

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In Re: § Chapter 11
§
NUVECTRA CORPORATION,¹ § Case No. 19-43090
§
Debtor. §

INTERIM ORDER (I) AUTHORIZING THE DEBTOR TO (A) MAINTAIN EXISTING INSURANCE PROGRAMS, (B) SATISFY ALL RELATED PREPETITION OBLIGATIONS IN THE ORDINARY COURSE OF BUSINESS, AND (C) RENEW, SUPPLEMENT, OR ENTER INTO NEW INSURANCE PROGRAMS IN THE ORDINARY COURSE OF BUSINESS, AND (II) GRANTING RELATED RELIEF

Upon consideration of the *Debtor's Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtor to (A) Maintain Existing Insurance Programs, (B) Satisfy All Related Prepetition Obligations in the Ordinary Course of Business, and (C) Renew, Supplement, or Enter into New Insurance Programs in the Ordinary Course of Business and (II) Granting Related Relief ("the Motion")*,² which was filed by the above-referenced debtor and debtor in possession (collectively, the "Debtor") and as more fully set forth in the Motion, this Court finds that it has jurisdiction over this matter pursuant to 28 U. S. C. §§ 157 and 1334; that consideration of the Motion is a core proceeding pursuant to 28 U. S. C. §157(b); that venue is proper before this Court pursuant to 28 U. S. C. §§ 1408 and 1409; that due and proper notice of the Motion has been provided to the necessary parties; that no other or further notice need be provided; that the relief sought in the Motion is in the best interests of the Debtor, its creditors, and all parties in interest; that the Debtor has established just cause for the relief requested in the Motion; and that, upon all

¹ The last four digits of the Debtor's federal tax identification number are: 3847. The location of the Debtor's principal place of business and the service address for the Debtor is: 5830 Granite Parkway, Suite 1100, Plano, TX 75024.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefore, it is hereby:

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED** on an interim basis, as set forth herein.
2. The Debtor is authorized, but not directed, to continue its Insurance Programs and pay related Insurance Obligations in the ordinary course of business to the extent that the Debtor determines, in its business judgment, that such payments are necessary or appropriate.
3. The Debtor is authorized, but not directed, to renew, supplement, modify, or purchase Insurance Programs to the extent that the Debtor determines that such action is in the best interest of its estate.
4. Notwithstanding the relief granted in this Interim Order and any actions taken pursuant to such relief, nothing in this Interim Order shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of the Debtor's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Interim Order or the Motion; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the Debtor's rights under the Bankruptcy Code or any other applicable law.
5. The banks and financial institutions on which checks were drawn or electronic payment requests made in payment of the prepetition obligations approved herein are authorized and directed to receive, process, honor, and pay all such checks and electronic payment requests when presented for payment, and all such banks and financial institutions are authorized to rely on the Debtor's designation of any particular check or electronic payment request as approved by this Interim Order.

6. The Debtor is authorized to issue postpetition checks, or to effect postpetition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of this Chapter 11 Case with respect to prepetition amounts owed in connection with any Insurance Obligations the Debtor has been authorized to pay in this Interim Order.

7. The requirements of Bankruptcy Rule 6003(b) are satisfied by the contents of the Motion.

8. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

9. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Interim Order are immediately effective and enforceable upon its entry. As soon as reasonably practicable after entry of this Interim Order, the Debtor shall serve this Interim Order on each of the Insurance Carriers.

10. The Debtor is authorized to take all actions necessary to effectuate the relief granted in this Interim Order in accordance with the Motion.

11. The final hearing (the "Final Hearing") on the Motion shall be held on **December 30, 2019 at 10:00 a.m.**, prevailing Central Time. Any objections or responses to entry of the Final Order shall be filed on or before **December 9, 2019 at 4:00 p.m.** (Central time) and served on the following parties: (i) the Debtor, 5830 Granite Parkway, Suite 1100, Plano, TX 75024; (ii) proposed counsel to the Debtor, Norton Rose Fulbright US LLP, 2200 Ross Avenue, Suite 3600, Dallas, Texas 75201, Attn.: Ryan E. Manns; (iii) the U.S. Trustee; and (iv) counsel to any statutory committee appointed in this Chapter 11 Case. In the event no objections to entry of

a Final Order on the Motion are timely received, this Court may enter such Final Order without a need for a Final Hearing on the Motion.

12. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.

Signed on 11/19/2019

Brenda T. Rhoades SR
HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE