

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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In re	:	Chapter 11
	:	
CANO HEALTH, INC., <i>et al.</i> ,	:	Case No. 24-10164 (KBO)
	:	
	:	(Jointly Administered)
Debtors. <sup>1</sup>	:	
	:	
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CERTIFICATION OF COUNSEL REGARDING ORDER APPROVING  
STIPULATION BETWEEN DEBTORS AND UNITED STATES  
EXTENDING TIME TO FILE A COMPLAINT TO DETERMINE  
DISCHARGEABILITY OF A DEBT PURSUANT TO 11 U.S.C. § 1141(d)(6)

The undersigned hereby certifies as follows:

1. Beginning on February 4, 2024, Cano Health, Inc. and certain of its subsidiaries, as debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “**Debtors**”) each commenced with the United States Bankruptcy Court for the District of Delaware (the “**Court**”) a voluntary case under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”).

2. Pursuant to section 523 of the Bankruptcy Code and rule 4007 of the Federal Rules of Bankruptcy Procedures, the deadline for filing a complaint to assert the nondischargeability of a claim is May 14, 2024 (the “**Complaint Deadline**”).

3. The Debtors and the United States of America on behalf of the United States Department of Justice (the “**DOJ**”) have engaged in discussions regarding the Complaint Deadline and its applicability to claims held by the United States and have entered into that certain

<sup>1</sup> The last four digits of Cano Health, Inc.’s tax identification number are 4224. A complete list of the Debtors in the chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://www.kccllc.net/CanoHealth>. The Debtors’ mailing address is 9725 NW 117th Avenue, Miami, Florida 33178.



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*Stipulation Between the Debtors and United States Extending Time to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6)*, which, subject to Court approval, extends the Complaint Deadline, solely as it may apply to the DOJ by 90 days, through and including August 12, 2024.

4. A proposed form of order approving the Stipulation is attached hereto as **Exhibit 1** (the “**Proposed Order**”). A true and correct copy of the Stipulation is attached to the Proposed Order as **Exhibit A**. The Stipulation has been circulated to the DOJ, the Official Committee of Unsecured Creditors, and the Ad Hoc First Lien Group, and the aforementioned parties do not object to the approval of the Stipulation. The Stipulation has also been circulated to the Office of the United States Trustee for the District of Delaware (the “**U.S. Trustee**”), and the U.S. Trustee takes no position with respect to the approval of the Stipulation.

*[Remainder of page intentionally left blank]*

WHEREFORE, the Debtors respectfully request the Proposed Order, substantially in the form attached hereto as **Exhibit 1**, be entered at the earliest convenience of the Court.

Dated: May 1, 2024  
Wilmington, Delaware

/s/ Amanda R. Steele

RICHARDS, LAYTON & FINGER, P.A.

Mark D. Collins (No. 2981)

Michael J. Merchant (No. 3854)

Amanda R. Steele (No. 5530)

James F. McCauley (No. 6991)

Alexander R. Steiger (No. 7139)

920 North King Street

Wilmington, Delaware 19801

Telephone: 302-651-7700

Email: collins@rlf.com

merchant@rlf.com

steele@rlf.com

mccauley@rlf.com

steiger@rlf.com

-and-

WEIL, GOTSHAL & MANGES LLP

Gary T. Holtzer (admitted *pro hac vice*)

Jessica Liou (admitted *pro hac vice*)

Matthew P. Goren (admitted *pro hac vice*)

767 Fifth Avenue

New York, New York 10153

Telephone: (212) 310-8000

Email: gary.holtzer@weil.com

jessica.liou@weil.com

matthew.goren@weil.com

*Attorneys for the Debtors  
and the Debtors in Possession*

**Exhibit 1**

**Proposed Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re  CANO HEALTH, INC., <i>et al.</i> ,  Debtors. <sup>1</sup>	X : : : : : : : X	Chapter 11  Case No. 24-10164 (KBO)  (Jointly Administered)  Re: Docket No. ____
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**ORDER APPROVING STIPULATION BETWEEN DEBTORS AND UNITED  
STATES EXTENDING TIME TO FILE A COMPLAINT TO DETERMINE  
DISCHARGEABILITY OF A DEBT PURSUANT TO 11 U.S.C. § 1141(d)(6)**

