

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Other Civil

In re:

The assignment for the benefit of creditors of
LifeHealth, LLC

Court File No.: 62-cv-17-4154
Hon. Jennifer L. Frisch

**[PROPOSED] ORDER GRANTING DSI ASSIGNMENTS, LLC'S
MOTION REGARDING PROCEDURAL ISSUES**

This matter came before the court on the motion (the "Motion") of DSI Assignments, LLC, the assignee in the above captioned matter (the "Assignee"). Based on all of the files and records and proceedings herein,

IT IS ORDERED:

1. Claims Procedure.

- A. Creditors shall submit their claims to the Assignee using proof of claim form B410, available at <http://www.uscourts.gov/forms/bankruptcy-forms>. The Assignee shall also provide a copy of this form along with its notice to creditors to file proofs of claim and it shall publish this link on its web site. Proofs of claim shall be submitted no later than ninety (90) days after the Assignee sends written notice of this claims process to creditors. The Assignee will plainly indicate the exact date of the claims deadline on such notice. Claim forms are to be delivered to the Assignee at:

DSI Assignments, LLC
70 W. Madison Street, Suite 2300
Chicago, Illinois 60602

- B. At any time after expiration of the claim-filing period and upon 30 days' written notice to the claimant, the Assignee may file a motion objecting to a claim and must state the grounds for the objection.
- C. At least 21 days prior to a proposed distribution to creditors, the Assignee shall file with the Court and serve upon all persons on the master service list, a motion setting out the assets collected and the claims to be paid. Within 21 days after the notice of motion is served, any party in interest may file an objection to a claim or the proposed distribution and must state the grounds for the objection.
- D. If there is no objection within 21 days after the notice of motion is served, the Court may enter an order authorizing the Assignee to make the distributions described in the distribution schedule without the necessity of a hearing.

2. Bond.

- A. The Assignee shall, within 10 business days, execute and file a bond in the amount of \$10,000.00.
- B. The Court may, as deemed necessary, increase or decrease the amount of the Assignee's bond and said Assignee shall file a revised bond as directed by the Court.

3. Consent and Subordination Agreements.

- A. The Consent and Subordination Agreements attached to the Motion as **Exhibits 2 - 4** are approved.

4. Compensation.

- A. The Assignee, for its compensation in this proceeding, shall be paid a flat fee of the greater of (a) 5% of the proceeds from the sale or liquidation of Assignor's assets or (b) \$50,000.00.

- B. The Assignee is authorized to credit its fees against its \$50,000.00 retainer without further Court order.
- C. In addition, the Assignee may request Court approval, pursuant to Minn. Gen. R. Prac. 137.09, of its out-of-pocket expenses, and the fees and costs of its professionals, counsel, accountants, and other professionals, including attorneys' fees, accountants' fees, consultant fees, brokerage commissions, and independent contractor charges, that may be employed by the Assignee during this proceeding.

5. Statutory Stay.

- A. The stay applicable pursuant to Minn. Stat. § 576.42 is extended by an additional ninety (90) days and shall remain in effect until November 8, 2017.
- B. The Assignee, or any other party in interest, may file a motion before November 8, 2017 for an additional extension of the stay.

Dated: _____

BY THE COURT:

The Honorable Jennifer L. Frisch
 Judge of Ramsey County District Court