Docket #0179 Date Filed: 11/16/2023

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

In Re: Tehum Care Services, Inc. *Debtor*	Case No.: 23-90086 (CML) CHAPTER 11
Anant Kumar Tripati *Plaintiff*, v. Sarah Tirschwell, et al., *Defendants*.	Adv. Pro. No. 23-03072 (CML)

DEFENDANT SCOTTSDALE INSURANCE COMPANY'S RESPONSE TO PLAINTIFF'S MOTION FOR INHERENT POWER AND RULE 11 SANCTIONS AGAINST THOMAS O. BEAN, ESQ AND NATHANIEL R. HULL ESQ ADMITTED PRO HAC VICE OF VERILL DANA, LLP

Defendant Scottsdale Insurance Company ("Scottsdale") files the following Response to Plaintiff's "Motion for Inherent Power and Rule 11 Sanctions Against Thomas O. Bean, Esq. and Nathaniel R. Hull, Esq. Admitted *Pro Hac Vice* of Verill Dana, LLP" (the "Motion for Sanctions") (Doc. 173), stating in support as follows:

1. Plaintiff has filed yet again another pleading alleging "sanctionable conduct" against multiple defense attorneys in this matter.[1] *See generally* Doc. 173. While no sanctions under Fed. R. Civ. P. 11, Fed. R. Bankr. P. 9011, or this Court's inherent power are appropriate under any circumstances, Scottsdale files this motion in abundance of caution as its counsel of record, Patrick L. Kemp, was cited in the Motion for Sanctions for "second sanctionable conduct" for apparently joining in certain defendants' motions to dispose of this matter. *See* Doc. 173, at p.

[1] Plaintiff to date has filed multiple "motions for inherent power and sanctions" against multiple defendants and their defense attorneys since this case's inception. *See* Doc. Nos. 93, 163, 173.

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4 of 6 ("Patrick L. Kemp, Esq., Segal McCambridge, 100 Congress #800, Austin, Texas 78701 joined in the motion by Thomas O. Bean Esq., Nathaniel R. Hull, Esq.").

2. Though not spelled out in any comprehensible fashion, Plaintiff appears to now take issue with Scottsdale's joinder in a motion filed by Attorneys Bean and Hull. However, Scottsdale, through its counsel, to date has not joined in any motions filed by said attorneys.[2] Moreover, contrary to Plaintiff's assertions as to "second sanctionable conduct" directed towards Mr. Kemp, there has been no "first" sanctionable conduct.

3. Thus, because Scottsdale nor its counsel of record have engaged in any conduct violative of Fed. R. Civ. P. 11, Fed. R. Bankr. P. 9011, or any orders of this Court, Plaintiff's Motion for Sanctions must be denied. Scottsdale respectively prays that the Court deny Plaintiff's "Motion for Inherent Power and Rule 11 Sanctions Against Thomas O. Bean, Esq. and Nathaniel R. Hull, Esq. Admitted *Pro Hac Vice* of Verill Dana, LLP" as they concern Scottsdale and its counsel of record, and for all such other relief to which it may show itself justly to be entitled.

Respectfully submitted,

/s/ Patrick M. Kemp

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ATTORNEY-IN-CHARGE FOR DEFENDANT SCOTTSDALE INSURANCE COMPANY

[2] On September 27, 2023, Scottsdale filed a motion joining in support of the State of Arizona Defendants' "Motion to Screen *Pro Se* Inmate Adversary Complaint". (Doc. 154).

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served electronically via CM/ECF and mailed this the 16th day of November 2023 to:

Anant K. Tripati 102081
ASPC Yuma, Cibola Unit
P.O. Box 8909
Yuma, AZ 85349
United States

#9414 7266 9904 2178 2257 85

/s/ Patrick M. Kemp
Patrick M. Kemp