

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 11
)	
CLAYTON GENERAL, INC., f/k/a Southern)	Jointly Administered Under
Regional Health System, Inc., d/b/a/ Southern)	CASE NO. 15-64266-wlh
Regional Medical Center, et al.,)	
)	
Debtors.)	
_____)	

STIPULATION OF FACTS RELATED TO FINAL REPORT OF SUBSTANTIAL CONSUMMATION, REQUEST FOR FINAL DECREE, AND MOTION TO DETERMINE FEES PAYABLE TO THE UNITED STATES TRUSTEE PROGRAM

COME NOW GGG Partners, LLC, in its capacity as the liquidating trustee (the “**Liquidating Trustee**”) for the Clayton General Liquidating Trust and Nancy J. Gargula, United States Trustee for Region 21 (the “**United States Trustee**”), and hereby stipulate and agree to the following facts, without conceding their relevance, for purposes of the hearing on the *Final Report of Substantial Consummation, Request for Final Decree, and Motion to Determine Fees Payable to the United States Trustee Program* [Dkt. No. 1360] (the “**Motion**”), scheduled for 9:30 a.m. on March 13, 2020:

1. The fees payable to the United States Trustee pursuant to 28 U.S.C. § 1930(a)(6) (“**Section 1930(a)(6)**”) as such statute existed after its amendment in October of 2017 (the “**2017 Amendment**”), from January 1, 2018 through December 31, 2019, would total \$67,956.00 if the 2017 Amendment is held to apply to the above-captioned debtors (the “**Debtors**”) and the Liquidating Trustee.



2. If the 2017 Amendment is held not to apply to the Debtors and the Liquidating Trustee, then the fees payable to the United States Trustee pursuant to Section 1930(a)(6) from January 1, 2018 through December 31, 2019 would total \$30,875.00.

3. The Debtors and/or the Liquidating Trustee have paid the United States Trustee for fees accrued from January 1, 2018 through December 31, 2019 the amount of \$30,897.23 (which includes \$22.23 in interest related to the third quarter of 2018).

4. The amount in controversy related to the Motion, through the end of 2019, is \$37,081.

5. The higher fee schedule adopted by the 2017 Amendment, codified at 28 U.S.C. § 1930(a)(6)(b), only applies to the Debtors and/or the Liquidating Trustee with regard to the third quarter of 2018 and the fourth quarter of 2019.

6. The Liquidating Trustee has sufficient funds on hand to satisfy the amount set forth in Paragraph 4, above.

[SIGNATURES ON NEXT PAGE]

This 12th day of March, 2020.

SCROGGINS & WILLIAMSON, P.C.

By: /s/ Matthew W. Levin

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NANCY J. GARGULA
United States Trustee, Region 21

By: /s/ Thomas W. Dworschak (with express permission by Matthew W. Levin)

NANCY J. GARGULA
United States Trustee, Region 21
JENEANE TREACE
Assistant United States Trustee
THOMAS W. DWORSCHAK
JILL KELSO
Trial Attorneys

*Department of Justice
Office of the United States Trustee*

and

RAMONA D. ELLIOTT
Deputy Director/General Counsel
P. MATTHEW SUTKO
Associate General Counsel
BETH A. LEVENE
WENDY COX
SUMI SAKATA
Trial Attorneys

Department of Justice

CERTIFICATE OF SERVICE

This is to certify that I have on this date electronically filed the foregoing *Stipulation of Facts Related to Final Report of Substantial Consummation, Request for Final Decree, and Motion to Determine Fees Payable to the United States Trustee Program* regarding same, using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of these documents and an accompanying link to these documents to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Thomas Wayne Dworschak

This 12th day of March, 2020.

SCROGGINS & WILLIAMSON, P.C.

By: /s/ Matthew W. Levin

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