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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

ADREE EDMO (a/k/a MASON EDMO),

Plaintiff,

v.

IDAHO DEPARTMENT OF CORRECTION;  
JOSH TEWALT, in his official capacity;  
BREE DERRICK, in her official capacity; AL  
RAMIREZ, in his official capacity;  
CORIZON, LLC; and SCOTT ELIASON;  
Defendants.

Case No.: 1:17-cv-00151-BLW

**PLAINTIFF'S REQUEST FOR JUDICIAL  
NOTICE OF FILING FOR BANKRUPTCY  
BY CORIZON**

Pursuant to Federal Rule of Evidence 201, Plaintiff hereby requests that the Court take judicial notice of Defendant Corizon's filing for bankruptcy, as shown in the document attached hereto as Exhibit A, which is Corizon's February 13, 2023 bankruptcy filing in the United States Bankruptcy Court for the Southern District of Texas.

The Court may take judicial notice of, and therefore consider, facts that are not subject to reasonable dispute because those facts are (1) "generally known with the trial court's territorial jurisdiction" or (2) "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Fed. R. Evid. 201(b); see *Harris v. Cnty. of Orange*, 682 F.3d 1126, 1131-32 (9th Cir. 2012). The Court "must take judicial notice if a party requests it and the court is supplied with the necessary information.," Fed. R. Evid. 201(c)(2).

Judicially noticed facts often consist of matters of public record such as filings in other courts. See *Harris*, 682 F.3d at 1132 ("We may take judicial notice of undisputed matters of public record . . . including documents on file in federal or state courts."). In particular, courts may take judicial notice of proceedings of other federal courts "if those proceedings have a direct relation to matters at issue." *United States ex re. Robinson Rancheria Citizens Council v. Borneo*, 971 F.2d 244, 248 (9th Cir. 1992). The court takes judicial notice of "the existence and legal effect of these documents." *Neilson v. Union Bank of Cal., N.A.*, 290 F. Supp. 2d 1101, 1113 (C.D. Cal. 2003); see also *Louisiana Mun. Police Employees Retirement System v. Wynn*, No. 2:12-CV-509 JCM (GWF), 2013 WL 431339 at \*4 (D. Nev. Feb. 1, 2013); *San Luis v. Badgley*, 136 F. Supp.2d 1136, 1146 (E.D. Cal. 2000).

Pursuant to these standards, Plaintiff requests that the Court take judicial notice of Corizon's filing for bankruptcy, attached hereto as Exhibit A. Corizon's federal court filing is directly relevant to matters now before this Court, including IDOC Defendants' motion for an extension of time and/or stay of enforcement of the Fee Judgment and Plaintiff's application for

Writ of Execution. Corizon's bankruptcy filing demonstrates the necessity of Plaintiff's execution of Judgment against IDOC Defendants.

Dated: February 14, 2023

Respectfully Submitted,

FERGUSON DURHAM  
HADSELL STORMER RENICK & DAI LLP  
NATIONAL CENTER FOR LESBIAN RIGHTS  
RIFKIN LAW OFFICE

By:  /s/ Lori Rifkin  
Lori Rifkin  
Attorneys for Plaintiff

# EXHIBIT A

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

Southern District of Texas  
(State)

Case number (if known): Chapter 11

Check if this is an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Tehum Care Services, Inc.

2. All other names debtor used in the last 8 years Corizon Health Services, Inc.

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN) 23-2108853

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	205 Powell Place <small>Number Street</small> Suite 104 Brentwood TN 37027 <small>City State ZIP Code</small>  Williamson <small>County</small>	_____ <small>Number Street</small> _____ P.O. Box _____ <small>City State ZIP Code</small>  <b>Location of principal assets, if different from principal place of business</b> _____ <small>Number Street</small> _____ _____ <small>City State ZIP Code</small>

5. Debtor's website (URL) \_\_\_\_\_

Debtor Tehum Care Services, Inc.  
Name

Case number (if known) \_\_\_\_\_

**6. Type of debtor**

- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
 Partnership (excluding LLP)  
 Other. Specify: \_\_\_\_\_

