

**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. ¹	:	(Jointly Administered)
	:	
	X	

**DEBTORS' MOTION TO FILE UNDER
SEAL STIPULATION AND AGREED ORDER
REGARDING PAYMENT OF DEFENSE COSTS AND
OTHER AMOUNTS IN CONNECTION WITH DEBTORS' INSURANCE PROGRAMS**

If you object to the relief requested, you must respond in writing. Unless otherwise directed by the Court, you must file your response electronically at <https://ecf.txsb.uscourts.gov/> within twenty-one days from the date this motion was filed. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk within twenty-one days from the date this motion was filed. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

The above-captioned debtors and debtors in possession (the “***Debtors***”) respectfully state as follows in support of this motion (the “***Motion***”).

RELIEF REQUESTED

1. The Debtors file this Motion to request entry of an order (the “***Proposed Order***”), substantially in the form attached hereto, authorizing the Debtors, to (i) file a redacted version of the *Stipulation and Agreed Order Regarding Payment of Defense Costs and Other Amounts in*

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 the Chapter 11 Cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.



Connection with Debtors' Insurance Programs (the “**Defense Costs Stipulation**”)² and (ii) file an unredacted version of the Defense Costs Stipulation under seal, which unredacted version shall remain confidential and under seal and not be made available to anyone without the consent of the Debtors or further order of this Court.

JURISDICTION AND VENUE

2. The United States Bankruptcy Court for the Southern District of Texas (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157, and the Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The bases for the relief requested herein are sections 105(a) and 107(b) of title 11 of the United States Code (the “**Bankruptcy Code**”), rule 9018 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and rules 9013-1 and 9037-1 of the Bankruptcy Local Rules for the Southern District of Texas (the “**Bankruptcy Local Rules**”), and the Procedures for Complex Cases in the Southern District of Texas.

BASIS FOR RELIEF

4. The relief requested herein is supported by sections 105(a) and 107(b) of the Bankruptcy Code. Specifically, under section 107(b) of the Bankruptcy Code, the Court is authorized to issue orders to protect entities with respect to certain confidential or commercially sensitive information. 11 U.S.C. § 107(b). Further, section 105(a) of the Bankruptcy Code, which codifies the Court’s inherent equitable powers, empowers the Court to “issue any order, process,

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Defense Costs Stipulation.

or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a).

5. Bankruptcy Rule 9018 implements section 107(b) of the Bankruptcy Code and provides in relevant part: “On motion or on its own initiative, with or without notice, the court may make any order which justice requires to: (1) protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information.” FED. R. BANKR. P. 9018. Additionally, Bankruptcy Local Rule 9037-1 authorizes the Court to limit public access to certain documents.

6. The Defense Costs Stipulation contains confidential and commercially sensitive information, namely, the Defense Costs Schedule. The Defense Costs Schedule lists certain costs and expenses for legal services rendered to defend the Debtors in proceedings that certain of the Debtors became party to prior to the commencement of the Chapter 11 Cases. The Debtors submit that public disclosure of the Defense Costs may, among other things: (i) allow interested parties to draw improper inferences regarding the merits of the Subject Proceedings or the Debtors’ views on the Subject Proceedings; or (ii) otherwise be strategically disadvantageous to the Debtors.

7. Therefore, the Debtors respectfully request that the Court authorize the Debtors, for the duration of the Chapter 11 Cases, to: (i) file a version of the Defense Costs Stipulation that redacts the Defense Costs Schedule; and (ii) file an unredacted version of the Defense Costs Stipulation under seal, which unredacted version shall remain confidential and under seal and not be made available to anyone without the consent of the Debtors or further order of this Court.

WHEREFORE, the Debtors respectfully request that this Court enter the Proposed Order granting the relief requested in this Motion and granting such other and further relief the Court deems just and proper.

Dated: November 26, 2025

Respectfully submitted,

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

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Co-Counsel to the Debtors and Debtors in Possession

CERTIFICATE OF SERVICE

I certify that on November 26, 2025, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on those parties registered to receive electronic notices.

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

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MODIVCARE INC., <i>et al.</i> ,	:	Case No. 25-90309 (ARP)
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Debtors. ¹	:	(Jointly Administered)
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**ORDER GRANTING DEBTORS'
MOTION TO FILE UNDER SEAL STIPULATION AND
AGREED ORDER REGARDING PAYMENT OF DEFENSE COSTS AND
OTHER AMOUNTS IN CONNECTION WITH DEBTORS' INSURANCE PROGRAMS
[Relates to Docket No. ____]**

Upon consideration of *Debtors' Motion to File Under Stipulation and Agreed Order Regarding Payment of Defense Costs and Other Amounts in Connection with Debtors' Insurance Programs* (the “*Motion*”)², and upon all of the proceedings had before this Court, it is hereby

ORDERED THAT:

1. The Debtors are authorized to file a redacted version of the Defense Costs Stipulation and to file an unredacted version of the same under seal.
2. The unredacted version of the Defense Costs Stipulation filed under seal shall remain confidential and under seal and shall not be made available to anyone without the consent of the Debtors or further order of the Court.

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 the Chapter 11 Cases is 6900 E. Layton Avenue, Suite 1100 & 1200, Denver, Colorado 80237.

² Capitalized terms used but not defined herein have the meanings given to them in the Motion.

3. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.

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

Dated: _____

ALFREDO R. PEREZ
UNITED STATES BANKRUPTCY JUDGE