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

United States Courts
Southern District of Texas
FILED

Case No.: 4:25-bk-90309

OCT 30 2025

MODIVCARE INC.,
DEBTOR,

Nathan Ochsner, Clerk of Court

HONORABLE JUDGE: ALFREDO R.
PÉREZ

**MOTION FOR RELIEF FROM THE
AUTOMATIC STAY PURSUANT TO 11
U.S.C. § 362(D)(1)**

TO THE HONORABLE ALFREDO R. PÉREZ,
UNITED STATES BANKRUPTCY JUDGE:

Movant, Pro Se **Lisa Sallaj**, by and through this Motion, respectfully requests that this Court enter an order granting relief from the automatic stay imposed by 11 U.S.C. § 362(a) to allow her to proceed with litigation against the Debtor, Modivcare, Inc., in the United States District Court for the District of Kansas. In support of this Motion, Movant states as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2)(G).
2. Venue is proper in this district under 28 U.S.C. §§ 1408 and 1409.

II. BACKGROUND

3. On June 3, 2025, Movant commenced a civil action (the "District Court Action") in the United States District Court for the District of Kansas, against the Debtor, Modivcare, Inc., and co-defendants Kansas Department for Aging and Disability Services and United Healthcare. The case involves claims of willful neglect resulting in personal injury and



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fraud (Exhibit 1), claims which are non-dischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a).

The case is captioned:

Lisa Sallaj v. Kansas Department for Aging and Disability Services, et al.,

Case No. 6:25-cv-01119.

4. On August 21, 2025, Debtor Modivcare, Inc. filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code in this Court (the "Petition Date"), thereby triggering the automatic stay under 11 U.S.C. § 362(a), which has paused the continuation of the District Court Action as it pertains to the Debtor.
5. On October 25, 2025 upon discovering Modivcare bankruptcy; the Movant in good faith sought to preserve her claims and submitted proof of claims (Exhibit 2).

III. RELIEF REQUESTED

5. Movant seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) for "cause," allowing the continuation of the District Court Action against Debtor Modivcare, Inc., and specifically requests that this Court modify the stay to permit the District Court to adjudicate the claims in the pending litigation.
6. Cause exists to lift the stay because:
7. Non-dischargeable claims: The litigation involves claims of fraud, willful neglect, and personal injury, which are non-dischargeable under 11 U.S.C. § 523(a) and therefore not subject to discharge in this bankruptcy case.
8. Judicial economy and efficiency: The District Court Action is already pending, and the matter involves multiple parties, making it more efficient to resolve the claims in that forum.

9. *Pro Se status: Movant is a pro se litigant without specialized knowledge of bankruptcy law. Continuing the litigation in the District of Kansas will allow Movant to preserve her substantive legal rights in the appropriate forum.*
10. Further, the relief sought will not prejudice the Debtor's bankruptcy estate, creditors, or reorganization efforts, as any recovery in the District Court Action will be limited to the available proceeds from Debtor's liability insurance policy and will not involve the Debtor's bankruptcy estate.
11. Allowing the District Court Action to proceed will serve the interests of judicial economy by permitting all related claims to be heard in one forum, avoiding duplication of efforts and promoting efficient resolution of the claims.

IV. Prayer

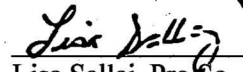
WHEREFORE, Movant, Lisa Sallaj, respectfully requests that this Court enter an order:

- A. Granting relief from the automatic stay under 11 U.S.C. § 362(d)(1) to permit Movant to proceed with the District Court Action (Case No. 6:25-cv-01119) against the Debtor, Modivcare, Inc., in the United States District Court for the District of Kansas;
- B. Granting such other and further relief as the Court deems just and proper.

Attachments:

1. **Exhibit 1** – Proof of Claim (Filed via KCC e-filing system)
2. **Exhibit 2** – Civil Complaint (D. Kan. Case No. 6:25-cv-01119)

Respectfully submitted


Lisa Sallaj, Pro Se
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Anthony, KS 67003
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PROOF OF SERVICE

BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS Case No.

4:25-bk-90309

I am a citizen of the United States, I am over the age of eighteen years. On June 05, 2025,
I served a copy of the within document(s):

MOTION FOR RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. §
362(D)(1)

as follows:

☒ by sealing the document(s) listed above in an envelope and placing it for collection,
which would, in the ordinary course of business, be deposited with the United States
Postal Service on this date for delivery to the person(s) at the address(es) set forth
below and by digital email.

Counselors for Modivcare Inc.,

Brandon Bell: Law Firm Hunton Andrews
Kurth LLP
Email: bbell@hunton.com
600 Travis Street, Suite 4200, Houston, TX
77002

Kaleb Bailey: Law Firm Hunton Andrews
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Timonthy Alvin Davidson, II, Hunton
Andrews Kurth LLP
taddavidson@hunton.com
600 Travis Street, Suite 4200, Houston, TX
77002

foregoing is true and correct. Executed on October 26, 2025


LISA SALLAJ

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS

In Re: ModivCare Inc.
A & B Homecare Solutions, L.L.C.

Debtor(s)

Case No.: 25-90309

Chapter: 11

NOTICE OF HEARING ON RELIEF FROM STAY

On 11/4/25, a motion was filed seeking relief from the automatic stay of 11 U.S.C. 362. The court has set the preliminary hearing on the motion for:

DATE:

TIME:

LOCATION:

If you object to the lifting of the stay, no later than seven days before the hearing you must:

1. File with the Clerk and affidavit stating that:
 - a. You have conferred with the movant in a good faith effort to reach an agreement with the dates and times of the conferences,
 - b. The efforts were unsuccessful, and
 - c. A hearing is required.
2. File with the Clerk your written answer opposing the motion; include:
 - a. The particular grounds for the opposition under Federal Rules 8(b) and 11;
 - b. The identity of the interest in the property;
 - c. The provable value of the property and the equity after deduction of all encumbrances; and
 - d. Attach copies of your affidavit of conferences and the motion to your answer.
3. Serve a copy of the written answer on the movant.

Your written answer will be your request for hearing. No hearing will be held on the request of movant or on an answer received within seven days before the hearing.

Date Issued: 11/4/25

Nathan Ochsner
Clerk, U.S. Bankruptcy Court

To the Movant: A copy of this notice with a copy of your motion must be served within 24 hours of receipt from the Clerk. A proof of service form is attached.

Federal Rule of Civil Procedure 8(b)

Defenses: Admissions and Denials. (1) In responding to a pleading, a party must (A) state in short and plain terms its defenses to each claim asserted against it; and (B) admit or deny the allegations asserted against it by an opposing party. (2) A denial must fairly respond to the substance of the allegation. (3) A party that intends in good faith to deny all the allegations of a pleading – including the jurisdictional grounds – may do so by general denial. A party that does not intend to deny all the allegations must either specifically deny designated allegations or generally deny all except those specifically admitted. (4) A party that intends in good faith to deny only part of an allegation must admit the part that is true and deny the rest.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS**

In Re: ModivCare Inc.
A & B Homecare Solutions, L.L.C.

Case No.: 25-90309

Debtor(s)

PROOF OF SERVICE
Motion for Relief from Stay and Notice of Hearing

On behalf of the movant, I certify that I am more than 18 years of age, and I served a copy of the motion for relief from stay with the notice of hearing.

(a) on this date: _____

(b) by this method: _____

(c) on these entities: _____

I certify under penalty of perjury that this is true.

Date Signed

Signature

Counsel (typed)

For Party