**7. Describe debtor's business***A. Check one:*

- Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the above

*B. Check all that apply:*

- Tax-exempt entity (as described in 26 U.S.C. § 501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
 Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

*C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.*8129**8. Under which chapter of the Bankruptcy Code is the debtor filing?***Check one:*

- Chapter 7  
 Chapter 9  
 Chapter 11. *Check all that apply:*

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

Debtor Tehum Care Services, Inc.  
Name

Case number (if known) \_\_\_\_\_

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**  No  
 Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY  
 If more than 2 cases, attach a separate list. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**  No  
 Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
 District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY  
 List all cases. If more than 1, attach a separate list. Case number, if known \_\_\_\_\_

**11. Why is the case filed in this district?** *Check all that apply:*  
 Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.  
 A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**  No  
 Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** *(Check all that apply.)*

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other \_\_\_\_\_

**Where is the property?**

Number \_\_\_\_\_ Street \_\_\_\_\_  
 \_\_\_\_\_  
 City \_\_\_\_\_ State ZIP Code \_\_\_\_\_

**Is the property insured?**

No  
 Yes. Insurance agency \_\_\_\_\_  
 Contact name \_\_\_\_\_  
 Phone \_\_\_\_\_

**Statistical and administrative information**

Debtor Tehum Care Services, Inc.  
Name

Case number (if known) \_\_\_\_\_

**13. Debtor's estimation of available funds**

Check one:

- Funds will be available for distribution to unsecured creditors.  
 After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 1-49               | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99              | <input type="checkbox"/> 5,001-10,000  | <input type="checkbox"/> 50,001-100,000    |
| <input type="checkbox"/> 100-199            | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input checked="" type="checkbox"/> 200-999 |  |  |

**15. Estimated assets**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000          | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input type="checkbox"/> \$10,000,001-\$50 million           | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million          | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million         | <input type="checkbox"/> More than \$50 billion        |

**16. Estimated liabilities**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000          | <input type="checkbox"/> \$1,000,001-\$10 million             | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input checked="" type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million           | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million          | <input type="checkbox"/> More than \$50 billion        |

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 02/13/2023  
MM / DD / YYYY

**X** /s/ Russell A. Perry

Signature of authorized representative of debtor

Russell A. Perry

Printed name

Title Chief Restructuring Officer

Debtor Tehum Care Services, Inc.  
Name

Case number (if known) \_\_\_\_\_

**18. Signature of attorney**

**X** /s/ Jason S. Brookner  
Signature of attorney for debtor

Date 02/13/2023  
MM / DD / YYYY

Jason S. Brookner  
Printed name

Gray Reed  
Firm name

1300 Post Oak Blvd., Suite 2000  
Number Street

Houston  
City

TX 77056  
State ZIP Code

469.320.6132  
Contact phone

jbrookner@grayreed.com  
Email address

24033684  
Bar number

TX  
State

## TEHUM CARE SERVICES, INC.

### Certificate of Resolutions

At a special meeting of the Board of Directors of Tehum Care Services, Inc., a Texas corporation, (the “Company”) held on February 13, 2023, the following resolutions were consented to and duly adopted in accordance with the requirements of the Texas Business Organizations Code.

RESOLVED, that, in the good faith exercise of reasonable business judgment of the Board of Directors, it is desirable and in the best interests of the Company, its creditors, stockholders, and other interested parties that the Company shall be and hereby is authorized to file or cause to be filed a voluntary petition for relief under the provisions of chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”);

RESOLVED, that Isaac Lefkowitz and Russell Perry (each, an “Authorized Signatory”), be and hereby are authorized, empowered, and directed, to execute, file, or cause to be filed, deliver and verify any and all voluntary petitions and amendments thereto under chapter 11 of the Bankruptcy Code (the “Chapter 11 Case”), to cause the same to be filed in a court of proper jurisdiction (the “Bankruptcy Court”), and to execute and file or cause to be filed with the Bankruptcy Court all petitions, schedules, lists and other motions, papers or documents, and to take any and all action that he deems necessary or proper to obtain necessary relief;

