

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

IN RE: §  
MODIVCARE, INC. § CASE NO. 25-90309  
DEBTOR §

MODIVCARE TOPCO, LLC’S MOTION TO COMPEL  
WHITE & CASE, LLP TO RESPOND TO DISCOVERY REQUESTS

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, ModivCare Topco, LLC (“ModivCare”) and files this Motion to Compel White & Case, LLP to Respond to Discovery Requests, and would respectfully show the Court as follows:



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**SUMMARY OF FACTS AND RELIEF REQUESTED**

White & Case LLP (“White & Case”) seeks over \$14 million in purported fees and expenses for 111 days of work. After ModivCare filed a detailed objection challenging the propriety and reasonableness of those fees, it served narrowly tailored discovery requests focused on the specific issues raised in that objection.

White & Case has categorically refused to produce any documents, admits it has not conducted any search for responsive materials, has not identified a single document being withheld, and has failed to provide a privilege log as required by the Federal Rules. Instead, it has asserted broad objections to every request and taken the untenable position that no discovery should occur. Effectively, White & Case asks the Court to approve its fee request based solely on its unilateral submissions, without providing an opportunity for even a cursory examination of the facts underlying the purported fees. This approach is inconsistent with the Federal Rules of Civil Procedure, the standards governing fee applications under 11 U.S.C. § 330, and fundamental principles of fairness and transparency.

White & Case’s refusal to engage in discovery is especially concerning given its acknowledgment that it has not begun to search for responsive materials. A party cannot assert burdensomeness, irrelevance, or privilege in the abstract while declining to determine what documents actually exist.

Accordingly, ModivCare respectfully requests that the Court overrule White & Case’s objections in their entirety and compel full and complete responses to the Requests for Production.

**RELEVANT BACKGROUND FACTS**

1. On February 12, 2026, White & Case filed its Final Fee Application [Docket No. 1290], seeking a final allowance of \$13,893,521.00 in attorney’s fees and an additional \$300,469.13 in expenses (the “**Fee Application**”).
2. In its Fee Application, White & Case affirmatively represents that it has “satisfied its burden to demonstrate that its fees are reasonable.”
3. On March 5, 2026, ModivCare filed its Objection to the Fee Application (the “**Objection**”) [ECF No. 1354], challenging both the propriety and reasonableness of the fees sought.
4. On March 12, 2026, ModivCare served narrowly tailored Requests for Production on White & Case directed to the issues raised in the Objection (the “**RFP**”). (See **Exhibit A**).
5. On April 2, 2026, White & Case served its Responses and Objections to the RFP (the “**Responses**”). (See **Exhibit B**).
6. White & Case has refused to produce a single document, has not conducted any search for responsive materials, and has asserted across-the-board objections while withholding all information. White & Case has taken the position that it is entitled to recover more than \$14 million in purported fees without providing any meaningful transparency into how those purported fees were generated.

**ATTEMPTS TO CONFER**

7. Prior to filing this Motion to Compel, undersigned counsel conferred with White & Case in a good faith effort to resolve the issues raised herein without Court intervention.
8. White & Case’s position was unequivocal: it contends that this Court can and should determine the reasonableness of its \$14 million fee request based solely on the record “as it exists today,” without any discovery.

9. That position ignores the obvious. The existing record reflects only what has been filed, not the underlying facts concerning how those purported fees were generated, including, but not limited to, internal billing practices, staffing decisions, and other conduct that occurred outside the presence of the Court.

10. During the conference, White & Case expressly acknowledged that it had not conducted any search for responsive documents and did not intend to do so unless ordered by the Court.

11. White & Case's position is untenable. A party cannot refuse to search for responsive documents and, at the same time, assert that requests are unduly burdensome, irrelevant, or privileged. Such objections necessarily require a reasonable inquiry. Without one, they lack any factual basis and do not comply with the obligations imposed by Rule 26(g).

12. Despite these discussions, White & Case refused to modify its position, produce any documents, withdraw its general objections, or provide a privilege log, thereby necessitating this Motion.

**BLANKET REFUSAL TO PROVIDE ANY DISCOVERY**

13. White & Case's core position that no discovery is permitted and that the Court must decide its Fee Application solely on the existing record is legally and factually incorrect.

14. ModivCare's Objection raises serious concerns, including:

- a. Purported fees were generated through coercive tactics;
- b. Excessive staffing and billing practices; and
- c. Work performed that was neither necessary nor beneficial to the estate.

15. None of these issues can be adequately examined based solely on the docket and pleadings. Critical information, including internal communications, staffing decisions, billing practices, and budgetary judgments, exists exclusively in White & Case's own files. Their refusal to produce

these materials prevents ModivCare from testing the reasonableness of the purported fees claimed.

**GENERAL OBJECTIONS MUST BE STRICKEN**

16. In response to all 16 requests contained in the Requests for Production, White & Case asserts that it **“will not produce documents responsive to this request at this time.”**

17. White & Case asserts no fewer than 32 general objections to ModivCare’s Requests for Production.

18. Specifically, White & Case:

- a. Asserts a blanket objection that ModivCare is not entitled to any discovery regarding its purported fees and insists the Court must decide the matter solely on White & Case’s fee application and knowledge of the proceedings.
- b. Objects to every request as overly broad, unduly burdensome, not proportional to the needs of the case, and harassing, without explaining how these generic objections apply to the specific documents sought.
- c. Objects to every request as seeking information that is not relevant or necessary to resolving its fee application.
- d. Claims privilege over broad categories of documents without identifying any materials withheld or providing a privilege log.
- e. Argues that the requests seek information already in ModivCare’s possession and simultaneously claims that this information is privileged.
- f. Objects to every single request as "overly broad, unduly burdensome, and not proportional to the needs of the case" without specifying how these generic objections apply to the specific documents sought.

19. General, or blanket objections are improper and prohibited, and have been for many years:

The "prohibition against general [or blanket] objections to discovery requests has been long established." *Hall v. La.*, Civ. A. No. 12-657-BAJ-RLB, 2014 U.S. Dist. LEXIS 77180, 2014 WL 2560579, at \*1 (M.D. La. June 6, 2014). Rule 33(b)(4) requires that "grounds for an objection to an interrogatory shall be stated with specificity." FED. R. CIV. P. 33(b)(4). And Rule 34(b) requires that a response to a request for production of documents, electronically stored information, and tangible things "must either state that inspection and related activities will be permitted as requested or state an objection to the request, including the reasons." FED. R. CIV. P. 34(b)(2)(B). In short, "[o]bjections to discovery must be made with specificity, and the responding party has the obligation to explain and support its objections." *Cartel Asset Mgmt. v. Ocwen Fin. Corp.*, No. 01-cv-01644-REB-CBS, 2010 U.S. Dist. LEXIS 17857, 2010 WL 502721, at \*10 (D. Colo. Feb. 8, 2010).

Another court has put the matter at hand well: "General objections such as the ones asserted by [Defendant] are meaningless and constitute a waste of time for opposing counsel and the court. In the face of such objections, it is impossible to know whether information has been withheld and, if so, why. This is particularly true in cases like this where multiple 'general objections' are incorporated into many of the responses with no attempt to show the application of each objection to the particular request." *Weems v. Hodnett*, No. 10-cv-1452, 2011 U.S. Dist. LEXIS 80746, 2011 WL 3100554, at \*1 (W.D. La. July 25, 2011).  
*Heller v. City of Dallas*, 303 F.R.D. 466, 483 (N.D. Tex. 2014)

20. These objections should be stricken in their entirety.

**BOILERPLATE OBJECTIONS ARE INVALID AND WAIVED**

21. For every request, White & Case repeats the same formulaic objections: "overly broad," "unduly burdensome," "not proportional," "privileged" and "irrelevant."

22. These are textbook boilerplate objections. They are legally insufficient because White & Case:

- a. Provides no facts supporting an alleged burden;

- b. Does not quantify cost or effort; and
  - c. Does not explain why the requests are disproportionate.
23. White & Case's boilerplate objections should be stricken.

So-called boilerplate or unsupported objections — even when asserted in response to a specific discovery request and not as part of a general list of generic objections preceding any responses to specific discovery requests — are likewise improper and ineffective and may rise (or fall) to the level of what the Fifth Circuit has described as "an all-too-common example of the sort of 'Rambo tactics' that have brought disrepute upon attorneys and the legal system." *McLeod, Alexander, Powel & Apffel, P.C. v. Quarles*, 894 F.2d 1482, 1484-86 (5th Cir. 1990)(holding that simply objecting to requests as "overly broad, burdensome, oppressive and irrelevant," without showing "specifically how each [request] is not relevant or how each question is overly broad, burdensome or oppressive," is inadequate to "voice a successful objection"); see also *Anderson v. Caldwell Cty. Sheriff's Office*, No. 1:09cv423, 2011 U.S. Dist. LEXIS 62263, 2011 WL 2414140, at \*3 (W.D.N.C. June 10, 2011) ("Moreover, there is no provision in the Federal Rules that allows a party to assert objections simply to preserve them. Instead, the Federal Rules require that objections be specific."); *Mancia v. Mayflower Textile Services. Co.*, 253 F.R.D. 354, 358 (D. Md. 2008)(noting that, despite Rule 26(g), "boilerplate objections that a request for discovery is 'overboard and unduly burdensome, and not reasonably calculated to lead to the discovery of material admissible in evidence,' persist despite a litany of decisions from courts, including this one, that such objections are improper unless based on particularized facts" (citation omitted)).

Another court has observed that "[the] failure to particularize [overbreadth, undue burden, and relevance] objections as required leads to one of two conclusions: either the [responding parties] lacked a factual basis to make the objections that they did, which would violate Rule 26(g), or they complied with Rule 26(g), made a reasonable inquiry before answering and discovered facts that would support a legitimate objection, but they were waived for failure to specify them as required." *Mancia*, 253 F.R.D. at 364.

*Heller v. City of Dallas*, 303 F.R.D. 466, 483-84 (N.D. Tex. 2014)

24. Worse, White & Case admitted it **did not conduct any search** for responsive documents.

A party cannot claim burden or proportionality without first making a reasonable, or in this case,

any, inquiry. Rule 26(g) requires exactly that. These objections should be overruled.

**PRIVILEGE ASSERTIONS ARE IMPROPER AND WAIVED**

25. White & Case asserts sweeping privilege objections to nearly every Request for Production, yet fails to identify a single specific document withheld, provides no privilege log, and admits that it has not conducted any search for responsive materials. This is improper. A party cannot assert blanket privilege objections while refusing to identify what documents are being withheld or on what basis.

26. White & Case further fails to articulate any specific privilege with respect to any particular document or category of documents. Instead, it reflexively invokes the attorney-client privilege, the work product doctrine, and “any other applicable privilege, immunity, or protection,” without limitation or explanation. Such undifferentiated, catch-all assertions are legally insufficient.

