

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

In re

MODIVCARE INC., et al.,¹

Debtors.

Chapter 11

Case No. 25-90309 (ARP)

(Jointly Administered)

**THIRD SUPPLEMENTAL DECLARATION
OF GREGORY F. PESCE IN SUPPORT OF APPLICATION OF
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR ENTRY
OF AN ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF
WHITE & CASE LLP AS COUNSEL EFFECTIVE AS OF SEPTEMBER 9, 2025**

[Relates to Docket Nos. 472, 593, 616, 965]

I, Gregory F. Pesce, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a partner of the firm of White & Case LLP (“**White & Case**” or the “**Firm**”), an international law firm, which maintains offices for the practice of law at, among other locations, 111 South Wacker Drive, Suite 5100, Chicago, IL 60606-4302, and 609 Main Street, Suite 2900, Houston, TX 77002. Among other admissions, I am a member in good standing of the Bar of the State of Illinois, and I have been admitted to practice *pro hac vice* in these Chapter 11 Cases [Docket No. 158]. There are no disciplinary proceedings pending against me in any jurisdiction.

¹ A complete list of each of the Debtors in the 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’ proposed 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.



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2. I submit this supplemental declaration (the “**Third Supplemental Declaration**”) in support of the *Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing the Employment and Retention of White & Case LLP as Counsel Effective as of September 9, 2025* (the “**Application**”), filed on October 8, 2025 [Docket No. 472],² and as a supplemental to my prior declaration in support of the Application filed as Exhibit B to the Application (the “**Original Declaration**”), to my first supplemental declaration in support of the Application filed October 29, 2025 [Docket No. 593] (the “**First Supplemental Declaration**”), and to my second supplemental declaration in support of the Application filed December 6, 2025 [Docket No. 965] (the “**Second Supplemental Declaration**” and, collectively, the “**Prior Declarations**”). On October 31, 2025, the Court entered an order authorizing the employment and retention of White & Case as counsel to the Committee [Docket No. 616] (the “**Retention Order**”).

3. To the extent that any information disclosed herein requires amendment or modification upon White & Case’s completion of further analysis or as additional information becomes available to it, a supplemental declaration will be submitted to the Court reflecting the same. Except as otherwise noted, I have personal knowledge of the matters set forth herein.³

4. I submit this Third Supplemental Declaration to provide notice of an increase in hourly rates as required by the Retention Order.

5. As disclosed in my Original Declaration, for 2025, the hourly rates charged by White & Case in its U.S. offices range from \$1,690 to \$2,500 per hour for partners, \$1,630 per

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

³ Certain of the disclosures herein relate to matters within the knowledge of attorneys or employees of White & Case and are based on information provided by them.

hour for counsel, \$870 to \$1,580 per hour for associates, and \$355 to \$700 per hour for paraprofessionals (the “**2025 Rates**”).

6. Effective on January 1, 2026, the hourly rates charged by White & Case in its U.S. offices will range from \$1,840 to \$2,700 for partners, \$1,790 for counsel, \$940 to \$1,710 for associates, and \$365 to \$745 for paraprofessionals (the “**2026 Rates**”).

7. As set forth in my Original Declaration with respect to the 2025 Rates, White & Case’s hourly rates are subject to adjustment in the normal course of the Firm’s business. The 2026 Rates will be White & Case’s standard rates in its U.S. offices. The 2026 Rates are set at a level designed to fairly compensate White & Case for the work of its attorneys and paraprofessionals and to cover fixed and routine overhead expenses. It is White & Case’s normal course of business to consider economic and other conditions. I submit that White & Case’s 2026 Rates are consistent with the rates charged by other firms rendering comparable services.

8. In accordance with section 330(a)(3)(F) of the Bankruptcy Code, I submit that the 2026 Rates, for the reasons set forth above, are reasonable based on the customary compensation charged by practitioners of comparable seniority, distinction, skill, and expertise in cases other than cases under the Bankruptcy Code, reflect economic and other conditions, and are consistent with rates charged by peer law firms.

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

Dated: December 17, 2025
Chicago, Illinois

/s/ Gregory F. Pesce
Gregory F. Pesce
Partner, White & Case LLP