RESOLVED, that the law firm of Gray Reed & McGraw LLP (“Gray Reed”) be and hereby is employed as bankruptcy counsel to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company’s rights and obligations; and in connection therewith, the Authorized Signatory, with power of delegation, is hereby authorized and directed to execute appropriate agreements, pay appropriate retainers, and cause to be filed appropriate applications for authority to retain Gray Reed’s services;

RESOLVED, that Ankura Consulting Group be and hereby is employed to provide the Company with a Chief Restructuring Officer (“CRO”), who shall be Russell Perry, and such other personnel as may be necessary or appropriate to assist the CRO and otherwise to represent and assist the Company in carrying out its duties under the Bankruptcy Code, and to take any and all actions to advance the Company’s rights and obligations; and in connection therewith, the Authorized Signatory, with power of delegation, is hereby authorized and directed to execute appropriate agreements, pay appropriate retainers, and cause to be filed appropriate applications for authority to retain Ankura’s services;

RESOLVED, that the CRO shall have sole decision-making authority for all restructuring matters, any matter where the Sole Director identified below has or may have a conflict or interest, and for such other matters as the Sole Director may otherwise delegate to the CRO

RESOLVED, that the Authorized Signatory be, and hereby is, authorized and

directed to employ any other professionals to assist the Company in carrying out its duties under the Bankruptcy Code; and in connection therewith, the Authorized Signatory, with power of delegation, is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers and fees, and cause to be filed appropriate applications for authority to retain the services of any other professionals as necessary;

RESOLVED, that the Authorized Signatory, and any employees or agents (including counsel) designated by or directed by the Authorized Signatory (each such designee an “Authorized Designee,” and collectively, the “Authorized Designees,” and together with the Authorized Signatory, the “Authorized Persons”), be, and each hereby is, authorized, empowered and directed, to execute and file all petitions, schedules, motions, lists, applications, pleadings and other papers, and to take and perform any and all further acts and deeds which he or she deems necessary, proper or desirable in connection with the Chapter 11 Case, with a view to the successful prosecution of such case;

RESOLVED, that, in connection with the commencement of the Chapter 11 Case, the Authorized Signatory is authorized and directed to (a) borrow and/or receive funds from and undertake any and all related transactions contemplated thereby (collectively, the “Financing Transactions”) and the Authorized Signatory be, and hereby is, authorized, empowered, and directed to negotiate, execute, and deliver any and all agreements, instruments, or documents, including without limitation, the debtor-in-possession financing agreement, with any party, including existing lenders and sureties, on such terms as may be approved by the Authorized Signatory as reasonably necessary for the continuing conduct of affairs of the Company and (b) pay related fees and grant security interests in and liens on some, all, or substantially all of the Company’s assets, as may be deemed necessary by the Authorized Signatory, in connection with such borrowings;

RESOLVED, that, in connection with the commencement of the Chapter 11 Case, the Authorized Signatory is authorized and directed to seek approval of a cash collateral order in interim and final form (“Cash Collateral Order”) and the Authorized Signatory be, and hereby is, authorized, empowered, and directed to negotiate, execute, and deliver any and all agreements, instruments, or documents, by or on behalf of the Company, necessary to implement the Cash Collateral Order, as well as any additional or further agreements for the use of cash collateral in connection with the Company’s Chapter 11 Case, which agreement(s) may require the Company to grant liens to the Company’s existing lenders;

RESOLVED, that in addition to the specific authorizations previously conferred upon the Authorized Signatory, the Authorized Signatory (and his designees and delegates) be, and hereby is, authorized and empowered, in the name of and on behalf of the Company, to take or cause to be taken any and all such other and further action, and to execute, acknowledge and deliver any and all such agreements, certificates, instruments and other documents as may be necessary, advisable or desirable to fully carry out and accomplish the purposes of these Resolutions; and

RESOLVED, that any and all past actions heretofore taken by the Authorized Signatory in the name and on behalf of the Company in furtherance of any or all of the preceding Resolutions be, and the same hereby are, ratified, confirmed, and approved in all respects.

IN WITNESS WHEREOF, the undersigned, being the directors of the Company, hereby certify that the foregoing accurately reflects the resolutions adopted by the Board of Directors.

  
\_\_\_\_\_  
Isaac Lefkowitz  
Sole Director