

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

IN RE	§	
	§	
	§	
TEHUM CARE SERVICES, INC., ¹	§	Case No. 23-90086 (CML)
	§	
Debtor.	§	
	§	
	§	Chapter 11
	§	

**STIPULATION AND AGREED ORDER REGARDING THE
PEARSON CLAIMANTS' PROOFS OF CLAIM**

Michael Zimmerman (the “**PI/WD Trustee**”), trustee of the Tehum Personal Injury Settlement Trust (the “**PI/WD Trust**”), and Machel Pearson, Maria Sheldon and Rachell Garwood (collectively, the “**Pearson Claimants**”), by and through their respective counsel, enter this Stipulation and Agreed Order as follows:

IT IS HEREBY STIPULATED AND AGREED:

1. On August 14, 2023, the Pearson Claimants filed the *Machelle Pearson, Maria Sheldon, and Rachell Garwood and the Putative Class of Similarly Situated Women’s Motion for an Order Allowing Movants to File a Class Proof of Claim and the Application of Federal Rule of Bankruptcy Procedure 7023 Pursuant to Federal Rule of Bankruptcy Procedure 9014 to Certify a Class* [Dkt. No. 865] (the “**Motion to Allow Class Claim**”). The Court has not ruled on the Motion to Allow Class Claim.

2. Also on August 14, 2023, the Pearson Claimants filed a joint Proof of Claim assigned Claim Number 647 on the Claims Register (the “**Class Claim**”).

¹ The last four digits of the Debtor’s federal tax identification number is 8853. The Debtor’s service address is: 205 Powell Place, Suite 104, Brentwood, Tennessee 37027.



3. Article III(B) of the First Modified Joint Chapter 11 Plan of Tort Claimants' Committee, Official Committee of Unsecured Creditors, and Debtor (the "**Plan**") attached as Exhibit B to the Order Confirming the First Modified Joint Chapter 11 Plan of Reorganization of the Tort Claimants' Committee, Official Committee of Unsecured Creditors, and Debtor (the "**Confirmation Order**") requires that any holder of a claim that failed to file a personalized Proof of Claim shall not be entitled to any distributions from the Trusts.

4. Before the Plan was solicited, the Tort Claimants' Committee ("**TCC**") and the Pearson Claimants agreed that since the Plan did not allow for payment of the Class Claim, the TCC would not object to the timeliness of personalized Proofs of Claims filed by the Pearson Claimants as long as they were filed prior to November 6, 2024 ("**the Deadline**"). The agreement between the TCC and the Pearson Claimants only applied to possible timeliness objections by the TCC, and the TCC reserved all other possible objections.

5. In accordance with the TCC's agreement, each of the Pearson Claimants filed a personalized Proof of Claim (collectively the "**Pearson Claimants' Individualized Proofs of Claim**") on or prior to the Deadline, and therefore the Pearson Claimants' Individualized Proofs of Claim shall be deemed to have been timely filed solely for purposes of determining eligibility to receive a distribution from the PI/WD Trust. *See* the Pearson Claimants' Individualized Proofs of Claim assigned Claim Numbers 860, 862, and 863 on the Claims Register.

6. Except for the timeliness of filing the Pearson Claimants' Individualized Proofs of Claim, the PI/WD Trustee reserves all rights to object to the Pearson Claimants' Individualized Proofs of Claim on any other basis.

7. The Pearson Claimants shall withdraw the Motion to Allow Class Claim within ten (10) business days of the Court entering this Stipulation and Agreed Order.

Stipulated and Agreed to by:

July 8, 2025

<p>NACH, RODGERS, HILKERT & SANTILLI</p> <p>By: <u>/s/ Paul M. Hilkert</u> Paul M. Hilkert (SDTX Bar No. 3912203) Stuart B. Rodgers (SDTX Bar No. 3917206) 2001 E. Campbell Ave., Suite 103 Phoenix, AZ 85016 Telephone: (602) 258-6000 paul.hilkert@nrhslaw.com stuart.rdogers@nrhslaw.com</p> <p>COUNSEL FOR THE TEHUM PERSONAL INJURY SETTLEMENT TRUST</p>	<p>NICHOLS KASTER, PLLP</p> <p>By: <u>/s/ Rebekah L. Bailey</u> Rebekah L. Bailey (MN0389599) 80 South Eighth Street, Suite 4700 Minneapolis, MN 55402 Telephone: (612) 256-3200 bailey@nka.com</p> <p>COUNSEL FOR PLAINTIFFS PEARSON, SHELDON, AND GARWOOD</p>
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Stipulation has been served on Debtor, Debtor's Counsel, Counsel to the Tehum Personal Injury Settlement Trust and upon all parties that are registered or otherwise entitled to receive notice through the Court's ECF noticing system on this 9th day of July 2025.

/s/ Rebekah L. Bailey
Rebekah L. Bailey

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**ORDER GRANTING STIPULATION AND AGREED ORDER REGARDING
THE PEARSON CLAIMANTS' PROOFS OF CLAIM**

THIS MATTER comes before the Court on the Stipulation Regarding the Pearson Claimants' Proofs of claim. This Court, being advised in the premises therefore and finding good cause for the relief requested, hereby

ORDERS the Stipulation is GRANTED;

Signed: _____, 2025

Christopher M. Lopez
United States Bankruptcy Judge

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