telephone: (713) 220-4200
Email: taddavidson@hunton.com
catherinerankin@hunton.com
bbell@hunton.com

Latham & Watkins LLP

Ray C. Schrock (NY Bar No. 4860631)
Keith A. Simon (NY Bar No. 4636007)
George Klidonas (NY Bar No. 4549432)
Jonathan J. Weichselbaum (NY Bar No. 5676143)
1271 Avenue of the Americas
New York, NY 10020 Telephone: (212) 906-1200
Email: ray.schrock@lw.com
keith.simon@lw.com
george.klidonas@lw.com
jon.weichselbaum@lw.com

Attorneys for the Debtors and Debtors in Possession

- and -

/s/ Matt Warren

Paul Hastings LLP

Kris Hansen
200 Park Avenue New York, NY 10166
Email: krishansen@paulhastings.com

-and-

Paul Hastings LLP

Matt Warren
Lindsey Henrikson
71 South Wacker Drive Suite 4500
Chicago, IL 60606
Email: mattwarren@paulhastings.com
lindsey.henrikson@paulhastings.com

*Counsel to the First Lien Agent, the Consenting
Creditors, and the DIP Lenders*