

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:

AMERICAN HOMEPATIENT, INC., A DELAWARE
CORPORATION
DESIGNATED COMPANIES, INC.
AHP PIRANCE, INC.
AMERICAN HOMEPATIENT, INC., A TENNESSEE
CORPORATION
AMERICAN HOMEPATIENT OF NEW YORK, INC.
NATIONAL MEDICAL SYSTEMS, INC.
SOUND MEDICAL EQUIPMENT, INC.
THE NATIONAL MEDICAL RENTALS, INC.
NATIONAL I.V., INC.
AMERICAN HOMEPATIENT OF ARKANSAS, INC.
AMERICAN HOMEPATIENT OF NEVADA, INC.
VOLUNTEER MEDICAL OXYGEN & HOSPITAL
EQUIPMENT CO.
ALLEGREY RESPIRATORY ASSOCIATES, INC.
AMERICAN HOMEPATIENT OF ILLINOIS, INC.
AMERICAN HOMEPATIENT OF TEXAS, L.P.
AHP, L.P.
AHP HOME MEDICAL EQUIPMENT
PARTNERSHIP OF TEXAS
COLORADO HOME MEDICAL EQUIPMENT
ALLIANCE, LLC
NORTHEAST PENNSYLVANIA ALLIANCE, LLC
NORTHWEST WASHINGTON ALLIANCE, LLC
AHP HOME CARE ALLIANCE OF TENNESSEE
AHP ALLIANCE OF COLUMBIA
AHP KNOXVILLE PARTNERSHIP
AHP HOME CARE ALLIANCE OF GAINESVILLE
AHP HOME CARE ALLIANCE OF VIRGINIA

Tab ID No.	Case No.
62-1474680	Case No. 302-08915
16-1372991	Case No. 302-08916
62-1674249	Case No. 302-08917
62-1298835	Case No. 302-08918
16-1142319	Case No. 302-08919
71-0457738	Case No. 302-08920
91-1123924	Case No. 302-08921
71-0457738	Case No. 302-08922
71-0708183	Case No. 302-08923
62-1494549	Case No. 302-08924
86-0878410	Case No. 302-08925
62-1314729	Case No. 302-08926
25-1577437	Case No. 302-08927
37-1350683	Case No. 302-08928
74-2775696	Case No. 302-08929
62-1598960	Case No. 302-08930
75-2306449	Case No. 302-08931
84-1420928	Case No. 302-08932
62-1738535	Case No. 302-08933
62-1749572	Case No. 302-08934
62-1584579	Case No. 302-08935
62-1650186	Case No. 302-08936
62-1556783	Case No. 302-08937
62-1637225	Case No. 302-08938
54-1756398	Case No. 302-08939
	Chapter 11
	Judge/Palmer
	Debtor Administered Under
	Case No. 302-08915

NOTICE OF SERVICE

TO ALL INTERESTED PARTIES:

Please take notice that the information contained in the attached documents may affect your rights and responsibilities in connection with the referenced Chapter 11 cases. YOU ARE URGED TO READ ALL THE DOCUMENTS IN THEIR ENTIRETY AND TO SEEK ADVICE FROM EXPERIENCED BANKRUPTCY COUNSEL.

The following documents are attached hereto:

1. NOTICE OF (i) COMMENCEMENT OF CASES UNDER CHAPTER 11 OF THE BANKRUPTCY CODE, (ii) MEETING OF CREDITORS, AND (iii) FIXING OF DEADLINES TO FILE PROOFS OF CLAIMS AGAINST DEBTORS AND (iv) AVAILABLE CASE INFORMATION
2. PROOF OF CLAIM FORM (WITH INSTRUCTIONS)
3. ORDER AND NOTICE FOR HEARING ON DISCLOSURE STATEMENT
4. ORDER PURSUANT TO 11 U.S.C. §§ 102 AND 105(a) AND FED. R. BANKR. P. 2002(a) AND 9007 ESTABLISHING CERTAIN NOTICE, CASE MANAGEMENT, AND ADMINISTRATIVE PROCEDURES

HARWELL HOWARD HYNÉ
GABBERT & MANN, P.C.
Glenn B. Rose
Barbara D. Holmes
315 Deadrick Street, Suite 1800
Nashville, TN 37218-1800
Telephone: 615-256-0500
Facsimile: 615-251-1058

Attorneys for Debtors

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CLERK OF STATE
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UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:

	<u>Tax ID No.</u>	
AMERICAN HOMEPATIENT, INC., A DELAWARE CORPORATION	62-1474680	) Case No. 302-08915
DESIGNATED COMPANIES, INC.	16-1322991	) Case No. 302-08916
AHP FINANCE, INC.	62-1624249	) Case No. 302-08917
AMERICAN HOMEPATIENT, INC., A TENNESSEE CORPORATION	62-1298835	) Case No. 302-08918
AMERICAN HOMEPATIENT OF NEW YORK, INC.	16-1142319	) Case No. 302-08919
NATIONAL MEDICAL SYSTEMS, INC.	71-0457738	) Case No. 302-08920
SOUND MEDICAL EQUIPMENT, INC.	91-1123924	) Case No. 302-08921
THE NATIONAL MEDICAL RENTALS, INC.	71-0457738	) Case No. 302-08922
NATIONAL I.V., INC.	71-0708183	) Case No. 302-08923
AMERICAN HOMEPATIENT OF ARKANSAS, INC.	62-1494549	) Case No. 302-08924
AMERICAN HOMEPATIENT OF NEVADA, INC.	86-0878410	) Case No. 302-08925
VOLUNTEER MEDICAL OXYGEN & HOSPITAL EQUIPMENT CO.	62-1314729	) Case No. 302-08926
ALLEGHENY RESPIRATORY ASSOCIATES, INC.	25-1527437	) Case No. 302-08927
AMERICAN HOMEPATIENT OF ILLINOIS, INC.	37-1350683	) Case No. 302-08928
AMERICAN HOMEPATIENT OF TEXAS, L.P.	74-2775696	) Case No. 302-08929
AHP, L.P.	62-1598960	) Case No. 302-08930
AHP HOME MEDICAL EQUIPMENT PARTNERSHIP OF TEXAS	75-2306849	) Case No. 302-08931
COLORADO HOME MEDICAL EQUIPMENT ALLIANCE, LLC	84-1420928	) Case No. 302-08932
NORTHEAST PENNSYLVANIA ALLIANCE, LLC	62-1738535	) Case No. 302-08933
NORTHWEST WASHINGTON ALLIANCE, LLC	62-1749572	) Case No. 302-08934
AHP HOME CARE ALLIANCE OF TENNESSEE	62-1584579	) Case No. 302-08935
AHP ALLIANCE OF COLUMBIA	62-1650186	) Case No. 302-08936
AHP KNOXVILLE PARTNERSHIP	62-1556783	) Case No. 302-08937
AHP HOME CARE ALLIANCE OF GAINESVILLE	62-1637225	) Case No. 302-08938
AHP HOME CARE ALLIANCE OF VIRGINIA	54-1756398	) Case No. 302-08939
		) Chapter 11
		) Judge Paine
		) Jointly Administered Under
		) Case No. 302-08915

NOTICE OF (i) COMMENCEMENT OF CASES UNDER CHAPTER 11
OF THE BANKRUPTCY CODE, (ii) MEETING OF CREDITORS,
AND (iii) FIXING OF DEADLINES TO FILE PROOFS OF
CLAIMS AGAINST DEBTORS AND (iv) AVAILABLE CASE INFORMATION

TO ALL INTERESTED PARTIES:

COMMENCEMENT OF CASES. On July 31, 2002, American HomePatient, Inc. ("AHP"), together with its direct and indirect wholly owned subsidiaries, American HomePatient, Inc., a Delaware Corporation; Designated Companies, Inc.; AHP Finance, Inc.; American HomePatient, Inc., a Tennessee Corporation; American HomePatient of New York, Inc.; National Medical Systems, Inc.; Sound Medical Equipment, Inc.; The National Medical Rentals, Inc.; National I.V., Inc.; American HomePatient of Arkansas, Inc.; American HomePatient of Nevada, Inc.; Volunteer Medical Oxygen & Hospital Equipment Co.; Allegheny Respiratory Associates, Inc.; American HomePatient of Illinois, Inc.; American HomePatient of Texas, L.P.; AHP, L.P.; AHP Home Medical Equipment Partnership of Texas; Colorado Home Medical Equipment Alliance, LLC; Northeast Pennsylvania Alliance, LLC; Northwest Washington Alliance, LLC; AHP Home Care Alliance of Tennessee; AHP Alliance of Columbia; AHP Knoxville Partnership; AHP Home Care Alliance of Gainesville; AHP Home Care Alliance of Virginia (collectively with AHP, the "Debtors"), filed voluntary petitions for reorganization under Chapter 11 of Title 11, United States Code (the "Bankruptcy Code") with the United States Bankruptcy Court for the Middle District of Tennessee (the "Bankruptcy Court"). Pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code, the Debtors are authorized to continue to operate their business and manage their properties as debtors in possession. No trustee has been appointed. Parties in interest will not receive notice of all documents filed in these Chapter 11 cases.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the Debtors owe money or property. Under Section 362 of the Bankruptcy Code, the Debtors are granted certain protections against creditors. For example, creditors are prohibited from contacting the Debtors to demand repayment, taking any action against the Debtors to collect money owed to creditors or to take property of the Debtors, commencing or enforcing certain actions against the Debtors that arose before the July 31, 2002 commencement of the Debtors' Chapter 11 cases, and taking certain actions against property of the Debtors' estates. If unauthorized actions are taken by a creditor against the Debtors, the Bankruptcy Court may penalize that creditor. A creditor who is considering taking action against the Debtors or the property of the Debtors should review § 362 of the Bankruptcy Code and may wish to seek legal advice.

MEETING OF CREDITORS. Pursuant to Section 341 of the Bankruptcy Code, the Assistant United States Trustee for the Middle District of Tennessee has scheduled a meeting of creditors for September 6, 2002 at 8:00 a.m. in Room 100 of the Customs House, 701 Broadway, Nashville, Tennessee 37203. The Debtors' representative is required to appear at this meeting for the purpose of being examined under oath by the Assistant United States Trustee. All creditors are invited to attend this meeting but attendance is not required. At the meeting, creditors may examine the Debtors. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to creditors.