27. Moreover, none of the Requests for Production seek communications between White & Case and its client, the Committee. Rather, the Requests are directed to internal communications regarding billing practices, staffing, and fee preparation. These are subjects that, in the ordinary course, do not implicate privileged legal advice.

28. White & Case’s blanket and unsupported privilege objections are improper, result in waiver, and should be stricken.

**THE “ALREADY IN YOUR POSSESSION” OBJECTION IS BASELESS**

29. White & Case repeatedly asserts that responsive information is already in ModivCare’s possession.

30. It is unclear how communications among White & Case’s employees could possibly be in ModivCare’s possession, especially when White & Case simultaneously claims that the very same communications are privileged.

**THE REQUESTS ARE NARROW, TARGETED AND DIRECTLY RELEVANT**

31. The Requests are limited to a 111-day engagement and focus on discrete, critical issues including (a) billing practices, (b) staffing decisions, (c) fee application preparations; (d) deposition preparation; (e) budget; and (f) coercive conduct tied to fee generation. These topics go directly to whether the fees were reasonable, necessary and beneficial to the estate under 11 U.S.C. §330.

32. White & Case’s repeated assertion that these topics are “not relevant” is neither credible nor tenable.

**SPECIFIC EXAMPLES OF DEFICIENT RESPONSES/OBJECTIONS**

**RFP No. 1 -3 AND 13-14 (BILLING PRACTICES AND STAFFING)**

33. These requests seek internal communications regarding billing expectations, staffing decisions, and time entry practices on this specific case for a 111-day time period.

34. White & Case argues these issues can be resolved from the existing record. That is incorrect. The record shows what was billed, not:

- a. Why hours were generated in the first instance, including whether tasks, and the associated staffing, were necessary or duplicative;
- b. Whether internal expectations, targets, or pressures existed regarding (i) the amount of fees to be billed in the case or (ii) total hours to be billed by individual timekeepers;
- c. How staffing decisions were made, including whether the number of timekeepers assigned to particular tasks was driven by legitimate case needs or by a desire to increase billable hours;

- d. Whether time entries were recorded contemporaneously or influenced by internal guidance regarding billing practices;
- e. Whether “voluntary reductions” referenced in the fee application reflect genuine billing judgment or post hoc adjustments designed to justify an otherwise excessive fee request; and
- f. Whether time entries were reconstructed.

35. They go to the heart of whether the purported fees were “reasonable,” “necessary,” and “beneficial to the estate” under § 330.

36. White & Case’s burden objection is equally defective. A party cannot claim that a request is unduly burdensome while simultaneously admitting that it has not conducted any search for responsive documents. Without undertaking a reasonable inquiry, White & Case has no factual basis to assert burden, cost, or proportionality. Such objections violate Rule 26(g) and should be disregarded.

37. Finally, White & Case’s blanket invocation of privilege is improper. These requests are expressly limited to internal communications among firm personnel concerning billing and staffing. Such communications do not, in the ordinary course, involve client confidences or legal advice and therefore are not protected by the attorney-client privilege. Nor do they constitute protected work product where they concern administrative or billing practices rather than litigation strategy. Furthermore, no privilege log was provided and no declaration was made that documents are being withheld as required.

38. In summary, these requests seek precisely the type of evidence necessary to test the reasonableness of a \$14 million fee request. White & Case’s refusal to produce any responsive documents cannot be sustained.

**RFP No. 4 (THE \$30 MILLION DEMAND)**

39. RFP No. 4 is narrowly tailored to support ModivCare's allegation that White & Case's fee generation was tied to a coercive demand that the estate either fund a \$30 million payment or incur substantial professional fees. White & Case not only billed \$14 million in purported fees and expenses, but its unnecessary litigation forced ModivCare to incur millions more in legal costs defending meritless disputes.

40. It seeks only communications among White & Case personnel concerning the \$30 million demand to the extent those communications relate to billing practices or the relationship between that demand and anticipated or actual fees. RFP No. 4 expressly excludes communications reflecting legal strategy or mental impressions.

41. Furthermore, White & Case's objections on relevance and vagueness grounds are unsupported. First, responsive documents would be directly probative of whether the purported fees were incurred in good faith and for proper purposes. Section 330 does not permit compensation for services pursued for improper leverage. Evidence bearing on this is plainly discoverable.

42. Second, the request is not vague. It identifies a specific event (the \$30 million demand referenced in the Objection) and a specific subject matter (billing practices and fee generation). White & Case's claimed inability to understand the request is not credible.

43. Finally, any concern regarding privilege is addressed by the request itself, which specifically excludes legal strategy and mental impressions.

44. White & Case's refusal to search for or produce such materials is indefensible.

**RFP No. 5 – 7 (PRIOR FEE REDUCTIONS AND ALLEGATIONS OF IMPROPER BILLING PRACTICES)**

45. RFP Nos. 5, 6 and 7 seek (i) court orders and rulings reducing or disallowing White &

Case's purported fees based on improper billing or litigation practices, and (ii) pleadings in other bankruptcy cases in which parties alleged materially similar misconduct.

46. These requests go directly to issues raised in the Objection, namely, whether the billing and litigation practices at issue here are isolated to this case or part of a broader, repeated pattern.

47. White & Case argues that materials from "other cases" are categorically irrelevant. That is incorrect. The Objection does not merely dispute line items. It alleges systemic billing and litigation practices, including, but not limited to, overstaffing, excessive billing, and "scorched earth" tactics designed to generate fees. Evidence that similar concerns have been raised or sustained by other courts is directly relevant because White & Case's state of mind, intent, and course of conduct are at issue in the Objection.

48. White & Case's assertion that the requests are overly broad because they seek materials from "any case" ignores both the nature of the issues and the ease of reasonable limitation. First, these requests are inherently self-limiting. They do not seek all documents from all cases. They seek a discrete subset of materials:

- a. Judicial decisions addressing fee reductions or disallowances based on specific categories of misconduct; and
- b. Pleadings asserting those same categories of misconduct.

49. White & Case never proposed any limitation to this request. Instead, it adopted an all-or-nothing position, refusing even to identify whether responsive materials exist.

50. That is not a proportionality objection. It is a refusal to engage in discovery.

51. White & Case contends that the requests are burdensome because responsive materials, "if they exist," are publicly available. That objection fails for multiple reasons. First, the requests seek materials known to White & Case, not materials theoretically available somewhere in the

public domain. White & Case is uniquely positioned to identify:

- a. Cases in which its purported fees were challenged or reduced;
- b. Allegations made against it; and
- c. Rulings addressing its billing practices.

52. Here, ModivCare has no way of knowing which cases to search for. Without that foundational information, the “public availability” objection is meaningless. At minimum, White & Case should be required to identify responsive cases and provide basic information (case name, court, and docket number), even if the Court ultimately limits production of full pleadings or orders.

53. White & Case argues that terms such as “unnecessary litigation,” “scorched earth tactics,” or “billing not reasonably likely to benefit the estate” are vague.

54. White & Case is a sophisticated law firm whose hourly rates are among the highest in the country. It cannot plausibly claim that it does not understand these terms. Most importantly, White & Case did not seek clarification during the meet-and-confer process. It just refused to produce anything.

55. Finally, White & Case asserts that responding to these requests are burdensome without making any effort to conduct a search for responsive materials. It is troublesome on its face that there would be so many pleadings and orders entered against them for their billing practices that it would create such a burden.

**RFP No. 8 (COMMUNICATIONS REGARDING THE CONSENTING CREDITORS’ STATEMENTS)**

56. RFP No. 8 seeks internal communications among White & Case personnel referencing the Consenting Creditors’ Statement filed at Docket No. 589, to the extent those communications relate to billing practices, staffing decisions, or the volume of fees being generated in the

engagement. The request is expressly limited and excludes legal strategy or mental impressions.

57. This request goes to the core of the Reorganized Debtors' objection.

58. The Statement (filed early in the case) was not a routine pleading. It was a direct and explicit warning that White & Case's strategy appeared designed to generate escalating professional fees as leverage to extract a settlement. It specifically cautioned that such an approach would burden the estate with unnecessary costs and harm creditor recoveries.

59. RFP No. 8 asks a straightforward question: How did White & Case respond internally to that warning (if at all) with respect to its billing and staffing practices after the Statement was filed.

60. The Statement put White & Case on contemporaneous notice of the precise misconduct alleged in the Objection. Internal communications reflecting how White & Case reacted to that warning are directly probative of:

- a. Whether White & Case recognized that its practices were being challenged as potentially excessive or abusive;
- b. Whether White & Case adjusted (or consciously declined to adjust) its billing and staffing practices in response;
- c. Whether purported fees incurred after the warning were undertaken with appropriate regard for cost discipline and estate impact; and
- d. Whether the subsequent escalation in purported fees was anticipated and knowingly pursued despite the risks identified.

61. If White & Case internally acknowledged the concerns raised in the Statement yet continued the same practices, that evidence would be highly relevant to whether the resulting purported fees were "reasonable" or "necessary" under § 330.

62. White & Case again asserts that the issue can be resolved based on the existing record.

That argument fails for a simple reason: the record contains the warning, but not White & Case's response or reaction to the Statement.

63. Furthermore, White & Case's blanket assertion of privilege is improper. RFP No. 8 is carefully drafted to avoid privileged material. It does not seek communications with clients, legal advice or litigation strategy regarding how to respond to the Statement. To the extent any responsive document contains privileged material, White & Case should have produced a privilege log to comply with Rule 26.

64. Likewise, White & Case claims burden without evidence and despite admitting that it has not conducted any search. A proper burden objection requires a reasonable inquiry and an explanation of the efforts required to produce them. White & Case has provided none of that. Its conclusory assertion of burden, untethered to any actual investigation, should be disregarded.

65. Finally, the proportionality of this request is beyond dispute. White & Case seeks more than \$14 million in purported fees and expenses. RFP No. 8 seeks a discrete category of internal communications tied to a single, pivotal event that directly relates to whether those purported fees were generated in good faith and with appropriate regard for the estate.

66. The likely burden of locating such communications is minimal compared to the significance of the purported fees at stake.

**RFP NO. 9 (PREPARATION OF THE FINAL FEE APPLICATION)**

67. RFP No. 9 seeks internal communications concerning the preparation and drafting of White & Case's Final Fee Application, including how time entries were categorized, allocated, described, and presented to the Court. This request goes directly to the accuracy, reliability, and transparency of the Fee Application itself.

68. White & Case's argument that these materials are not relevant is untenable. The Fee

Application is not self-proving. Internal communications concerning the preparation of the Fee Application are directly probative of whether it accurately reflects the underlying work performed or instead presents that work in a manner designed to justify the fees sought, including:

- a. Reassigning time entries across project codes;
- b. Allocating time across multiple categories;
- c. Addressing acknowledged “overlap” between categories; and
- d. These are core issues under § 330.

