

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE: LMCHH PCP, LLC

CIVIL ACTION

**NO. 17-7939
c/w 17-10740 & 18-2069**

SECTION "N" (1)

ORDER AND REASONS

Presently before the Court is "Plaintiffs-Appellants' Petition for Leave to Appeal or in the Alternative Notice of Motion for Leave to Appeal" (Rec. Doc. 35), in connection with the Bankruptcy Court's denial of their Motion for Class Certification (Bankr. Rec. Doc. 143) and the corresponding Memorandum Opinion (Bankr. Rec. Doc. 144) entered on February 9, 2018, filed by Barbara Kusnick and Rose Hunter Delaney, on behalf of themselves and all others similarly situated. In opposition, the Plan Administrator, Clifford A. Zucker, has filed "Response of the Plan Administrator for LMCHH PCP LLC, and Louisiana Medical Center and Heart Hospital, LLC in Opposition to the February 23, 2018 Petition for Leave to Appeal or in the Alternative Notice of Motion for Leave to Appeal the February 9, 2018 Order Denying Class Certification" (Rec. Doc. 31). Moreover, Plaintiffs-Appellants have filed "Plaintiffs-Appellants' Reply Brief in Support of Motion for Leave to Appeal" (Rec. Doc. 37).

Having carefully considered the extensive briefing by the parties, the Bankruptcy Court's rulings and findings, the entirety of the record, and the applicable law, the undersigned finds no compelling reason to disturb the Bankruptcy Court's rulings pertinent to the issues raised in

Plaintiffs-Appellants' motion for leave to appeal before the District Court and no reason to grant leave to do so.

Accordingly;

IT IS ORDERED that "Plaintiffs-Appellants' Petition for Leave to Appeal or in the Alternative Notice of Motion for Leave to Appeal" (Rec. Doc. 35), in connection with the Bankruptcy Court's denial of their Motion for Class Certification (Bankr. Rec. Doc. 143) and the corresponding Memorandum Opinion (Bankr. Rec. Doc. 144) entered on February 9, 2018, is **DENIED**.

New Orleans, Louisiana, this 27th day of April 2018.



KURT D. ENGELHART
UNITED STATES DISTRICT JUDGE