IMPORTANT INFORMATION * PLEASE READ CAREFULLY**

DEADLINES FOR FILING CLAIMS. THE BANKRUPTCY COURT HAS ENTERED AN ORDER (THE "BAR DATE ORDER") ESTABLISHING SEPARATE DEADLINES FOR CREDITORS (OTHER THAN GOVERNMENTAL UNITS) AND GOVERNMENTAL UNITS TO FILE PROOFS OF PRE-PETITION CLAIMS AGAINST THE DEBTORS AND THEIR ESTATES (THE "BAR DATES").

For the purposes of this notice, a "Claim" means (A) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured, or (B) a right to an equitable remedy for breach of performance, if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

A "Governmental Unit" means United States; State; Commonwealth; District; Territory; municipality; foreign state; department, agent, or instrumentality of the United States (but not a United States trustee while serving as a trustee in a case under this title), a State, a Commonwealth, a District, a Territory, a municipality, or a foreign or domestic government.

TO ASSERT YOUR CLAIM IT MUST BE FILED ON OR BEFORE THE APPLICABLE BAR DATE DEADLINE:

BAR DATE DEADLINE FOR FILING PROOFS OF CLAIMS BY CREDITORS (OTHER THAN GOVERNMENTAL UNITS): 5:00 p.m. (Central Time) October 15, 2002. The Bar Date Order requires all persons and entities including, without limitation, individuals, partnerships, joint ventures, corporations, estates, and trusts, EXCEPT THOSE PERSONS AND ENTITIES SPECIFICALLY DESCRIBED BELOW, that assert any Claim, as defined above, against the Debtors, which arose prior to the July 31, 2002 commencement of the Debtors' Chapter 11 cases, to file an ORIGINAL, signed, written proof of such Claim with the Claims Agent at:

IF BY UNITED STATES MAIL,
TO:

First Union National Bank, Claims Agent
For: American HomePatient
P.O. Box 600727
Jacksonville, FL 32260-0727

IF BY HAND DELIVERY OR
OVERNIGHT COURIER, TO:

First Union National Bank, Claims Agent
For: American HomePatient
210 N. Ridgecrest Lane, #100
Jacksonville, FL 32259

with COPIES of such proof of claim to:

Glenn B. Rose
Harwell Howard Hyne Gabbert & Manner, P.C.
315 Deaderick Street, Suite 1800
Nashville, TN 37238-1800
and
American HomePatient, Inc.
ATTN: Robert Fringer
5200 Maryland Way, Suite 400
Brentwood, TN 37027-5018

BAR DATE DEADLINE FOR FILING PROOFS OF CLAIMS BY GOVERNMENTAL UNITS: 5:00 p.m. (CENTRAL TIME) ON January 28, 2003. The Bar Date Order requires all Governmental Units (EXCEPT THOSE SPECIFICALLY DESCRIBED BELOW) that assert any Claim, as defined above, against the Debtors, which arose prior to the July 31, 2002 commencement of the Debtors' Chapter 11 cases, to file an **ORIGINAL**, signed, written proof of such Claim with the Claims Agent at:

IF BY UNITED STATES MAIL,
TO:

First Union National Bank, Claims Agent
For: American HomePatient
P.O. Box 600727
Jacksonville, FL 32260-0727

IF BY HAND DELIVERY OR
OVERNIGHT COURIER, TO:

First Union National Bank, Claims Agent
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with COPIES of such proof of claim to:

Glenn B. Rose
Harwell Howard Hyne Gabbert & Manner, P.C.
315 Deaderick Street, Suite 1800
Nashville, TN 37238-1800
and
American HomePatient, Inc.
ATTN: Robert Fringer
5200 Maryland Way, Suite 400
Brentwood, TN 37027-5018

PROOFS OF CLAIMS MUST BE TIMELY FILED, MUST SUBSTANTIALLY CONFORM TO OFFICIAL FORM NO. 10, MUST BE DULY EXECUTED AND WRITTEN IN ENGLISH, MUST SET FORTH THE APPLICABLE DEBTOR'S NAME AND CHAPTER 11 CASE NUMBER, AND ANY AMOUNTS CLAIMED THEREIN MUST BE CONVERTED TO UNITED STATES DOLLARS AND CALCULATED AS OF THE COMMENCEMENT OF THE DEBTORS' CHAPTER 11 CASES. FAILURE TO COMPLY WITH THESE REQUIREMENTS SHALL RESULT IN THE HOLDERS OF SUCH CLAIMS BEING FOREVER BARRED FROM VOTING (IN THE EVENT OF ANY SUBSEQUENT SOLICITATION OF VOTES) ON, AND FROM RECEIVING ANY DISTRIBUTION OF CASH OR OTHER PROPERTY UNDER, ANY PLAN OF REORGANIZATION FOR THE DEBTORS IN THESE CASES, OR FROM ANY OF THE DEBTORS' SUCCESSORS OR ASSIGNS.

IF YOU ARE REQUIRED TO FILE A PROOF OF CLAIM AND FAIL TO DO SO IN THE MANNER PRESCRIBED ABOVE, YOU WILL BE FOREVER BARRED FROM VOTING (IN THE EVENT OF ANY SUBSEQUENT SOLICITATION OF VOTES) ON, AND FROM RECEIVING ANY DISTRIBUTION OF CASH OR OTHER PROPERTY UNDER, ANY PLAN OF REORGANIZATION FOR THE DEBTORS IN THESE CASES, OR FROM ANY OF THE DEBTORS' SUCCESSORS OR ASSIGNS, EXCEPT THAT:

- A. **CLAIMS ACCURATELY SCHEDULED.** Any person or entity whose Claim is not listed as "disputed," "contingent," or "unliquidated" in the Debtors' Schedules of Liabilities filed with the Clerk of the Bankruptcy Court (as such Schedules may be amended or supplemented) and (ii) that agrees with the priority and amount set forth in such Schedule need not file a proof of claim on account of such Claim;

B. **CLAIMS EXCLUDED FROM THE BAR DATE.** The Claims described in Items 1-4 below (the "Excluded Claims") are not affected by the Bar Dates, and therefore, any person or entity that has an Excluded Claim need not file a proof of claim or equity interest on account of such Excluded Claim:

1. Any Claim held by any Debtor against any other Debtor;
2. Any Claim that is allowed by an order of the Bankruptcy Court entered on or before the applicable Bar Date; and
3. Any Claim arising from the rejection of an executory contract or unexpired lease pursuant to an order of the Bankruptcy Court that is issued after the applicable Bar Date; *provided, however*, that the holder of such Claim shall file a proof of claim on or before the date set forth therefor in the order authorizing such rejection; and *provided, further*, that if no such date is specified in such order, the holder of such claim shall file a proof of claim no later than thirty days after the later to occur of (i) the entry of the order authorizing such rejection, and (ii) the date on which an order of the Bankruptcy Court confirming the Debtors' plan of reorganization is entered on the docket of the Clerk of the Bankruptcy Court.

C. **ADMINISTRATIVE EXPENSES.** Holders of Claims allowable under Section 507(a)(1) of the Bankruptcy Code as administrative expenses of the Debtors' Chapter 11 cases generally need not file proofs of claims. However, the Debtors' proposed Plan of Reorganization requires that certain administrative claims be filed for allowance. **Please refer to the Plan of Reorganization for further information.**

D. **EQUITY INTERESTS.** Holders of equity interests in the Debtors, including, without limitation, equity interest represented by AHP common stock, need not file proofs of such equity interests.

ALL PERSONS AND ENTITIES OTHER THAN THOSE DESCRIBED IN PARAGRAPHS A THROUGH D ABOVE MUST FILE ORIGINAL EXECUTED PROOFS OF CLAIMS SO AS TO BE RECEIVED BY HARWELL HOWARD HYNE GABBERT & MANNER, P.C. AND AMERICAN HOMEPATIENT, INC., AT THE ADDRESSES IDENTIFIED ABOVE ON OR BEFORE THE APPLICABLE BAR DATE:

FOR CREDITORS (other than governmental units):

**5:00 p.m. (Central Time) on
October 15, 2002**

FOR GOVERNMENTAL UNITS:

**5:00 p.m. (Central Time) on
March 1, 2003**

Acts or omissions of the Debtors that occurred prior to the commencement of their Chapter 11 cases, including any indemnity agreements, guarantees, or services provided to or by the Debtors may give rise to Claims against the Debtors notwithstanding the fact that such Claims (or the injuries on which they are based) may be contingent, disputed by the Debtors, or may not have occurred, matured, or become fixed or liquidated prior to such date. Therefore, ANY PERSON OR ENTITY THAT IS THE HOLDER OF A CLAIM THAT IS CONTINGENT, DISPUTED, OR UNLIQUIDATED MUST FILE A PROOF OF CLAIM ON OR BEFORE THE APPLICABLE BAR DATE.

AVAILABLE CASE INFORMATION AND COPIES OF DOCUMENTS

Information about these jointly administered cases, including the case docket sheet and filings, may be obtained through the Court's website at www.tnmb.uscourts.gov.

Information may also be obtained through the AHP Information Line at telephone number 615-221-8571.

Copies of documents may be obtained from Summit Copy Service of Nashville, LLC ("Summit"), 219 5th Avenue, North, Nashville, Tennessee 37219, phone 615-251-0070 and fax 615-251-0071 for a fee.