69. White & Case again asserts overbreadth, burden, and vagueness without support. The phrase “assignment or reassignment of time entries” is not vague; it describes a common billing practice, particularly where time is reorganized for presentation in a fee application. Furthermore, the request is limited to a 111-day engagement and a single Final Fee Application.

70. White & Case admits it has not conducted any search, rendering its burden objection baseless. To the extent responsive communications involve administrative decisions about billing presentation, they are not privileged. They do not involve client advice or litigation strategy, but rather how billing data is categorized and described.

71. If any responsive materials contain privileged content, White & Case could have redacted the documents and provided a privilege log. Instead, they refused production altogether.

**RFP No. 10 (DEPOSITION OUTLINES)**

72. RFP No. 10 seeks deposition outlines prepared or used by White & Case in connection with depositions taken during the engagement, with an express allowance for redactions of any privileged material.

73. This request is directly relevant to whether the time spent on numerous (and similar) depositions and the number of attorneys involved in preparing deposition outlines was reasonable

and necessary under § 330.

74. The Fee Application shows how many hours were billed to prepare for depositions. It does not show whether that work product justified those hours. Deposition outlines are among the few documents that allow the Court to assess that issue in a meaningful way.

75. For example, if the same amount of time were billed to separate deposition outlines, yet they were nearly identical, then this would be important evidence for the Court to consider.

76. Furthermore, this request is narrow and includes built-in privilege protections. The request is limited to deposition outlines from a 111-day engagement which is a finite and easily identifiable category of documents.

77. It is also expressly tailored to address privilege concerns. White & Case is permitted to:

- a. Redact attorney mental impressions;
- b. Redact confidential client information; and
- c. Withhold or log any portions that qualify as protected work product.

78. Given these built-in protections, privilege is not a valid basis to refuse production altogether. Similarly, the argument that the Court can assess reasonableness solely from the existing record ignores the obvious: the record does not reveal what work was actually performed prior to or at those depositions.

**RFP NOS. 15–16 (TIME ENTRY METADATA, AUDIT TRAILS, AND BILLING SYSTEM IDENTIFICATION)**

79. RFP Nos. 15 and 16 seek (i) documents sufficient to show when time entries were created, entered, modified, or submitted for billing; and (ii) documents sufficient to identify the billing or timekeeping system used by White & Case in connection with the Fee Application. Together, these requests address the reliability, integrity, and transparency of the billing records underlying White & Case's \$14 million fee request.

80. RFP No. 15 seeks documents sufficient to show when time entries were created, entered, modified, or submitted for billing, including audit logs, metadata, or system-generated histories reflecting those events.

81. RFP No. 16, in particular, is foundational. Identifying the billing system used is a necessary predicate to understanding the data sought in RFP No. 15. Without that information, neither the Reorganized Debtors nor the Court can evaluate:

- a. Whether the system preserves audit trails or metadata;
- b. How time entries are created, edited, and stored;
- c. Whether modifications are tracked and recoverable; and
- d. What information exists to test the integrity of the billing records.

82. White & Case asserts that this information is “not relevant”. However, these requests go directly to several core issues raised in the Objection, including:

- a. Whether time entries were recorded contemporaneously or reconstructed after the fact;
- b. Whether entries were modified, edited, or recharacterized prior to submission;
- c. Whether billing judgment was exercised in real time or applied retroactively in anticipation of fee review; and
- d. Whether the Fee Application reflects actual work performed or a curated presentation of that work.

83. White & Case’s overbreadth and burden objections are equally defective. These requests are narrowly limited to a 111-day engagement and seek discrete categories of information maintained in the ordinary course of business within White & Case’s own billing system. Identifying the system used and producing associated metadata or audit trails is not a document-

intensive exercise, it is an inquiry into information that law firms typically maintain as part of their standard billing practices.

84. Critically, White & Case admits it has not conducted any search or inquiry. Without investigating how its own billing system functions or what data it maintains, it has no factual basis to claim burden, cost, or disproportionality. Such unsupported assertions violate Rule 26(g) and should be disregarded.

85. White & Case's privilege objections are likewise improper. The information sought is administrative in nature. It does not reveal client communications, legal advice, or litigation strategy. To the extent any responsive material contains embedded privileged content, White & Case may redact that content and provide a privilege log. That is not a basis to refuse production altogether.

86. The proportionality of these requests is beyond dispute. White & Case seeks more than \$14 million in purported fees and expenses. RFP Nos. 15 and 16 seek objective, system-generated evidence and basic foundational information necessary to test whether the underlying billing records are accurate and reliable. The minimal burden associated with producing this information is vastly outweighed by its importance.

87. White & Case's refusal to provide even this threshold level of transparency underscores its broader position that its billing practices are not subject to scrutiny. That position is contrary to the Federal Rules and the standards governing fee applications under § 330. The objections to RFP Nos. 15 and 16 should be overruled and full responses compelled.

WHEREFORE, ModivCare respectfully requests that the Court strike the objections outlined above, compel White & Case to produce all responsive documents, and grant such other and further relief, at law or in equity, to which ModivCare may be justly entitled.

Dated: April 3, 2026

Respectfully submitted,

By: /s/ Miriam Goott

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LLC**

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**CERTIFICATE OF SERVICE**

I, Miriam T. Goott, hereby certify that a true and correct copy of the Motion to Compel was served upon White & Case LLP, via email to the following individuals on April 3, 2026:

- Charles Koster ([charles.koster@whitecase.com](mailto:charles.koster@whitecase.com))
- Ashley Chase ([ashley.chase@whitecase.com](mailto:ashley.chase@whitecase.com))
- Scott Greissman ([sgreissman@whitecase.com](mailto:sgreissman@whitecase.com))
- Gregory F Pesce ([gregory.pesce@whitecase.com](mailto:gregory.pesce@whitecase.com))
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- Jason N. Zakia ([jzakia@whitecase.com](mailto:jzakia@whitecase.com))
- Andrew Zatz ([azatz@whitecase.com](mailto:azatz@whitecase.com))

By: /s/ Miriam T. Goott  
Miriam T. Goott

**CERTIFICATE OF CONFERENCE**

I, Miriam T. Goott, certify that on April 3, 2026, I conferred with Mr. Zakia and Ms. Chase, attorneys at White & Case, regarding their objections and responses to the Requests for Production. White & Case has taken the position that no documents will be produced without a Court order. I notified them that I would be filing this Motion to Compel, and they oppose the relief requested.

By: /s/ Miriam T. Goott

Miriam T. Goott

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

<b>IN RE:</b>	§	
	§	<b>CASE NO. 25-90309</b>
<b>MODIVCARE, INC.</b>	§	
	§	
<b>DEBTOR</b>	§	

**MODIVCARE TOPCO, LLC'S REQUESTS FOR PRODUCTION  
TO WHITE & CASE, LLP**

To: White & Case, LLP via U.S. mail to 1221 Avenue of the Americas, New York, New York 10020, and via email to the following individuals on March 12, 2026:

- Charles Koster (charles.koster@whitecase.com)
- Ashley Chase (ashley.chase@whitecase.com)
- Scott Greissman (sgreissman@whitecase.com)
- Gregory F Pesce (gregory.pesce@whitecase.com)
- Christopher Shore (cshore@whitecase.com)
- Jason N. Zakia (jzakia@whitecase.com)
- Andrew Zatz (azatz@whitecase.com)

Pursuant to FED. R. CIV. P. 34, ModivCare Topco, LLC (“**ModivCare**”) serves this Requests for Production to White & Case, LLP (“**W&C**”). W&C’s responses shall be served on ModivCare through its attorneys, Walker & Patterson, P.C. c/o Miriam T. Goott, by electronic transmission at mgoott@walkerandpatterson.com, within thirty (30) days of service of these Requests.

## DEFINITIONS AND INSTRUCTIONS

**For purposes of these Request for Production, the following definitions apply:**

1. **"Billing Practices"** means any policies, directives, instructions, guidance, goals, targets, expectations, or commentary relating to the recording of time, the volume of hours billed or to be billed, the staffing of matters or tasks, the number of timekeepers assigned to any task or matter, the rates charged, voluntary reductions or write downs, or the review, revision, or editing of time entries.
2. **"Communication"** means any email, memorandum, instant message, text message, Slack message, Microsoft Teams message, or other written or electronic correspondence. Nothing in this definition is intended to require the production of communications protected by the attorney-client privilege or attorney work-product doctrine concerning legal strategy or mental impressions regarding the substantive legal issues in the Engagement.
3. **"Engagement"** means White & Case's retention as counsel to the Official Committee of Unsecured Creditors in In re ModivCare Inc., Case No. 25-90309, filed in the United States Bankruptcy Court for the Southern District of Texas.
4. **"Final Fee Application"** means the White & Case LLP's Final Application for Allowance of Compensation and Reimbursement of Expenses for the Period September 9, 2025 through December 29, 2025 filed by White & Case at ECF No. 1290.
5. **"Objection"** means the objection filed at ECF No. 1354 to White & Case LLP's Final Application for Allowance of Compensation and Reimbursement of Expenses for the Period September 9, 2025 through December 29, 2025 filed by White & Case at ECF No. 1290.
6. **"White & Case Personnel"** means any partner, associate, counsel, staff attorney, paraprofessional, legal assistant, project manager, litigation specialist, billing coordinator, finance department employee, or any other person employed by or affiliated with White & Case LLP who performed any function in connection with the Engagement.
7. **"Deposition Materials"** means any outline, script, question list, topic list, memorandum, template, or other preparatory document created, drafted, revised, or used by any White & Case Personnel in connection with the preparation for or conduct of any deposition taken during the

Engagement, including any subsequent iteration, revision, or adaptation of any such document for use in a later deposition.

**INSTRUCTIONS**

To the extent White & Case withholds any responsive document on the basis of attorney client privilege or work product protection, White & Case shall produce a privilege log identifying each withheld document by date, author, recipient, subject matter, and the specific privilege asserted.

**REQUESTS FOR PRODUCTION**

**REQUEST NO. 1:**

All Communications among White & Case Personnel concerning Billing Practices in connection with the Engagement, including but not limited to any communications regarding the volume of hours to be billed to the Engagement, any targets or expectations regarding fees to be generated from the Engagement, or any instructions or guidance regarding increasing or decreasing the amount of time recorded by any timekeeper on any task or matter.

**REQUEST NO. 2:**

All Communications among White & Case Personnel concerning the staffing of the Engagement, including but not limited to any communications regarding the number of timekeepers to be assigned to any hearing, deposition, committee call, drafting task, or document review project, or any communications regarding whether particular timekeepers should bill time to the Engagement or to any particular task within the Engagement.

