

NO. GV 204523

THE STATE OF TEXAS

VS.

AMCARE HEALTH PLANS OF TEXAS, INC. AND AMCARE MANAGEMENT, INC.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

200TH JUDICIAL DISTRICT

FILED

06 SEP 11 AM 10:12

Yvonne Rodriguez-Secor
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

JOINDER OF CREDITORS IN MOTION OF RECEIVER

TO THE HONORABLE JUDGE OF SAID COURT:

Come now MEMORIAL HERMANN HOSPITAL SYSTEM (hereinafter "Memorial Hermann") and ST. LUKE'S EPISCOPAL HOSPITAL (hereinafter "St. Luke's"), Creditors in the above styled and numbered Receivership and show the Court as follows:

1. Memorial Hermann and St. Luke's are two large Creditors of the Receivership Estate having, together, approved claims well in excess of \$17 million.
2. Both Creditors are "not for profit" hospitals in Houston, Harris County, Texas and have been operating without the payment of delinquent hospital bills for the covered participants of the AmCare entities for over 4 years. As such both Hospitals have had their available resources stretched thin attempting to service the patients who present to the Hospital for uncovered care as a result of this indebtedness.
3. The Receiver filed an Application for Partial Distribution requesting the Court's approval of the use of funds available for distribution to all Creditors in accordance with the previous Orders of this Court. This Motion is set for Submission on the Court's Docket for September 25,

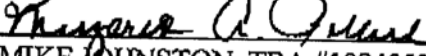
2006. These sums rightfully belong to Creditors who have substantially discounted their claims and should be paid now under settlement agreements made many months ago, but still unfunded.

4. These Creditors have now been furnished with a copy of a Motion filed by the Receiver seeking Court approval of a partial, interim distribution of funds to all Creditors on a pro rata basis in accordance with the previously Court approved payment ratios.

5. These two major Creditors whole-heartedly join in and approve of the Motion of the Receiver for this partial distribution and ask the Court to approve the same without the necessity of an oral hearing.

Respectfully submitted,

SULLINS, JOHNSTON, ROHRBACH & MAGERS

By: 
MIKE JOHNSTON, TBA #10840500
MARGARET A. POLLARD, TBA#16099300
2200 Phoenix Tower
3200 Southwest Freeway
Houston, Texas 77027
Tel 713.521.0221
Fax 713.521.3242

Attorneys for MEMORIAL HERMANN HOSPITAL
SYSTEM and ST. LUKE'S EPISCOPAL HOSPITAL

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of September, 2006, a true and correct copy of the attached Joinder of Creditors in Motion of Receiver was mailed certified mail, return receipt requested and/or hand delivered and/or faxed and mailed regular mail or email to all counsel of record.


MARGARET A. POLLARD

Sullins Johnston Rohrbach & Magers

Attorneys at Law
(A Professional Corporation)

MARGARET A. POLLARD

DIRECT DIAL: 713.499.3173
E-MAIL: mpollard@ajrm.com

September 9, 2006

FEDERAL EXPRESS

Ms. Amalia Rodriguez-Mendoza
Travis County District Clerk
1000 Guadalupe Street, #302
Austin, Texas 78701

Re: No. GV-204523; *The State of Texas vs. Amcare Health Plans of Texas, Inc. and Amcare Management, Inc.*; In the 200th Judicial District Court of Travis County, Texas

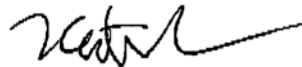
Dear Ms. Rodriguez-Mendoza:

Please find enclosed to be filed in the above-referenced cause an original and one copy of the **Joinder of Creditors in Motion of Receiver**. Please return the file stamped copy to our office in the enclosed stamped, self addressed envelope.

Please do not hesitate to contact me at (713) 499-3162 if you have any questions. Thank you for your assistance with this matter.

Sincerely yours,

SULLINS, JOHNSTON, ROHRBACH & MAGERS



Katrine Linseisen
Legal Assistant to Margaret Pollard

Attachment

SULLINS, JOHNSTON, ROHRBACH & MAGERS

Attorneys at Law
2200 Phoenix Tower
3200 Southwest Freeway
Houston, Texas 77027
713.521.0221 • Fax 713.521.3242

FAX COVER SHEET

To: Robert Nunnally, Jr.

Fax Number: (972) 840-6575

Office Number: (972) 849-9080

To: Brian Riewe and Jennifer Fielder

Fax Number: (512) 236-9966

Office Number: (512) 236-9955

To: Sue Buser

Fax Number: (225) 644-6111

Office Number: (225) 644-6100

Re: No. GV-204523; *The State of Texas vs. Amcare Health Plans of Texas, Inc. and Amcare Management, Inc.*; In the 200th Judicial District Court of Travis County, Texas

From: Margaret Pollard

Our file number: 995-2230

Date: September 13, 2006

Number of pages, including cover sheet: 5

THE FOLLOWING IS SENT BY FAX: We attempted to send this via e-mail September 8, 2006, but cannot confirm you received the Motion. Please feel free to call if you have any questions.

ATTENTION

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Confidentiality Notice: September 13, 2006

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