The address and phone numbers of Debtors' counsel are:

Harwell Howard Hyne Gabbert & Manner, P.C.
315 Deaderick Street, Suite 1800
Nashville, Tennessee 37238
Telephone: 615-256-0500
Facsimile: 615-251-1058

Dated: Nashville, Tennessee
August 14, 2002

**Lloyd C. Ray, Jr., Clerk
U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF TENNESSEE

PROOF OF CLAIM

PLEASE NOTE: THIS IS A GROUP OF CONSOLIDATED CASES-PLEASE CHECK THE APPROPRIATE BOX:

- ☐ AMERICAN HOMEPAIENT, INC. (A Delaware Corporation) (Case No. 302-08915)
☐ DESIGNATED COMPANIES, INC. (Case No. 302-08916)
☐ AHP FINANCE, INC. (Case No. 302-08917)
☐ AMERICAN HOMEPAIENT, INC. (A Tennessee Corporation) (Case No. 302-08918)
☐ AMERICAN HOMEPAIENT OF NEW YORK, INC. (Case No. 302-08919)
☐ NATIONAL MEDICAL SYSTEMS, INC. (Case No. 302-08920)
☐ SOUND MEDICAL EQUIPMENT, INC. (Case No. 302-08921)
☐ THE NATIONAL MEDICAL RENTALS, INC. (Case No. 302-08922)
☐ NATIONAL I.V., INC. (Case No. 302-08923)
☐ AMERICAN HOMEPAIENT OF ARKANSAS, INC. (Case No. 302-08924)
☐ AMERICAN HOMEPAIENT OF NEVADA, INC. (Case No. 302-08925)
☐ VOLUNTEER MEDICAL OXYGEN & HOSPITAL EQUIPMENT CO. (Case No. 302-08926)
☐ ALLEGHENY RESPIRATORY ASSOCIATES, INC. (Case No. 302-08927)
☐ AMERICAN HOMEPAIENT OF ILLINOIS, INC. (Case No. 302-08928)
☐ AMERICAN HOMEPAIENT OF TEXAS, L.P. (Case No. 302-08929)
☐ AHP, L.P. (Case No. 302-08930)
☐ AHP HOME MEDICAL EQUIPMENT PARTNERSHIP OF TEXAS (Case No. 302-08931)
☐ COLORADO HOME MEDICAL EQUIPMENT ALLIANCE, LLC (Case No. 302-08932)
☐ NORTHEAST PENNSYLVANIA ALLIANCE, LLC (Case No. 302-08933)
☐ NORTHWEST WASHINGTON ALLIANCE, LLC (Case No. 302-08934)
☐ AHP HOME CARE ALLIANCE OF TENNESSEE (Case No. 302-08935)
☐ AHP ALLIANCE OF COLUMBIA (Case No. 302-08936)
☐ AHP KNOXVILLE PARTNERSHIP (Case No. 302-08937)
☐ AHP HOME CARE ALLIANCE OF GAINESVILLE (Case No. 302-08938)
☐ AHP HOME CARE ALLIANCE OF VIRGINIA (Case No. 302-08939)

JOINTLY ADMINISTERED UNDER
CASE NUMBER:
02-08915-GP3-11

MAIL THE ORIGINAL COMPLETED
PROOF OF CLAIM TO:

FIRST UNION NATIONAL BANK
In Re: AMERICAN HOMEPAIENT
PO BOX 800727
JACKSONVILLE, FL 32280-0727

ADDRESS FOR HAND OR
OVERNIGHT DELIVERY:

FIRST UNION NATIONAL BANK
In Re: AMERICAN HOMEPAIENT
210 N. RIDGECREST LANE, #100
JACKSONVILLE, FL 32259

MAIL COPIES OF THE COMPLETED
PROOF OF CLAIM TO:

GLENN B. ROSE
HARWELL HOWARD HYNNE
GABBERT & MANNER, P.C.
315 DEADERICK ST., STE. 1800
NASHVILLE, TN 37238
AND
AMERICAN HOMEPAIENT, INC.
ATTN: BOB FRINGER
5200 MARYLAND WAY, STE. 400
BRENTWOOD, TN 37027-5018

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case.
A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (Person or Entity to whom the debtor owes money or property):

Name and address where notices should be sent:

Telephone number:

Account or other number by which creditor identifies debtor:

Entity to which claim applies:

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check box if you have never received any notices from the bankruptcy court in this case.

☐ Check box if the address differs from the address on the envelope sent to you by the court.

Check here if this claim:

☐ replaces☐ amends a previously filed claim, dated: _____

- | | | |
|---|--|---|
| 1. Basis for Claim | <input type="checkbox"/> Taxes | <input type="checkbox"/> Wages, salaries, and compensation (fill out below) |
| <input type="checkbox"/> Goods sold | <input type="checkbox"/> Other | Your SS #: _____ |
| <input type="checkbox"/> Services performed | <input type="checkbox"/> Retiree Benefits as defined in 11 U.S.C. § 541(a) | Unpaid compensation for services performed from _____ to _____ |
| <input type="checkbox"/> Money loaned | | (date) (date) |
| <input type="checkbox"/> Personal Injury/wrongful death | | |

2. Date debt was incurred:

3. If court judgment, date obtained:

4. Total Amount of Claim at Time Case Filed: \$ _____

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

5. Secured Claim.

☐ Check this box if your claim is secured by collateral (including a right of setoff).

Brief Description of Collateral:

☐ Real Estate ☐ Motor Vehicle☐ Other _____

Value of Collateral: \$ _____

Amount of Arrearage and other charges at time case filed included in secured claim, if any: \$ _____

6. Unsecured Priority Claim.

☐ Check this box if you have an unsecured priority claim

Amount entitled to priority \$ _____

Specify the priority of the claim:

☐ Wages, salaries, or commissions (up to \$4,650)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier. 11 U.S.C. § 507(a)(3).

☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).