**REQUEST NO. 3:**

All Communications among White & Case Personnel concerning the review, revision, editing, reduction, or write down of time entries recorded in connection with the Engagement, including but not limited to any communications regarding the "voluntary reductions" referenced in the Final Fee Application, any communications identifying specific entries to be reduced or written off, any communications regarding whether particular time entry descriptions should be revised before submission, and any communications regarding the criteria applied in determining which entries to reduce.

**REQUEST NO. 4:**

All Communications among White & Case Personnel concerning the \$30 million demand referenced in the Objection, to the extent such communications relate to Billing Practices or the relationship between the demand and the anticipated or actual level of professional fees in the Engagement. This Request does not seek communications reflecting legal strategy or mental impressions.

**REQUEST NO. 5:**

All orders, opinions, rulings, or decisions issued by any bankruptcy court in any case in which White & Case LLP served as counsel, that reduced, denied, or disallowed fees or expenses sought by White & Case on the basis of overstaffing, excessive billing, duplicative services, block billing, vague or insufficient time entries, unnecessary litigation, scorched earth litigation tactics, litigation tactics generally, billing for services not reasonably likely to benefit the estate, billing for services not necessary to the administration of the case, frivolous or baseless pleadings, conduct adversarial to the estate, or any other billing practice or litigation conduct that resulted in a judicial finding that fees requested by White & Case were unreasonable, unnecessary, or otherwise not compensable.

**REQUEST NO. 6:**

All pleading filed in any bankruptcy court in any case in which White & Case LLP served as counsel that alleged or asserted that White & Case LLP: (a) overstaffed matters; (b) excessively billed; (c) duplicated services; (d) engaged in block billing; (e) submitted vague or insufficient time entries; (f) pursued unnecessary litigation; (g) employed “scorched earth” litigation tactics or other improper litigation tactics; (h) billed for services not reasonably likely to benefit the estate; (i) billed for services not necessary to the administration of the case; (j) filed frivolous or baseless pleadings; or (k) engaged in conduct adverse to the estate.

**REQUEST NO. 7:**

All pleadings filed in any bankruptcy court in any case in which White & Case LLP served as counsel in which any party requested, sought, or argued for the reduction, denial, modification, or disallowance of any attorney’s fees or costs requested by White & Case LLP, regardless of whether such request or objection was sustained, overruled, or otherwise resolved.

**REQUEST NO. 8:**

All Communications among White & Case Personnel referencing the Consenting Creditors' Statement filed at Docket No. 589, to the extent such communications relate to Billing Practices, staffing decisions, or the volume of fees being generated in the Engagement. This Request does not seek communications reflecting legal strategy or mental impressions regarding the substantive

response to the Statement, but solely communications regarding whether and how the Statement should affect billing or staffing decisions.

**REQUEST NO. 9:**

All Communications among White & Case Personnel concerning the preparation, drafting, or review of the Final Fee Application, including but not limited to any communications regarding the assignment or reassignment of time entries to project codes or billing categories, any communications regarding the allocation of time entries across multiple project categories, any communications regarding the "overlap" between project categories that White & Case acknowledges in the Final Fee Application, any communications regarding which project code a particular time entry should be billed to or categorized under, any communications regarding the narrative descriptions included in the Final Fee Application, and any communications regarding how the work performed by White & Case Personnel should be presented, described, or organized in the Final Fee Application.

**REQUEST NO. 10:**

All deposition outlines prepared, drafted, revised, or used by any White & Case Personnel in connection with any deposition taken during the Engagement. White & Case may redact portions of any deposition outline reflecting attorney strategy, confidential client information, or other protected work product to address any privilege concerns.

**REQUEST NO. 11:**

All documents sufficient to show any internal budget, fee estimate, fee projection, or anticipated fee range prepared, drafted, or considered by White & Case LLP in connection with the Engagement, regardless of whether such budget, estimate, projection, or range was finalized, approved, or filed.

**REQUEST NO. 12:**

All Communications among White & Case Personnel concerning whether a budget, fee estimate, fee projection, or anticipated fee range should be prepared or filed in connection with the

Engagement, including any Communications discussing reasons for preparing, not preparing, filing, or not filing such a budget or estimate.

**REQUEST NO. 13:**

All Communications among White & Case Personnel concerning whether the professional fees incurred or anticipated to be incurred in connection with the Engagement were excessive, unusually high, disproportionate to the matters at issue, likely to draw objection, or otherwise at risk of reduction or disallowance by the Court.

**REQUEST NO. 14:**

All Communications among White & Case Personnel concerning the entry of time after the work was performed, including any Communications concerning delayed time entry, reconstruction of time entries, or instructions to enter time for prior dates.

**REQUEST NO. 15:**

All documents sufficient to show the date and time each time entry billed to the Engagement was created, entered into White & Case LLP's billing system, modified, or submitted for billing, including any audit logs, metadata, or system reports reflecting the creation, modification, and history of such entries.

**REQUEST NO. 16:**

All documents sufficient to identify the billing or timekeeping system used by White & Case LLP in connection with the Engagement,

Dated: March 12, 2026

Respectfully submitted,

By: /s/ Miriam Goott

Miriam T. Goott

Attorney-in-charge

SBN 24048846

**COUNSEL FOR  
MODIVCARE TOPCO,  
LLC**

OF COUNSEL:

Walker & Patterson, P.C.  
P.O. Box 61301  
Houston, TX 77208  
(713) 956-5577 (telephone)  
[mgott@walkerandpatterson.com](mailto:mgott@walkerandpatterson.com)

**CERTIFICATE OF SERVICE**

I, Miriam T. Gott, hereby certify that a true and correct copy of the foregoing **Requests for Production** has been served upon White & Case LLP, via U.S. mail at 1221 Avenue of the Americas, New York, New York 10020, and via email to the following individuals on March 12, 2026:

- Charles Koster ([charles.koster@whitecase.com](mailto:charles.koster@whitecase.com))
- Ashley Chase ([ashley.chase@whitecase.com](mailto:ashley.chase@whitecase.com))
- Scott Greissman ([sgreissman@whitecase.com](mailto:sgreissman@whitecase.com))
- Gregory F Pesce ([gregory.pesce@whitecase.com](mailto:gregory.pesce@whitecase.com))
- Christopher Shore ([cshore@whitecase.com](mailto:cshore@whitecase.com))
- Jason N. Zakia ([jzakia@whitecase.com](mailto:jzakia@whitecase.com))
- Andrew Zatz ([azatz@whitecase.com](mailto:azatz@whitecase.com))

By: /s/ Miriam T. Gott  
Miriam T. Gott

**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)
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)
	)	

**WHITE & CASE, LLP’S RESPONSES AND OBJECTIONS TO  
THE REORGANIZED DEBTORS’ REQUESTS FOR PRODUCTION**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure (the “**Federal Rules**”), made applicable to this matter by Rules 7026, 7034, and 9014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), White & Case, LLP (“**White & Case**”), by and through its undersigned counsel, hereby responds and objects (the “**Responses and Objections**”) to *ModivCare TopCo, LLC’s Requests for Production to White & Case, LLP* (the “**Requests**,” and each a “**Request**”) served by the reorganized debtors of the above-captioned debtors and debtors in possession (the “**Reorganized Debtors**”) on March 12, 2026.

**GENERAL OBJECTIONS**

The following general objections (“**General Objections**”) apply to each definition (“**Definition**”), instruction (“**Instruction**”), and Request, and shall have the same force and effect as if fully set forth in the response to each individual Request. To the extent that White & Case responds to a Request, White & Case reserves all objections as to relevance, materiality, competence, confidentiality, propriety, privilege, and admissibility, as well as to any and all other

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

objections on any ground that would require or permit the exclusion of the response, or any portion of the response, if the response were offered into evidence. White & Case objects as follows:

1. White & Case objects to each Definition, Instruction, and Request to the extent they purport to impose different or broader requirements or obligations than those contained in the Federal Rules, the Bankruptcy Rules, the Local Rules of the United States District Court for the Southern District of Texas, the Bankruptcy Local Rules of the United States Bankruptcy Court for the Southern District of Texas, or any other applicable law, rule, or order of this Court (collectively, the “**Rules**”). White & Case will construct and respond to the Requests in a manner consistent with White & Case’s obligations under the Rules.

2. White & Case objects to the Requests to the extent that they purport to require White & Case to conduct anything beyond a reasonable search for readily accessible information relevant, probative, and proportional to the needs of assessing the relief sought in *White & Case LLP’s Final Application for Allowance of Compensation and Reimbursement of Expenses for the Period From September 9, 2025 Through December 29, 2025* [Dkt. No. 1290] (the “**W&C Fee Application**”).

3. White & Case objects to the Requests to the extent that they are overbroad, unduly burdensome, cumulative, or duplicative, not proportional to the needs of the case, or designed to harass White & Case. White & Case objects to the Requests to the extent that they call for the production of “all” or “any” Documents pertaining to a subject on the grounds that such Requests are overly broad, unduly burdensome and not proportional to the needs of the case so as to make it impossible to identify the limits of the inquiry. To the extent White & Case produces documents in response to any Request, White & Case does not represent that “all” or “any” documents responsive to any Request will be collected or produced.

4. White & Case objects to each and every Request to the extent that it is not reasonably limited in time or otherwise not limited to a time frame relevant to the W&C Fee Application. Each such Request is overly broad, unduly burdensome, and seeks the discovery of information or documents that are not relevant to the subject matter of this proceeding and/or not proportional to the needs of this case.

5. White & Case objects to the Requests to the extent that they seek disclosure of documents or information protected from disclosure by the attorney-client privilege, the work-product doctrine, the common interest or joint defense privilege, or any other protection, privilege or immunity against disclosure available under any applicable law (collectively, “**Privileged Materials**”). To the extent White & Case produces documents, White & Case will not produce any Privileged Materials. White & Case expressly reserves the right to redact non-responsive, proprietary, commercially sensitive, privileged or protected portions of any documents that may be produced in response to the Requests. Pursuant to Federal Rule of Evidence 502(d) as well as any other applicable laws, rules, regulations, court orders, or agreements, if any Privileged Material is inadvertently produced or disclosed, White & Case does not waive or intend to waive any privilege or immunity from discovery pertaining to such Privileged Material or to any other documents or information and reserves the right to demand the return of all copies of any such document(s). To the extent that there are inconsistencies in the types of privilege or other protections asserted with respect to various copies of the same document, the most comprehensive privilege or protection is intended to apply to all copies of such document.

6. White & Case objects to the Requests to the extent that they seek documents containing confidential, personal, private, proprietary, or sensitive business information; or information protected from disclosure by any law (including, but not limited to, foreign laws),

court order, or any agreement with respect to confidentiality or non-disclosure (collectively, “**Confidential Materials**”). White & Case reserves the right to redact any documents that may be produced including, but not limited to, the right to redact personally identifying information.

7. White & Case objects to each Request to the extent it expressly or impliedly assumes the existence of facts or circumstances that do not or did not exist, or states or assumes legal or factual conclusions. White & Case does not admit any factual or legal premise in these Requests. White & Case’s Responses and Objections should not be construed as: (a) any admission as to the propriety of any Request; (b) an agreement as to erroneous assumptions or incorrect factual predicates contained in any Request; (c) an acknowledgment that documents or other items responsive to any Request exist; (d) a waiver of the General Objections or the objections asserted in response to specific Requests; (e) an admission as to the relevance or admissibility into evidence of any documents, items, materials, communications, or information; (f) an admission, concession, or waiver as to the validity of any claim or defense; or (g) an agreement that requests for similar documents, items, materials, communications, or information will be treated similarly.

8. White & Case objects to each Request to the extent that it seeks information that is in the possession, custody, or control of the Reorganized Debtors, publicly available, or can be obtained from another more convenient, less expensive, or less burdensome source.

9. White & Cases objects to each Request to the extent that it seeks to impose an obligation to provide information not in White & Case’s possession, custody, or control, or to create documents that do not exist.

10. To the extent any term defined or used in the Requests is used in responding to the Requests, it is not accepted or conceded that any such term or definition is appropriate, descriptive

or accurate.

11. White & Case objects to each Request to the extent that it requires White & Case to search for and produce electronically stored documents from sources that are not reasonably accessible because of undue burden or cost.

12. White & Case preserves (a) all rights to object on any ground to the use of any document or information produced in response to the Requests or the subject matter thereof, in any proceeding; and (b) all rights to object on any ground to any request for further responses to the Requests or any other document request.

13. Any documents produced in response to any Request are solely for use in these chapter 11 cases and shall be governed by the terms of the *Confidentiality Agreement and Stipulated Protective Order* [Dkt. No. 174] (the “**Protective Order**”).

14. The Responses and Objections represent White & Case’s present knowledge, information, and belief. White & Case reserves the right to supplement, amend, correct, clarify or modify these responses and objections as additional information becomes known, including based on discovery and future developments in this action.

### **OBJECTIONS TO DEFINITIONS**

White & Case objects to the following definitions in the Requests. The failure to object to any of the definitions shall not be deemed a waiver of any objections or a concession that any of the definitions are factually accurate.

1. White & Case objects to the Definition of “Billing Practices” as it contains improper assumptions concerning alleged billing “goals, targets, [or] expectations” and “revision or editing of time entries.” White & Case further objects to the Definition of “Billing Practices” as vague and ambiguous for its use of “commentary” and “volume of hours,” which are undefined.

2. White & Case objects to the Definition of “Communication” to the extent that it purports to impose burdens or obligations on White & Case that are broader than, inconsistent with, or not authorized by the Rules. White & Case further objects to this Definition on the grounds that it is overbroad, unduly burdensome, seeks to impose burden and expense that outweigh their benefits, and is not proportional to the needs of the W&C Fee Application.

3. White & Case objects to the Definition of “White & Case Personnel” as vague and ambiguous, overbroad, seeking to impose burden and expense that outweigh any benefit, and not proportional to the needs of the W&C Fee Application, because it purports to include “any other person . . . affiliated with White & Case.” White & Case will understand “White & Case Personnel” to refer only to those employed by White & Case.

4. White & Case objects to the Definition of “Deposition Materials” as overbroad, seeking to impose burden and expense that outweigh any benefit, and not proportional to the needs of the W&C Fee Application especially in light of its purported inclusion of “any subsequent iteration, revision, or adaptation of any such document for use in a later deposition.” White & Case will understand “Deposition Materials” to refer to the specific materials enumerated in the Definition without reference to “any subsequent iteration, revision, or adaptation of any such document for use in a later deposition.”

5. White & Case objects to the terms or phrases defined by the Debtors to the extent that those terms and phrases are vague or ambiguous or beyond their customary meanings. White & Case has made reasonable efforts to understand the terms in the Requests as used in context, but White & Case makes its responses and objections based on its understanding of such terms and reserves the right to amend the responses and objections herein if the Reorganized Debtors assert different meanings of such terms.

## **OBJECTIONS TO INSTRUCTIONS**

White & Case objects to the Instructions. The Requests target the production of materials from White & Case, a law firm, related to work completed by White & Case during its retention in the above-captioned cases. The burden to review and log Privileged Materials in response to such Requests is excessive and not proportional to the needs of the W&C Fee Application. To the extent White & Case withholds any information on the basis of privilege, White & Case will seek to meet and confer regarding the Instructions as they relate to a privilege log.

## **SPECIFIC OBJECTIONS AND RESPONSES**

Subject to and without waiving the foregoing General Objections, which are hereby expressly incorporated into each of the following specific objections and responses as if fully set forth therein, White & Case responds to the Reorganized Debtors' specific Requests as follows:

### **REQUEST FOR PRODUCTION NO. 1**

All Communications among White & Case Personnel concerning Billing Practices in connection with the Engagement, including but not limited to any communications regarding the volume of hours to be billed to the Engagement, any targets or expectations regarding fees to be generated from the Engagement, or any instructions or guidance regarding increasing or decreasing the amount of time recorded by any timekeeper on any task or matter.

### **RESPONSE TO REQUEST FOR PRODUCTION NO. 1**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks "All Communications" without limitation. White & Case further objects to this Request on the basis

that it is vague and ambiguous, including because it requests production of communications concerning “Billing Practices,” a vague and ambiguous term as defined in the Requests. White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request as seeking information already in the Reorganized Debtors’ possession and refers the Reorganized Debtors to communications by and among White & Case and Latham & Watkins, LLP concerning weekly budgets for work performed by White & Case during the Engagement.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 2**

All Communications among White & Case Personnel concerning the staffing of the Engagement, including but not limited to any communications regarding the number of timekeepers to be assigned to any hearing, deposition, committee call, drafting task, or document review project, or any communications regarding whether particular timekeepers should bill time to the Engagement or to any particular task within the Engagement.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 2**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and

not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

### **REQUEST FOR PRODUCTION NO. 3**

All Communications among White & Case Personnel concerning the review, revision, editing, reduction, or write down of time entries recorded in connection with the Engagement, including but not limited to any communications regarding the “voluntary reductions” referenced in the Final Fee Application, any communications identifying specific entries to be reduced or written off, any communications regarding whether particular time entry descriptions should be revised before submission, and any communications regarding the criteria applied in determining which entries to reduce.

### **RESPONSE TO REQUEST FOR PRODUCTION NO. 3**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to this Request as seeking

documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request to the extent it is duplicative of Request No. 1.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

#### **REQUEST FOR PRODUCTION NO. 4**

All Communications among White & Case Personnel concerning the \$30 million demand referenced in the Objection, to the extent such communications relate to Billing Practices or the relationship between the demand and the anticipated or actual level of professional fees in the Engagement. This Request does not seek communications reflecting legal strategy or mental impressions.

#### **RESPONSE TO REQUEST FOR PRODUCTION NO. 4**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to the phrase “relationship between the demand and the anticipated or actual level of professional fees” as vague and ambiguous. White & Case further objects to this Request as seeking documents or information

protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

#### **REQUEST FOR PRODUCTION NO. 5**

All orders, opinions, rulings, or decisions issued by any bankruptcy court in any case in which White & Case LLP served as counsel, that reduced, denied, or disallowed fees or expenses sought by White & Case on the basis of overstaffing, excessive billing, duplicative services, block billing, vague or insufficient time entries, unnecessary litigation, scorched earth litigation tactics, litigation tactics generally, billing for services not reasonably likely to benefit the estate, billing for services not necessary to the administration of the case, frivolous or baseless pleadings, conduct adversarial to the estate, or any other billing practice or litigation conduct that resulted in a judicial finding that fees requested by White & Case were unreasonable, unnecessary, or otherwise not compensable.

#### **RESPONSE TO REQUEST FOR PRODUCTION NO. 5**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects on the basis that the Request, which expressly relates to other cases, is on its face not relevant to the W&C Fee Application or the objection in this proceeding. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All” documents from “any case” without limitation. White & Case further objects to the phrase “unnecessary litigation,

scorched earth litigation tactics, litigation tactics generally, billing for services not reasonably likely to benefit the estate, billing for services not necessary to the administration of the case, frivolous or baseless pleadings, conduct adversarial to the estate” as vague, ambiguous, and undefined. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request as overly burdensome and harassing because it seeks documents that, if they exist, are publicly available.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 6**

All pleading [sic] filed in any bankruptcy court in any case in which White & Case LLP served as counsel that alleged or asserted that White & Case LLP: (a) overstaffed matters; (b) excessively billed; (c) duplicated services; (d) engaged in block billing; (e) submitted vague or insufficient time entries; (f) pursued unnecessary litigation; (g) employed “scorched earth” litigation tactics or other improper litigation tactics; (h) billed for services not reasonably likely to benefit the estate; (i) billed for services not necessary to the administration of the case; (j) filed frivolous or baseless pleadings; or (k) engaged in conduct adverse to the estate.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 6**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects on the basis that the Request, which expressly relates to other cases, is on its face not relevant to the W&C Fee Application or the objection in this proceeding. White & Case

further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All” documents from “any case” without limitation. White & Case further objects to the phrase “(f) pursued unnecessary litigation; (g) employed “scorched earth” litigation tactics or other improper litigation tactics; (h) billed for services not reasonably likely to benefit the estate; (i) billed for services not necessary to the administration of the case; (j) filed frivolous or baseless pleadings; or (k) engaged in conduct adverse to the estate” as vague, ambiguous, and undefined. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request as overly burdensome and harassing because it seeks documents that, if they exist, are publicly available.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

#### **REQUEST FOR PRODUCTION NO. 7**

All pleadings filed in any bankruptcy court in any case in which White & Case LLP served as counsel in which any party requested, sought, or argued for the reduction, denial, modification, or disallowance of any attorney’s fees or costs requested by White & Case LLP, regardless of whether such request or objection was sustained, overruled, or otherwise resolved.

#### **RESPONSE TO REQUEST FOR PRODUCTION NO. 7**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White &

Case further objects on the basis that the Request, which expressly relates to other cases, is on its face not relevant to the W&C Fee Application or the objection in this proceeding. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All” documents from “any case” without limitation. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request as overly burdensome and harassing because it seeks documents that, if they exist, are publicly available.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

#### **REQUEST FOR PRODUCTION NO. 8**

All Communications among White & Case Personnel referencing the Consenting Creditors’ Statement filed at Docket No. 589, to the extent such communications relate to Billing Practices, staffing decisions, or the volume of fees being generated in the Engagement. This Request does not seek communications reflecting legal strategy or mental impressions regarding the substantive response to the Statement, but solely communications regarding whether and how the Statement should affect billing or staffing decisions.