The Court having considered the *Stipulation Between the Debtors and United States Extending Time to File a Complaint to Determine Dischargeability of a Debt Pursuant to 11 U.S.C. § 1141(d)(6)* (the “**Stipulation**”),<sup>2</sup> made by and between the Debtors and the DOJ, and the Court having determined that good and adequate cause exists to approve the Stipulation:

**IT IS HEREBY ORDERED THAT:**

1. The Stipulation, a copy of which is attached hereto as **Exhibit A**, is approved in its entirety.
2. The DOJ shall have until (i) August 12, 2024 or (ii) such later date as may be ordered by the Court to file a complaint or take any other action that may be required in the Debtors’ chapter 11 cases to determine the dischargeability of a debt under section 1141(d)(6) of the Bankruptcy Code, without prejudice to (a) the DOJ’s right to seek further extensions of such

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<sup>1</sup> The last four digits of Cano Health, Inc.’s tax identification number are 4224. A complete list of the Debtors in the chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://www.kccllc.net/CanoHealth>. The Debtors’ mailing address is 9725 NW 117th Avenue, Miami, Florida 33178.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Stipulation.

deadline or to argue that such deadline should not apply to the DOJ or (b) the Debtors' rights, objections, or defenses related thereto or to any claims or dischargeability actions asserted by the DOJ.

3. The Debtors and the DOJ are authorized to take any and all actions reasonably necessary to effectuate the terms of this Stipulation.

4. This Order shall be effective and enforceable immediately upon its entry.

5. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

**Exhibit A**

**Stipulation**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

	X	
	:	
<b>In re</b>	:	<b>Chapter 11</b>
	:	
<b>CANO HEALTH, INC., et al.,</b>	:	<b>Case No. 24–10164 (KBO)</b>
	:	
<b>Debtors.<sup>1</sup></b>	:	<b>(Jointly Administered)</b>
	:	
	X	

**STIPULATION BETWEEN DEBTORS AND UNITED STATES  
EXTENDING TIME TO FILE A COMPLAINT TO DETERMINE  
DISCHARGEABILITY OF A DEBT PURSUANT TO 11 U.S.C. § 1141(d)(6)**

This stipulation and agreement (the “**Stipulation**”) is entered into by and among Cano Health, Inc. and certain of its subsidiaries, as debtors and debtors in possession (collectively, the “**Debtors**”) in the above-captioned chapter 11 cases, and the United States of America on behalf of the United States Department of Justice (the “**DOJ**”). The Debtors and the DOJ collectively are referred to in this Stipulation as the “**Parties**,” and each as a “**Party**.” The Parties hereby stipulate and agree as follows:

**RECITALS**

A. WHEREAS, beginning on February 4, 2024 (the “**Petition Date**”), the Debtors each commenced with the United States Bankruptcy Court for the District of Delaware (the “**Court**”) a voluntary case under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”). The Debtors are authorized to continue to operate their business and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in the chapter 11 cases. The

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<sup>1</sup> The last four digits of Cano Health, Inc.’s tax identification number are 4224. A complete list of the Debtors in the chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://www.kccllc.net/CanoHealth>. The Debtors’ mailing address is 9725 NW 117th Avenue, Miami, Florida 33178.



Debtors' chapter 11 cases are being jointly administered for procedural purposes pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedures (the “**Bankruptcy Rules**”) and Rule 1015-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware.

B. WHEREAS, section 1141(d)(6) of the Bankruptcy Code provides “the confirmation of a plan does not discharge a debtor that is a corporation from any debt . . . (A) of a kind specified in paragraph (2)(A) or (2)(B) of section 523(a) that is owed to a domestic governmental unit.” 11 U.S.C. § 1141(d)(6).

C. WHEREAS, nothing in this Stipulation constitutes a determination that section 523(c) of the Bankruptcy Code or Bankruptcy Rule 4007 are applicable, or that any deadline exists to seek a determination of dischargeability under section 1141(d)(6) of the Bankruptcy Code.

D. WHEREAS, out of an abundance of caution, the DOJ has requested the extension set forth herein, without prejudice to the DOJ's right to seek further extensions or to assert the statute is self-executing and without prejudice to the Debtors' claims, objections, or defenses.