☐ Up to \$1,800* of deposits toward purchase, lease or rental of property or services for personal, family or household use - 11 U.S.C. § 507(a)(6).

☐ Alimony, maintenance or support owed to a spouse, former spouse or child - 11 U.S.C. § 507(a)(7).

☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).

*Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

8. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

9. Date-Stamped Copy: To receive an acknowledge of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Date

Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):

THIS SPACE IS FOR COURT
USE ONLY

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to the general rules.

DEFINITIONS

Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

Unsecured Claim

If a claim is not a secured claim, it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

Items to be completed in Proof of Claim form (if not already filed in)

Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

1. Basis for Claim:

Check the type of debtor for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

4. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above.)

6. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and Nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

7. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

8. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If the documents are not available, you must attach an explanation of why they are not available.

Legal Advice: The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RECEIVED FOR ENTRY

IN RE:

AMERICAN HOMEPATIENT, INC.,
et al.,

Debtors.

) Jointly Administered under
) Case No. 02-08915-GP3-11
) Chapter 11
) Judge Paine

AUG 14 2002

BY Harwell Howard Hyne
DEPUTY CLERK

ORDER AND NOTICE FOR HEARING ON DISCLOSURE STATEMENT

WHEREAS, the Debtors have filed a Joint Plan of Reorganization date July 31, 2002 ("Plan") and a Disclosure Statement for the Debtors' Joint Plan of Reorganization ("Disclosure Statement");

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

1. The hearing to consider the approval of the Disclosure Statement shall be held on October 10, 2002, at 9 a.m. in Courtroom 1, Customs House, 701 Broadway, Nashville, Tennessee.
2. October 3, 2002 is fixed as the last date for filing and serving, in accordance with Fed. R. Bankr. P. 3017(a) and the Case Management Order entered in these cases, written objections to the adequacy of the information in the Disclosure Statement.
3. This Order, the Disclosure Statement and Plan shall be distributed in accordance with Fed. R. Bankr. P. 3017(a) and Bankruptcy Court Local Rule 3016-2. All other persons may obtain a copy of the Plan and Disclosure Statement in accordance with the Case Management Order from Summit Copy Service, 219 5th Avenue North, Nashville, Tennessee, 37219, telephone 615-251-0070.

This ____ day of _____, 2002.

[Signature]
UNITED STATES BANKRUPTCY JUDGE

APPROVED FOR ENTRY:

HARWELL HOWARD HYNE
GABBERT & MANNER, P.C.

By:

[Signature]
Glenn B. Rose
Barbara D. Holmes
315 Deaderick Street, Suite 1800
Nashville, Tennessee 37238
(615) 256-0500 - Telephone
(615) 251-1059 - Facsimile

Attorneys for the Debtors

A copy of this order shall be mailed in accordance with
Fed. R. Bankr. P. 2002, LBR 9013-1 and 9013-3 by:

☐ Debtor or Dr's Atty ☐ Atty for Movant
☐ Trustee or Tr's Atty ☐ _____

☐ Clerk of Court
☐ Chief Deputy ☐ Debtor and Dr's Atty
☐ Financial Clerk ☐ Trustee or Tr's Atty
☐ Judgment Book ☐ Movant, B/L or M's Atty
☐ Adversary Case ☐ All parties to agreed order
☐ UST ☐ All parties in cert of svc
☐ _____ ☐ All creditors

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Aug 8 2002

IN RE:

AMERICAN HOME PATIENT, INC., et al.,
Debtors.

Jointly Administered under
Case No. 02-08915-GP3-11
Chapter 11
Judge Palmo

Judge Palmer

ORDER PURSUANT TO 11 U.S.C. §§ 107 AND 106(a) AND
FED. R. BANKR. P. 2007(a) AND 2007 ESTABLISHING CERTAIN
NOTICE, CASE MANAGEMENT, AND ADMINISTRATIVE PROCEDURES

Upon the Debtor's Motion for Order Pursuant to 11 U.S.C. §§ 102 and 105(a) and Fed. R. Bankr. P. 2002(m) and 9007 Establishing Certain Notice, Case Management, and Administrative Procedures (the "Case Management Motion"), the Affidavit of Joseph F. Furlong III in Support of First Day Orders, and for good cause shown,

IT IS HEREBY ORDERED that:

1. The Motion is granted.
2. Every notice, motion or application, and all briefs, memoranda, affidavits, declarations or other documents filed concurrently in support thereof in these cases (collectively, "Filings") shall be subject to the notice procedures described herein (the "Notice Procedures"), which Notice Procedures are hereby implemented and approved pursuant to sections 102 and 105 of the Bankruptcy Code and Bankruptcy Rules 2002(a) and 9007.

3. The parties to whom notice shall be provided is hereby limited to the following list subject to amendment on the terms set forth herein and by further order of this Court: (1) the Debtors; (2) counsel for the Debtors; (3) the Office of the U.S. Trustee; (4) those entities on the Debtors' lists of twenty (20) largest unsecured creditors, provided that these entities shall automatically be removed from this notice list upon the appointment of an Official Committee of Unsecured Creditors; (5) members of the Official Unsecured Creditors Committee if and when such

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committee is established; (6) counsel for the Official Unsecured Creditors Committee if and when such counsel is retained; (7) Bankers Trust Company, as Agent under the Fifth Amended and Restated Credit Agreement dated as of May 25, 2001 among the Debtors and various lenders; (8) counsel for Bankers Trust Company, as Agent under the Fifth Amended and Restated Credit Agreement dated as of May 25, 2001 among the Debtors and various lenders; and (9) each party having a particularized interest in the subject matter of the motion or application being noticed, which particularized interests are set forth below. (All of these entities are collectively referred to hereinafter as the "Limited Mailing Matrix"). Other parties may, however, submit requests for notice, which will be considered, as stated below, requests for only notice of all Filings. As further provided below, parties submitting requests for notice shall receive only the Notice of Filing (as described below) and will be responsible for obtaining copies of the Filing according to the procedures described below.

4. All Filings for which particularized notices are required by Bankruptcy Rules 2002(a) and (3), 4001, 6004, 6006, 6007 or 9019 shall be deemed Property served if notice is provided to the following persons, unless otherwise ordered by the Court:
- a. Filings related to the use, sale, lease or abandonment of property other than in the ordinary course of business shall be served on persons having an interest in the property.
- b. Filings related to relief from, or otherwise related to, the automatic stay shall be served on each person having a lien or encumbrance on the affected property.

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- c. Filings relating to the use of cash collateral or obtaining credit shall be served on each person with an interest in the cash collateral or each entity with a lien or other interest in property on which a lien is proposed to be granted.
- d. Filings relating to approval of proposed compromises or settlements shall be served on any person that is a party to the compromise or settlement or which may be directly adversely affected thereby.
- e. Filings relating to rights under section 365 of the Code shall be served on each party to the executory contract(s) or unexpired lease(s) affected thereby.
- f. Filings relating to applications for payment of compensation or reimbursement of expenses shall be served on each professional person who is seeking payment of compensation or reimbursement of expenses, and whose retention has been authorized by the Court in these cases.
5. The Debtors may retain Summit Copy Service of Nashville, L.L.C. ("Summit"), whose address is 219 5th Avenue North, Nashville, Tennessee 37219, whose phone number is (615) 251-0070, and whose facsimile number is (615) 251-0071, as their outside copy service.
6. All requests from any person or entity, other than those listed in subparagraphs (1) through (9) of paragraph 3 of this Order, whether now filed or filed in the future, for automatic receipt of copies of all Filings, Adversary Pleadings and other documents or writings filed in these cases is hereby denied, except to the extent that it shall be treated as a request for notice of all Filings.
7. All Filings shall be filed with the Court in accordance with regular Court procedures, except that an extra copy of each such Filing shall be left with the Office of the Clerk of the Court for use by Summit. In addition, Summit shall monitor the docket in these cases and coordinate with

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Debtors' counsel in an effort to ensure that Summit has copies of all Filings in the cases. Creditors and parties in interest may obtain copies of pleadings in these cases from Summit for a reasonable fee, and the Debtors and the Office of the Bankruptcy Court Clerk may refer any person requesting copies of any Filing to Summit. Copies may also be obtained through the Court's website identified in paragraph 14.

8. Except as set forth herein or as otherwise authorized by this Court, the noticing procedures set forth above shall not apply to notices of the matters or proceedings described in the following Bankruptcy Rules:
 - a. Bankruptcy Rule 2002(a)(7) (any meetings of creditors pursuant to section 341 of the Bankruptcy Code).
 - b. Bankruptcy Rule 2002(a)(2) (any proposed use, sale or lease of property of the estate other than in the ordinary course of business, to the extent that such use, sale or lease concerns all or substantially all of the Debtors' assets).
 - c. Bankruptcy Rule 2002(a)(4) (a hearing on the dismissal of the case or causes, or the conversion of the case or causes to another chapter).
 - d. Bankruptcy Rule 2002(e) (5) (the time fixed to accept or reject a proposed modification of a plan of reorganization).
 - e. Bankruptcy Rule 2002(b)(1) (the time fixed for filing objections and any hearing to consider approval of a disclosure statement).
 - f. Bankruptcy Rule 2002(b)(2) (the time fixed for filing objections and any hearing to consider confirmation of a plan of reorganization).
 8. Bankruptcy Rule 2002(d) (certain matters for which notice is to be provided to equity security holders).

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- h. Bankruptcy Rule 2002(f)(1) (the entry of an order for relief).
- i. Bankruptcy Rule 2002(f)(2) (the dismissal or conversion of a case to another chapter of the Bankruptcy Code).
- j. Bankruptcy Rule 2002(f)(7) (the entry of an order confirming a chapter 11 plan or plans of reorganization).

9. Nothing in this Order shall preclude (i) the rights of any party in interest to move the Court to further limit or expand notice of such matters and proceedings upon a showing of good cause, including, but not limited to, the right to file a motion seeking emergency ex parte consideration or consideration upon shortened time; or (ii) the rights of any party to seek an enlargement or reduction of a time period under Bankruptcy Rule 9006(b) or (c).