#### **RESPONSE TO REQUEST FOR PRODUCTION NO. 8**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and

not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 9**

All Communications among White & Case Personnel concerning the preparation, drafting, or review of the Final Fee Application, including but not limited to any communications regarding the assignment or reassignment of time entries to project codes or billing categories, any communications regarding the allocation of time entries across multiple project categories, any communications regarding the “overlap” between project categories that White & Case acknowledges in the Final Fee Application, any communications regarding which project code a particular time entry should be billed to or categorized under, any communications regarding the narrative descriptions included in the Final Fee Application, and any communications regarding how the work performed by White & Case Personnel should be presented, described, or organized in the Final Fee Application.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 9**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and

not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to the Request as vague and ambiguous, including the phrase “assignment or reassignment of time entries.” White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request to the extent it is duplicative of Request Nos. 1 and 3.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 10**

All deposition outlines prepared, drafted, revised, or used by any White & Case Personnel in connection with any deposition taken during the Engagement. White & Case may redact portions of any deposition outline reflecting attorney strategy, confidential client information, or other protected work product to address any privilege concerns.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 10**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case objects to this Request to the extent it seeks documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege,

immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

### **REQUEST FOR PRODUCTION NO. 11**

All documents sufficient to show any internal budget, fee estimate, fee projection, or anticipated fee range prepared, drafted, or considered by White & Case LLP in connection with the Engagement, regardless of whether such budget, estimate, projection, or range was finalized, approved, or filed.

### **RESPONSE TO REQUEST FOR PRODUCTION NO. 11**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All documents sufficient to show” without limitation. White & Case further objects to the Request as vague and ambiguous, including the phrase “anticipated fee range.” White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits

for the contested matter at issue. White & Case further objects to this Request as seeking information already in the Reorganized Debtors' possession and refers the Reorganized Debtors to, among other things, communications by and among White & Case and Latham & Watkins, LLP concerning weekly budgets for work performed by White & Case during the Engagement. White & Case further objects to this Request to the extent it is duplicative of Request No. 1.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 12**

All Communications among White & Case Personnel concerning whether a budget, fee estimate, fee projection, or anticipated fee range should be prepared or filed in connection with the Engagement, including any Communications discussing reasons for preparing, not preparing, filing, or not filing such a budget or estimate.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 12**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks "All Communications" without limitation. White & Case further objects to the Request as vague and ambiguous, including the phrase "anticipated fee range." White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection.

White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue. White & Case further objects to this Request to the extent it is duplicative of Request Nos. 1 and 11.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 13**

All Communications among White & Case Personnel concerning whether the professional fees incurred or anticipated to be incurred in connection with the Engagement were excessive, unusually high, disproportionate to the matters at issue, likely to draw objection, or otherwise at risk of reduction or disallowance by the Court.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 13**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested

matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 14**

All Communications among White & Case Personnel concerning the entry of time after the work was performed, including any Communications concerning delayed time entry, reconstruction of time entries, or instructions to enter time for prior dates.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 14**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All Communications” without limitation. White & Case further objects to the Request as vague and ambiguous, including the phrase “delayed time entry, reconstruction of time entries.” White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case

will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 15**

All documents sufficient to show the date and time each time entry billed to the Engagement was created, entered into White & Case LLP's billing system, modified, or submitted for billing, including any audit logs, metadata, or system reports reflecting the creation, modification, and history of such entries.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 15**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks "All documents sufficient to show" without limitation. White & Case further objects to this Request as seeking documents or information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege, immunity, or protection. White & Case further objects to this Request as not relevant and because the burden and expense of searching for responsive non-privileged communications, if any exist, outweigh any benefits for the contested matter at issue.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

**REQUEST FOR PRODUCTION NO. 16**

All documents sufficient to identify the billing or timekeeping system used by White & Case LLP in connection with the Engagement[.]

**RESPONSE TO REQUEST FOR PRODUCTION NO. 16**

White & Case incorporates its General Objections as though fully set forth herein. White & Case objects to this Request on the grounds that it is overly broad, unduly burdensome, not proportional to the needs of the case, and harassing because, among other things, it seeks information that is not relevant or necessary to the resolution of the W&C Fee Application or the objection thereto, which can be resolved based on the record already before the Court. White & Case further objects to this Request on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case, because, among other things, it seeks “All documents sufficient to identify” without limitation.

Subject to a meet and confer between the parties and absent an order from the Court regarding the need for, or appropriate scope of, discovery in this contested matter, White & Case will not produce documents responsive to this request at this time.

*[Remainder of Page Intentionally Left Blank]*

Dated: April 2, 2026  
Houston, Texas

/s/ Charles R. Koster

**WHITE & CASE LLP**

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*Counsel for the Official Committee of  
Unsecured Creditors*



**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, ModivCare Topco, LLC (“**ModivCare**”) and files this Motion to Compel White & Case, LLP to Respond to Discovery Requests, and would respectfully show the Court as follows:

**SUMMARY OF FACTS AND RELIEF REQUESTED**

White & Case LLP (“White & Case”) seeks over \$14 million in purported fees and expenses for 111 days of work. After ModivCare filed a detailed objection challenging the propriety and reasonableness of those fees, it served narrowly tailored discovery requests focused on the specific issues raised in that objection.

White & Case has categorically refused to produce any documents, admits it has not

conducted any search for responsive materials, has not identified a single document being withheld, and has failed to provide a privilege log as required by the Federal Rules. Instead, it has asserted broad objections to every request and taken the untenable position that no discovery should occur. Effectively, White & Case asks the Court to approve its fee request based solely on its unilateral submissions, without providing an opportunity for even a cursory examination of the facts underlying the purported fees. This approach is inconsistent with the Federal Rules of Civil Procedure, the standards governing fee applications under 11 U.S.C. § 330, and fundamental principles of fairness and transparency.

White & Case's refusal to engage in discovery is especially concerning given its acknowledgment that it has not begun to search for responsive materials. A party cannot assert burdensomeness, irrelevance, or privilege in the abstract while declining to determine what documents actually exist.

Accordingly, ModivCare respectfully requests that the Court overrule White & Case's objections in their entirety and compel full and complete responses to the Requests for Production.

### **RELEVANT BACKGROUND FACTS**

1. On February 12, 2026, White & Case filed its Final Fee Application [Docket No. 1290], seeking a final allowance of \$13,893,521.00 in attorney's fees and an additional \$300,469.13 in expenses (the "**Fee Application**").
2. In its Fee Application, White & Case affirmatively represents that it has "satisfied its burden to demonstrate that its fees are reasonable."

3. On March 5, 2026, ModivCare filed its Objection to the Fee Application (the “**Objection**”) [ECF No. 1354], challenging both the propriety and reasonableness of the fees sought.
4. On March 12, 2026, ModivCare served narrowly tailored Requests for Production on White & Case directed to the issues raised in the Objection (the “**RFP**”). (See **Exhibit A**).
5. On April 2, 2026, White & Case served its Responses and Objections to the RFP (the “**Responses**”). (See **Exhibit B**).
6. White & Case has refused to produce a single document, has not conducted any search for responsive materials, and has asserted across-the-board objections while withholding all information. White & Case has taken the position that it is entitled to recover more than \$14 million in purported fees without providing any meaningful transparency into how those purported fees were generated.

**ATTEMPTS TO CONFER**

7. Prior to filing this Motion to Compel, undersigned counsel conferred with White & Case in a good faith effort to resolve the issues raised herein without Court intervention.
8. White & Case’s position was unequivocal: it contends that this Court can and should determine the reasonableness of its \$14 million fee request based solely on the record “as it exists today,” without any discovery.
9. That position ignores the obvious. The existing record reflects only what has been filed, not the underlying facts concerning how those purported fees were generated, including, but not limited to, internal billing practices, staffing decisions, and other conduct that occurred outside the presence of the Court.
10. During the conference, White & Case expressly acknowledged that it had not conducted any search for responsive documents and did not intend to do so unless ordered by the Court.

11. White & Case's position is untenable. A party cannot refuse to search for responsive documents and, at the same time, assert that requests are unduly burdensome, irrelevant, or privileged. Such objections necessarily require a reasonable inquiry. Without one, they lack any factual basis and do not comply with the obligations imposed by Rule 26(g).

12. Despite these discussions, White & Case refused to modify its position, produce any documents, withdraw its general objections, or provide a privilege log, thereby necessitating this Motion.

**BLANKET REFUSAL TO PROVIDE ANY DISCOVERY**

13. White & Case's core position that no discovery is permitted and that the Court must decide its Fee Application solely on the existing record is legally and factually incorrect.

14. ModivCare's Objection raises serious concerns, including:

- a. Purported fees were generated through coercive tactics;
- b. Excessive staffing and billing practices; and
- c. Work performed that was neither necessary nor beneficial to the estate.

15. None of these issues can be adequately examined based solely on the docket and pleadings. Critical information, including internal communications, staffing decisions, billing practices, and budgetary judgments, exists exclusively in White & Case's own files. Their refusal to produce these materials prevents ModivCare from testing the reasonableness of the purported fees claimed.

**GENERAL OBJECTIONS MUST BE STRICKEN**

16. In response to all 16 requests contained in the Requests for Production, White & Case asserts that it **"will not produce documents responsive to this request at this time."**

17. White & Case asserts no fewer than 32 general objections to ModivCare's Requests for Production.

18. Specifically, White & Case:
- a. Asserts a blanket objection that ModivCare is not entitled to any discovery regarding its purported fees and insists the Court must decide the matter solely on White & Case's fee application and knowledge of the proceedings.
  - b. Objects to every request as overly broad, unduly burdensome, not proportional to the needs of the case, and harassing, without explaining how these generic objections apply to the specific documents sought.
  - c. Objects to every request as seeking information that is not relevant or necessary to resolving its fee application.
  - d. Claims privilege over broad categories of documents without identifying any materials withheld or providing a privilege log.
  - e. Argues that the requests seek information already in ModivCare's possession and simultaneously claims that this information is privileged.
  - f. Objects to every single request as "overly broad, unduly burdensome, and not proportional to the needs of the case" without specifying how these generic objections apply to the specific documents sought.
19. General, or blanket objections are improper and prohibited, and have been for many years:

The "prohibition against general [or blanket] objections to discovery requests has been long established." *Hall v. La.*, Civ. A. No. 12-657-BAJ-RLB, 2014 U.S. Dist. LEXIS 77180, 2014 WL 2560579, at \*1 (M.D. La. June 6, 2014). Rule 33(b)(4) requires that "grounds for an objection to an interrogatory shall be stated with specificity." FED. R. CIV. P. 33(b)(4). And Rule 34(b) requires that a response to a request for production of documents, electronically stored information, and tangible things "must either state that inspection and related activities

will be permitted as requested or state an objection to the request, including the reasons." FED. R. CIV. P. 34(b)(2)(B). In short, "[o]bjections to discovery must be made with specificity, and the responding party has the obligation to explain and support its objections." *Cartel Asset Mgmt. v. Ocwen Fin. Corp.*, No. 01-cv-01644-REB-CBS, 2010 U.S. Dist. LEXIS 17857, 2010 WL 502721, at \*10 (D. Colo. Feb. 8, 2010).