E. WHEREAS, the deadline for filing a complaint to assert the nondischargeability of a claim pursuant to section 523 of the Bankruptcy Code and Bankruptcy Rule 4007 is May 14, 2024 (the “**Complaint Deadline**”).

F. WHEREAS, the Parties have agreed, subject to the approval of the Bankruptcy Court, to an extension of the Complaint Deadline, solely as it may apply to the DOJ, by 90 days, through and including August 12, 2024.

**NOW, THEREFORE, UPON THE FOREGOING RECITALS, WHICH ARE INCORPORATED AS THOUGH FULLY SET FORTH HEREIN, IT HEREBY IS STIPULATED AND AGREED, BY AND AMONG THE PARTIES THAT:**

1. This Stipulation shall have no force or effect unless and until the date on which it is approved by an order of the Bankruptcy Court.

2. In the event that the Bankruptcy Court declines to approve this Stipulation, it shall be null and void, with no force or effect.

3. The DOJ shall have until (i) August 12, 2024 or (ii) such later date as may be ordered by the Court to file a complaint or take any other action that may be required in the Debtors' chapter 11 cases to determine the dischargeability of a debt under section 1141(d)(6) of the Bankruptcy Code, without prejudice to (a) the DOJ's right to seek further extensions of such deadline or to argue that such deadline should not apply to the DOJ or (b) the Debtors' rights, objections, or defenses related thereto or to any claims or dischargeability actions asserted by the DOJ.

4. This Stipulation shall constitute the entire agreement and understanding of the Parties relating to the subject matter hereof and supersedes all prior agreements and understandings relating to the subject matter hereof.

5. The undersigned persons represent and warrant that they have full authority to execute this Stipulation on behalf of the respective Parties and that the respective Parties have full knowledge of and have consented to this Stipulation.

6. Each of the Parties shall bear its own attorneys' fees and costs with respect to the execution and delivery of this Stipulation.

7. This Stipulation may be executed in counterparts, any of which may be transmitted by facsimile or electronic mail, and each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

8. This Stipulation shall not be modified, altered, amended, or vacated without the written consent of all Parties hereto or further order of the Bankruptcy Court.

9. This Stipulation shall be governed by, and construed in accordance with, the laws of the United States.

10. The Bankruptcy Court shall retain jurisdiction to resolve any disputes or controversies arising from this Stipulation.

*[Signature Page Follows]*

IN WITNESS WHEREOF, this Stipulation has been executed and delivered as of  
the day and year first below written.

Dated: May 1, 2024  
Wilmington, Delaware

AGREED TO BY:  
UNITED STATES OF AMERICA on  
behalf of the U.S. Department of Justice

By its attorneys:

BRIAN M. BOYNTON  
Acting Assistant Attorney General

/s/ I-Heng Hsu

KIRK T. MANHARDT  
MARY A. SCHMERGEL  
I-HENG HSU  
United States Department of Justice  
Civil Division- Commercial Litigation  
Branch  
1100 L Street, N.W. 7<sup>th</sup> Floor  
Washington, DC 20530  
TEL: (202) 616-3619

*Attorneys for the U.S. Department of Justice*

AGREED TO BY:  
CANO HEALTH, INC.  
(on its own behalf and on behalf of all Debtors)

By its attorneys:

/s/ Amanda R. Steele

RICHARDS, LAYTON & FINGER, P.A.  
Mark D. Collins (No. 2981)  
Michael J. Merchant (No. 3854)  
Amanda R. Steele (No. 5530)  
920 North King Street  
Wilmington, Delaware 19801  
Telephone: 302-651-7700  
Email: collins@rlf.com  
merchant@rlf.com  
steele@rlf.com

-and-

WEIL, GOTSHAL & MANGES LLP  
Gary T. Holtzer (admitted *pro hac vice*)  
Jessica Liou (admitted *pro hac vice*)  
Matthew P. Goren (admitted *pro hac vice*)  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Emails: gary.holtzer@weil.com  
jessica.liou@weil.com  
matthew.goren@weil.com

*Attorneys for the Debtors  
and the Debtors in Possession*