10. All Filings to be served on the Debtors, the Office of the United States Trustee and Bankers Trust, as Agent, shall be served at the following addresses:

Glenn B. Rose
Barbara D. Hobins
Harwell Howard Hyne Gabbert
& Manning, P.C.
315 Deckerick Street
Suite 1800
Nashville, Tennessee 37238
Festville (615) 251-1058
Attorneys for the Debtors

Beth R. Dettick
Office of the United States Trustee
Customs House, 3rd Floor
701 Broadway, Room 318
Nashville, Tennessee 37203
Festville (615) 736-2260

Joseph P. Furlong, III
American HomePatient, Inc.
5200 Maryland Way
Suite 400
Brentwood, TN 37027-5018
Festville (615) 373-1947
Representative of the Debtors

Deutsche Bank Trust Company Americas
31 West 52nd Street
New York, NY 10019
ATTN: Sylvia L. Speer, Director
Festville (212) 469-7014
Representative of Bankers Trust, as Agent

Lamar M. Perkins
Haynes and Boone, LLP
1000 Louisiana Street, Suite 4300
Houston, TX 77002-5012
Festville (713) 236-5405
Attorneys for Bankers Trust

James R. Kelley
Neal & Harwell, PLLC
2000 One Nashville Place
Nashville, TN 37219
Festville (615) 726-0573
Attorneys for Bankers Trust

11. Any creditor or party-in-interest or any representative of a creditor or a party-in-interest may obtain from Debtors' counsel a list of the names and addresses of all parties and entities comprising the Limited Mailing Matrix as of the date of the request.

12. Any entity or person submitting a Filing shall comply with LBR 9013-1 and shall serve the Filing and a notice of such Filing (the "Notice of Filing") on the Limited Mailing Matrix and the Notice of Filing on all other parties entitled to service, including parties requesting notice, at least 23 days prior to the Omnibus Hearing (as described below) at which any objections will be heard. All Notices of Filing shall include (i) the title of the Filing, (ii) the time and date of any objection deadline related to the Filing, (iii) the Omnibus Hearing date or other hearing date, as ordered by the Court, at which the Court will consider the Filing (the "Applicable Hearing Date"), and (iv) a statement that the relief requested in the Filing will be granted without a hearing if no objection is filed. All objections to a Filing must be filed with the Court and served by Festville or overnight delivery by no later than the fifth (5th) calendar day before the Applicable Hearing Date unless otherwise ordered by the Court. For purposes of the Omnibus Hearings described below, the objection dates shall be the Friday before the scheduled hearing as stated below.

13. Notice given in accordance with the Notice Procedures in this Order shall be deemed adequate pursuant to the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, including Rule 2002, and the Local Rules of the United States District Court for the District of Tennessee and for the United States Bankruptcy Court for the District of Tennessee.

14. This case shall be designated as a "mega case" for electronic access to case and docket information through the Court's website at www.tnmb.uscourts.gov.

15. Debtors shall make arrangement satisfactory to the Clerk of the Court for employment of an individual or individuals for scanning of documents for posting on the Court's website, processing claims, and other administrative assistance as the Clerk determines is necessary.

16. The Court shall conduct omnibus hearings on a monthly basis (except for the initial omnibus hearings) in these cases (the "Omnibus Hearings") as follows, all of which shall be at the prevailing Central Time stated:

Omnibus Hearing Date	Objection Deadline
August 30, 2002, at 10:00 a.m.	August 23, 2002
September 25, 2002, at 9:00 a.m.	September 20, 2002
October 10, 2002, at 9:00 a.m.	October 4, 2002
November 20, 2002, at 9:00 a.m.	November 15, 2002

Omnibus Hearings will occur thereafter as may be scheduled by the Court. Omnibus Hearings shall be heard in Courtroom One, Second Floor, Customs House, 701 Broadway, Nashville, Tennessee, unless otherwise ordered by the Court.

17. All matters requiring a hearing in these cases shall be set for and heard on Omnibus Hearing dates unless alternative hearing dates are approved by the Court for good cause shown.

18. A copy of this Order shall be served on all parties designated to receive the Notice of Commencement of these cases.

IT IS SO ORDERED this 8 day of AUG, 2002.

George C. Paine II

GEORGE C. PAINE, II
CHIEF U.S. BANKRUPTCY JUDGE

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Submitted for entry by:

BARWELL, HOWARD HYNÉ
GABBERT & MANNER, P.C.

By:

Barbara D. Holmes

Barbara D. Holmes
Gleam B. Rose

313 Desdemone Street, Suite 1800
Nashville, TN 37238-1800
(615) 256-0500 - Telephone
(615) 251-1058 - Facsimile

Attorneys for Debtors

A copy of this order shall be mailed to accordance with
Fed. R. Bankr. P. 2002.1(B)(1)(b) and 2002.1(B)(1)(c) by:
☒ Debtor or Debtor's Attorney ☐ Adversely Affected Party
☐ Trustee or Trustee's Attorney ☐ Adversely Affected Party
☐ Creditors Office only ☐ Debtor and Debtor's Attorney
☐ Financial Clerk ☐ Trustee and Trustee's Attorney
☐ Judgment Debtor ☐ Adversely Affected Party
☐ Adversely Affected Party ☐ Adversely Affected Party
☐ UST ☐ Adversely Affected Party

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