Another court has put the matter at hand well: "General objections such as the ones asserted by [Defendant] are meaningless and constitute a waste of time for opposing counsel and the court. In the face of such objections, it is impossible to know whether information has been withheld and, if so, why. This is particularly true in cases like this where multiple 'general objections' are incorporated into many of the responses with no attempt to show the application of each objection to the particular request." *Weems v. Hodnett*, No. 10-cv-1452, 2011 U.S. Dist. LEXIS 80746, 2011 WL 3100554, at \*1 (W.D. La. July 25, 2011).  
*Heller v. City of Dallas*, 303 F.R.D. 466, 483 (N.D. Tex. 2014)

20. These objections should be stricken in their entirety.

**BOILERPLATE OBJECTIONS ARE INVALID AND WAIVED**

21. For every request, White & Case repeats the same formulaic objections: "overly broad," "unduly burdensome," "not proportional," "privileged" and "irrelevant."

22. These are textbook boilerplate objections. They are legally insufficient because White & Case:

- a. Provides no facts supporting an alleged burden;
- b. Does not quantify cost or effort; and
- c. Does not explain why the requests are disproportionate.

23. White & Case's boilerplate objections should be stricken.

So-called boilerplate or unsupported objections — even when asserted in response to a specific discovery request and not as part of a general list of generic objections preceding any responses to specific discovery requests — are likewise improper and ineffective and may rise (or fall) to the level of what the Fifth Circuit has described as "an all-too-

common example of the sort of 'Rambo tactics' that have brought disrepute upon attorneys and the legal system." *McLeod, Alexander, Powel & Appfel, P.C. v. Quarles*, 894 F.2d 1482, 1484-86 (5th Cir. 1990)(holding that simply objecting to requests as "overly broad, burdensome, oppressive and irrelevant," without showing "specifically how each [request] is not relevant or how each question is overly broad, burdensome or oppressive," is inadequate to "voice a successful objection"); see also *Anderson v. Caldwell Cty. Sheriff's Office*, No. 1:09cv423, 2011 U.S. Dist. LEXIS 62263, 2011 WL 2414140, at \*3 (W.D.N.C. June 10, 2011) ("Moreover, there is no provision in the Federal Rules that allows a party to assert objections simply to preserve them. Instead, the Federal Rules require that objections be specific."); *Mancia v. Mayflower Textile Services. Co.*, 253 F.R.D. 354, 358 (D. Md. 2008)(noting that, despite Rule 26(g), "boilerplate objections that a request for discovery is 'overboard and unduly burdensome, and not reasonably calculated to lead to the discovery of material admissible in evidence,' persist despite a litany of decisions from courts, including this one, that such objections are improper unless based on particularized facts" (citation omitted)).

Another court has observed that "[the] failure to particularize [overbreadth, undue burden, and relevance] objections as required leads to one of two conclusions: either the [responding parties] lacked a factual basis to make the objections that they did, which would violate Rule 26(g), or they complied with Rule 26(g), made a reasonable inquiry before answering and discovered facts that would support a legitimate objection, but they were waived for failure to specify them as required." *Mancia*, 253 F.R.D. at 364.

*Heller v. City of Dallas*, 303 F.R.D. 466, 483-84 (N.D. Tex. 2014)

24. Worse, White & Case admitted it **did not conduct any search** for responsive documents.

A party cannot claim burden or proportionality without first making a reasonable, or in this case, **any**, inquiry. Rule 26(g) requires exactly that. These objections should be overruled.

**PRIVILEGE ASSERTIONS ARE IMPROPER AND WAIVED**

25. White & Case asserts sweeping privilege objections to nearly every Request for Production, yet fails to identify a single specific document withheld, provides no privilege log, and admits that it has not conducted any search for responsive materials. This is improper. A party

cannot assert blanket privilege objections while refusing to identify what documents are being withheld or on what basis.

26. White & Case further fails to articulate any specific privilege with respect to any particular document or category of documents. Instead, it reflexively invokes the attorney-client privilege, the work product doctrine, and “any other applicable privilege, immunity, or protection,” without limitation or explanation. Such undifferentiated, catch-all assertions are legally insufficient.

27. Moreover, none of the Requests for Production seek communications between White & Case and its client, the Committee. Rather, the Requests are directed to internal communications regarding billing practices, staffing, and fee preparation. These are subjects that, in the ordinary course, do not implicate privileged legal advice.

28. White & Case’s blanket and unsupported privilege objections are improper, result in waiver, and should be stricken.

**THE “ALREADY IN YOUR POSSESSION” OBJECTION IS BASELESS**

29. White & Case repeatedly asserts that responsive information is already in ModivCare’s possession.

30. It is unclear how communications among White & Case’s employees could possibly be in ModivCare’s possession, especially when White & Case simultaneously claims that the very same communications are privileged.

**THE REQUESTS ARE NARROW, TARGETED AND DIRECTLY RELEVANT**

31. The Requests are limited to a 111-day engagement and focus on discrete, critical issues including (a) billing practices, (b) staffing decisions, (c) fee application preparations; (d) deposition preparation; (e) budget; and (f) coercive conduct tied to fee generation. These topics go directly to whether the fees were reasonable, necessary and beneficial to the estate under 11 U.S.C.

§330.

32. White & Case's repeated assertion that these topics are "not relevant" is neither credible nor tenable.

**SPECIFIC EXAMPLES OF DEFICIENT RESPONSES/OBJECTIONS**

**RFP No. 1 -3 AND 13-14 (BILLING PRACTICES AND STAFFING)**

33. These requests seek internal communications regarding billing expectations, staffing decisions, and time entry practices on this specific case for a 111-day time period.

34. White & Case argues these issues can be resolved from the existing record. That is incorrect. The record shows what was billed, not:

- a. Why hours were generated in the first instance, including whether tasks, and the associated staffing, were necessary or duplicative;
- b. Whether internal expectations, targets, or pressures existed regarding (i) the amount of fees to be billed in the case or (ii) total hours to be billed by individual timekeepers;
- c. How staffing decisions were made, including whether the number of timekeepers assigned to particular tasks was driven by legitimate case needs or by a desire to increase billable hours;
- d. Whether time entries were recorded contemporaneously or influenced by internal guidance regarding billing practices;
- e. Whether "voluntary reductions" referenced in the fee application reflect genuine billing judgment or post hoc adjustments designed to justify an otherwise excessive fee request; and

f. Whether time entries were reconstructed.

35. They go to the heart of whether the purported fees were “reasonable,” “necessary,” and “beneficial to the estate” under § 330.

36. White & Case’s burden objection is equally defective. A party cannot claim that a request is unduly burdensome while simultaneously admitting that it has not conducted any search for responsive documents. Without undertaking a reasonable inquiry, White & Case has no factual basis to assert burden, cost, or proportionality. Such objections violate Rule 26(g) and should be disregarded.

37. Finally, White & Case’s blanket invocation of privilege is improper. These requests are expressly limited to internal communications among firm personnel concerning billing and staffing. Such communications do not, in the ordinary course, involve client confidences or legal advice and therefore are not protected by the attorney-client privilege. Nor do they constitute protected work product where they concern administrative or billing practices rather than litigation strategy. Furthermore, no privilege log was provided and no declaration was made that documents are being withheld as required.

38. In summary, these requests seek precisely the type of evidence necessary to test the reasonableness of a \$14 million fee request. White & Case’s refusal to produce any responsive documents cannot be sustained.

**RFP No. 4 (THE \$30 MILLION DEMAND)**

39. RFP No. 4 is narrowly tailored to support ModivCare’s allegation that White & Case’s fee generation was tied to a coercive demand that the estate either fund a \$30 million payment or incur substantial professional fees. White & Case not only billed \$14 million in purported fees and expenses, but its unnecessary litigation forced ModivCare to incur millions more in legal costs

defending meritless disputes.

40. It seeks only communications among White & Case personnel concerning the \$30 million demand to the extent those communications relate to billing practices or the relationship between that demand and anticipated or actual fees. RFP No. 4 expressly excludes communications reflecting legal strategy or mental impressions.

41. Furthermore, White & Case's objections on relevance and vagueness grounds are unsupportable. First, responsive documents would be directly probative of whether the purported fees were incurred in good faith and for proper purposes. Section 330 does not permit compensation for services pursued for improper leverage. Evidence bearing on this is plainly discoverable.

42. Second, the request is not vague. It identifies a specific event (the \$30 million demand referenced in the Objection) and a specific subject matter (billing practices and fee generation). White & Case's claimed inability to understand the request is not credible.

43. Finally, any concern regarding privilege is addressed by the request itself, which specifically excludes legal strategy and mental impressions.

44. White & Case's refusal to search for or produce such materials is indefensible.

**RFP NO. 5 – 7 (PRIOR FEE REDUCTIONS AND ALLEGATIONS OF IMPROPER BILLING PRACTICES)**

45. RFP Nos. 5, 6 and 7 seek (i) court orders and rulings reducing or disallowing White & Case's purported fees based on improper billing or litigation practices, and (ii) pleadings in other bankruptcy cases in which parties alleged materially similar misconduct.

46. These requests go directly to issues raised in the Objection, namely, whether the billing and litigation practices at issue here are isolated to this case or part of a broader, repeated pattern.

47. White & Case argues that materials from "other cases" are categorically irrelevant. That is

incorrect. The Objection does not merely dispute line items. It alleges systemic billing and litigation practices, including, but not limited to, overstaffing, excessive billing, and “scorched earth” tactics designed to generate fees. Evidence that similar concerns have been raised or sustained by other courts is directly relevant because White & Case’s state of mind, intent, and course of conduct are at issue in the Objection.

48. White & Case’s assertion that the requests are overly broad because they seek materials from “any case” ignores both the nature of the issues and the ease of reasonable limitation. First, these requests are inherently self-limiting. They do not seek all documents from all cases. They seek a discrete subset of materials:

- a. Judicial decisions addressing fee reductions or disallowances based on specific categories of misconduct; and
- b. Pleadings asserting those same categories of misconduct.

49. White & Case never proposed any limitation to this request. Instead, it adopted an all-or-nothing position, refusing even to identify whether responsive materials exist.

50. That is not a proportionality objection. It is a refusal to engage in discovery.

51. White & Case contends that the requests are burdensome because responsive materials, “if they exist,” are publicly available. That objection fails for multiple reasons. First, the requests seek materials known to White & Case, not materials theoretically available somewhere in the public domain. White & Case is uniquely positioned to identify:

- a. Cases in which its purported fees were challenged or reduced;
- b. Allegations made against it; and
- c. Rulings addressing its billing practices.

52. Here, ModivCare has no way of knowing which cases to search for. Without that

foundational information, the “public availability” objection is meaningless. At minimum, White & Case should be required to identify responsive cases and provide basic information (case name, court, and docket number), even if the Court ultimately limits production of full pleadings or orders.

53. White & Case argues that terms such as “unnecessary litigation,” “scorched earth tactics,” or “billing not reasonably likely to benefit the estate” are vague.

54. White & Case is a sophisticated law firm whose hourly rates are among the highest in the country. It cannot plausibly claim that it does not understand these terms. Most importantly, White & Case did not seek clarification during the meet-and-confer process. It just refused to produce anything.

55. Finally, White & Case asserts that responding to these requests are burdensome without making any effort to conduct a search for responsive materials. It is troublesome on its face that there would be so many pleadings and orders entered against them for their billing practices that it would create such a burden.

**RFP No. 8 (COMMUNICATIONS REGARDING THE CONSENTING CREDITORS’ STATEMENTS)**

56. RFP No. 8 seeks internal communications among White & Case personnel referencing the Consenting Creditors’ Statement filed at Docket No. 589, to the extent those communications relate to billing practices, staffing decisions, or the volume of fees being generated in the engagement. The request is expressly limited and excludes legal strategy or mental impressions.

57. This request goes to the core of the Reorganized Debtors’ objection.

58. The Statement (filed early in the case) was not a routine pleading. It was a direct and explicit warning that White & Case’s strategy appeared designed to generate escalating professional fees as leverage to extract a settlement. It specifically cautioned that such an approach

would burden the estate with unnecessary costs and harm creditor recoveries.

59. RFP No. 8 asks a straightforward question: How did White & Case respond internally to that warning (if at all) with respect to its billing and staffing practices after the Statement was filed.

60. The Statement put White & Case on contemporaneous notice of the precise misconduct alleged in the Objection. Internal communications reflecting how White & Case reacted to that warning are directly probative of:

- a. Whether White & Case recognized that its practices were being challenged as potentially excessive or abusive;
- b. Whether White & Case adjusted (or consciously declined to adjust) its billing and staffing practices in response;
- c. Whether purported fees incurred after the warning were undertaken with appropriate regard for cost discipline and estate impact; and
- d. Whether the subsequent escalation in purported fees was anticipated and knowingly pursued despite the risks identified.

61. If White & Case internally acknowledged the concerns raised in the Statement yet continued the same practices, that evidence would be highly relevant to whether the resulting purported fees were “reasonable” or “necessary” under § 330.

62. White & Case again asserts that the issue can be resolved based on the existing record. That argument fails for a simple reason: the record contains the warning, but not White & Case’s response or reaction to the Statement.

63. Furthermore, White & Case’s blanket assertion of privilege is improper. RFP No. 8 is carefully drafted to avoid privileged material. It does not seek communications with clients, legal advice or litigation strategy regarding how to respond to the Statement. To the extent any

responsive document contains privileged material, White & Case should have produced a privilege log to comply with Rule 26.

64. Likewise, White & Case claims burden without evidence and despite admitting that it has not conducted any search. A proper burden objection requires a reasonable inquiry and an explanation of the efforts required to produce them. White & Case has provided none of that. Its conclusory assertion of burden, untethered to any actual investigation, should be disregarded.

65. Finally, the proportionality of this request is beyond dispute. White & Case seeks more than \$14 million in purported fees and expenses. RFP No. 8 seeks a discrete category of internal communications tied to a single, pivotal event that directly relates to whether those purported fees were generated in good faith and with appropriate regard for the estate.

66. The likely burden of locating such communications is minimal compared to the significance of the purported fees at stake.

**RFP NO. 9 (PREPARATION OF THE FINAL FEE APPLICATION)**

67. RFP No. 9 seeks internal communications concerning the preparation and drafting of White & Case's Final Fee Application, including how time entries were categorized, allocated, described, and presented to the Court. This request goes directly to the accuracy, reliability, and transparency of the Fee Application itself.

68. White & Case's argument that these materials are not relevant is untenable. The Fee Application is not self-proving. Internal communications concerning the preparation of the Fee Application are directly probative of whether it accurately reflects the underlying work performed or instead presents that work in a manner designed to justify the fees sought, including:

- a. Reassigning time entries across project codes;
- b. Allocating time across multiple categories;

- c. Addressing acknowledged “overlap” between categories; and
- d. These are core issues under § 330.

69. White & Case again asserts overbreadth, burden, and vagueness without support. The phrase “assignment or reassignment of time entries” is not vague; it describes a common billing practice, particularly where time is reorganized for presentation in a fee application. Furthermore, the request is limited to a 111-day engagement and a single Final Fee Application.

70. White & Case admits it has not conducted any search, rendering its burden objection baseless. To the extent responsive communications involve administrative decisions about billing presentation, they are not privileged. They do not involve client advice or litigation strategy, but rather how billing data is categorized and described.

71. If any responsive materials contain privileged content, White & Case could have redacted the documents and provided a privilege log. Instead, they refused production altogether.

**RFP No. 10 (DEPOSITION OUTLINES)**

72. RFP No. 10 seeks deposition outlines prepared or used by White & Case in connection with depositions taken during the engagement, with an express allowance for redactions of any privileged material.

73. This request is directly relevant to whether the time spent on numerous (and similar) depositions and the number of attorneys involved in preparing deposition outlines was reasonable and necessary under § 330.

74. The Fee Application shows how many hours were billed to prepare for depositions. It does not show whether that work product justified those hours. Deposition outlines are among the few documents that allow the Court to assess that issue in a meaningful way.

75. For example, if the same amount of time were billed to separate deposition outlines, yet

they were nearly identical, then this would be important evidence for the Court to consider.

76. Furthermore, this request is narrow and includes built-in privilege protections. The request is limited to deposition outlines from a 111-day engagement which is a finite and easily identifiable category of documents.

77. It is also expressly tailored to address privilege concerns. White & Case is permitted to:

- a. Redact attorney mental impressions;
- b. Redact confidential client information; and
- c. Withhold or log any portions that qualify as protected work product.

78. Given these built-in protections, privilege is not a valid basis to refuse production altogether. Similarly, the argument that the Court can assess reasonableness solely from the existing record ignores the obvious: the record does not reveal what work was actually performed prior to or at those depositions.

**RFP NOS. 15–16 (TIME ENTRY METADATA, AUDIT TRAILS, AND BILLING SYSTEM IDENTIFICATION)**

79. RFP Nos. 15 and 16 seek (i) documents sufficient to show when time entries were created, entered, modified, or submitted for billing; and (ii) documents sufficient to identify the billing or timekeeping system used by White & Case in connection with the Fee Application. Together, these requests address the reliability, integrity, and transparency of the billing records underlying White & Case's \$14 million fee request.

80. RFP No. 15 seeks documents sufficient to show when time entries were created, entered, modified, or submitted for billing, including audit logs, metadata, or system-generated histories reflecting those events.

81. RFP No. 16, in particular, is foundational. Identifying the billing system used is a necessary predicate to understanding the data sought in RFP No. 15. Without that information, neither the

Reorganized Debtors nor the Court can evaluate:

- a. Whether the system preserves audit trails or metadata;
- b. How time entries are created, edited, and stored;
- c. Whether modifications are tracked and recoverable; and
- d. What information exists to test the integrity of the billing records.

82. White & Case asserts that this information is “not relevant”. However, these requests go directly to several core issues raised in the Objection, including:

- a. Whether time entries were recorded contemporaneously or reconstructed after the fact;
- b. Whether entries were modified, edited, or recharacterized prior to submission;
- c. Whether billing judgment was exercised in real time or applied retroactively in anticipation of fee review; and
- d. Whether the Fee Application reflects actual work performed or a curated presentation of that work.

83. White & Case’s overbreadth and burden objections are equally defective. These requests are narrowly limited to a 111-day engagement and seek discrete categories of information maintained in the ordinary course of business within White & Case’s own billing system. Identifying the system used and producing associated metadata or audit trails is not a document-intensive exercise, it is an inquiry into information that law firms typically maintain as part of their standard billing practices.

84. Critically, White & Case admits it has not conducted any search or inquiry. Without investigating how its own billing system functions or what data it maintains, it has no factual basis to claim burden, cost, or disproportionality. Such unsupported assertions violate Rule 26(g) and

should be disregarded.

85. White & Case's privilege objections are likewise improper. The information sought is administrative in nature. It does not reveal client communications, legal advice, or litigation strategy. To the extent any responsive material contains embedded privileged content, White & Case may redact that content and provide a privilege log. That is not a basis to refuse production altogether.

86. The proportionality of these requests is beyond dispute. White & Case seeks more than \$14 million in purported fees and expenses. RFP Nos. 15 and 16 seek objective, system-generated evidence and basic foundational information necessary to test whether the underlying billing records are accurate and reliable. The minimal burden associated with producing this information is vastly outweighed by its importance.

87. White & Case's refusal to provide even this threshold level of transparency underscores its broader position that its billing practices are not subject to scrutiny. That position is contrary to the Federal Rules and the standards governing fee applications under § 330. The objections to RFP Nos. 15 and 16 should be overruled and full responses compelled.

WHEREFORE, ModivCare respectfully requests that the Court strike the objections outlined above, compel White & Case to produce all responsive documents, and grant such other and further relief, at law or in equity, to which ModivCare may be justly entitled.

Dated: April 3, 2026

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Miriam T. Gooft, hereby certify that a true and correct copy of the Motion to Compel was served upon White & Case LLP, via email to the following individuals on April 3, 2026:

- Charles Koster ([charles.koster@whitecase.com](mailto:charles.koster@whitecase.com))
- Ashley Chase ([ashley.chase@whitecase.com](mailto:ashley.chase@whitecase.com))
- Scott Greissman ([sgreissman@whitecase.com](mailto:sgreissman@whitecase.com))
- Gregory F Pesce ([gregory.pesce@whitecase.com](mailto:gregory.pesce@whitecase.com))
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- Andrew Zatz ([azatz@whitecase.com](mailto:azatz@whitecase.com))

By: /s/ Miriam T. Gooft  
Miriam T. Gooft

**CERTIFICATE OF CONFERENCE**

I, Miriam T. Gooft, certify that on April 3, 2026, I conferred with Mr. Zakia and Ms. Chase, attorneys at White & Case, regarding their objections and responses to the Requests for Production. White & Case has taken the position that no documents will be produced without a Court order. I notified them that I would be filing this Motion to Compel, and they oppose the relief requested.

By: /s/ Miriam T. Goott  
Miriam T. Goott