

### POLSINELLI TrBK

### **DISTRESS INDICES**

The Polsinelli|TrBK Distress Indices are prepared and published quarterly. The indices are contrarian measures of economic performance, and are intended to reflect the level of economic distress in the U.S. economy by tracking the increase or decrease in comparative Chapter 11 filings for prior quarters and years, based on a rolling four-quarter average.

The indices reflect relevant Chapter 11 filings with assets more than \$1 million, and exclude individual and involuntary cases.

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Detailed publication information is set out at the end of this report.



# Welcome to the 3rd Quarter 2016 Report for the Polsinelli | TrBK Distress Indices. The indices use filtered Chapter 11 filings as a proxy for distress in the overall U.S. economy and certain subsectors.



The **Chapter 11 Distress Research Index** was 47.35 for the third quarter of 2016. The index decreased by 5 points versus the last period, but has increased for 4 out of the last 6 quarters. Compared with the same period one year ago, the index is almost 5 points higher or approximately 12%.

The **Real Estate Distress Research Index** was 24.22 for the third quarter of 2016. This is a decrease of nearly 3 points since the last quarter. After two consecutive quarterly increases, the Real Estate Index decreased slightly and has remained within a range of 4 points over the last 7 quarters. Compared with the same period one year ago, the index has decreased by more than 3 points or approximately 11%.

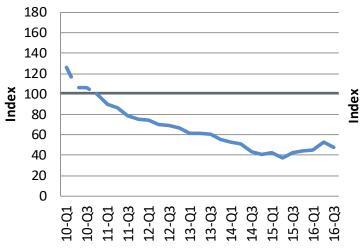
The Healthcare Services Distress Research Index was 163.33 for the third quarter of 2016. The Healthcare Services Index equaled its previous high from last quarter and has now reached record highs over the last 3 quarters. Compared with the same period one year ago, the index has increased by 65 points, or approximately 65%. The index is 63% above its benchmark in the fourth quarter of 2010.

After across the board increases in all indices in the last two quarters, the Chapter 11 and Real Estate Indices have decreased slightly. The Healthcare Services Index matched last quarter's high, the highest recorded since the Great Recession, providing consecutive highs in each of the prior 3 quarters. It is the only index that is substantially above the benchmark period of the fourth quarter of 2010.

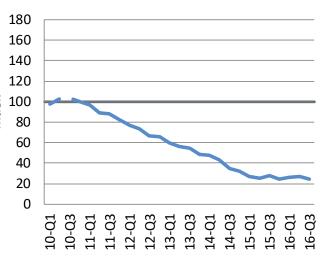
On a trailing four-quarter average, the percentage of real estate filings among all index-measured Chapter 11 filings has decreased from 19.98% in 2010 to 10.22% now, having stayed relatively flat since the last quarter. Healthcare services filings have increased from 1.13% in 2010 to 3.90%, the highest percentage they have reached.



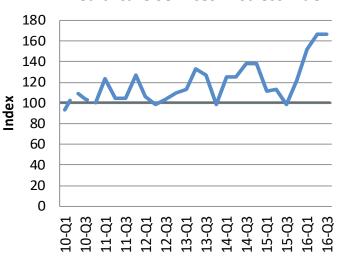




### **Real Estate Distress Index**



### **Healthcare Services Distress Index**



### Polsinelli | TrBK Distress Indices: 3rd Quarter 2016

Chapter 11 Distress Index

47.35

Max: 100.00 in 10-Q4 Min: 37.81 in 15-Q2 Real Estate Distress Index

24.22

Max: 100.00 in 10-Q4 Min: 24.22 in 16-Q3 Healthcare Services Distress Index

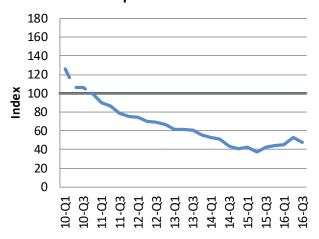
163.33

Max: 163.33 in 16-Q2 and 16-Q3 Min: 98.33 in 12-Q2, 13-Q4, and 15-Q3

Indices based on trailing four quarter average, with trailing four quarters ending 10-Q4 equaling 100 as index baseline; minimum and maximum values based on 10-Q4 index value and forward.



### **Chapter 11 Distress Index**



For the third quarter of 2016, the Polsinelli|TrBK Chapter 11 Distress Research Index was 47.35. This represents a decrease of over 5 points from the last quarter.

Current	Last	1 Year
47.35	52.68	42.85

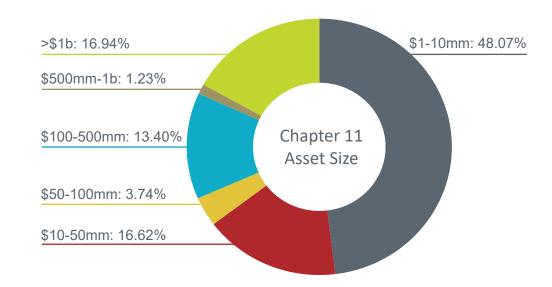
Although the Chapter 11 Distress Index has declined significantly from the 2010 benchmark, it has increased five out of the last eight quarters, and appears to indicate increasing distress in the US economy. The index hit its low of 37.81 in the second quarter of 2015, and has increased by almost 25% since that time.

### Volatility

Case filing numbers measured in the Polsinelli|TrBK Chapter 11 Distress Research Index have shown significant volatility since the benchmark period of the fourth quarter of 2010. During that period, the number of filings declined 12 times compared to the prior quarter, and increased 11 times compared to the prior quarter. The volume of declines far exceeded any increases in filings, however. The index is measured on a trailing four-quarter basis to smooth out this quarterly volatility and provide a better picture of long-term trends. The Chapter 11 Distress Research Index has declined 17 times compared to the prior quarter, and increased 6 times, reflecting the significant downward trend in general filing levels since 2010. However, the Chapter 11 Distress Research Index has increased 5 of the last 8 quarters, demonstrating that despite the current quarter drop, overall distress has trended upward over the last two years.

### **Asset Size**

The percentage breakdown of index-filings for the current period by asset size is:

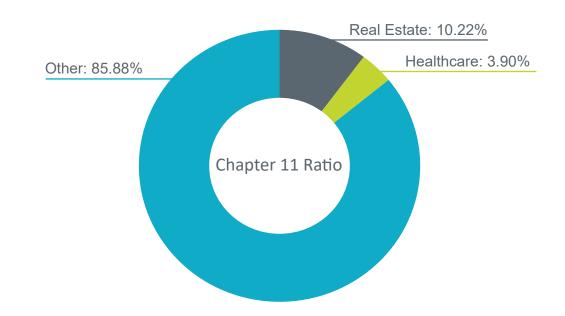




### Real Estate and Healthcare as Percentages of Total Filings

Real estate filings calculated in the Polsinelli|TrBK Real Estate Distress Research Index represented 10.22% on a rolling four-quarter basis. This is approximately the same as last quarter and is the lowest that real estate distress has measured as a component of overall distress since the benchmark period of the fourth quarter of 2010. This is likely because overall distress measured in the indices has increased significantly while real estate distress has increased only slightly.

Healthcare services filings measured in the Polsinelli|TrBK Healthcare Services Distress Research Index represented 3.90% of all distressed filings on a rolling four-quarter basis, a slight increase from last quarter's 3.50% and the highest level of healthcare filings as a percentage of overall filings since the benchmark period of the fourth quarter of 2015. Healthcare filings have been as low as 1.13% in the benchmark period of the fourth quarter of 2010.

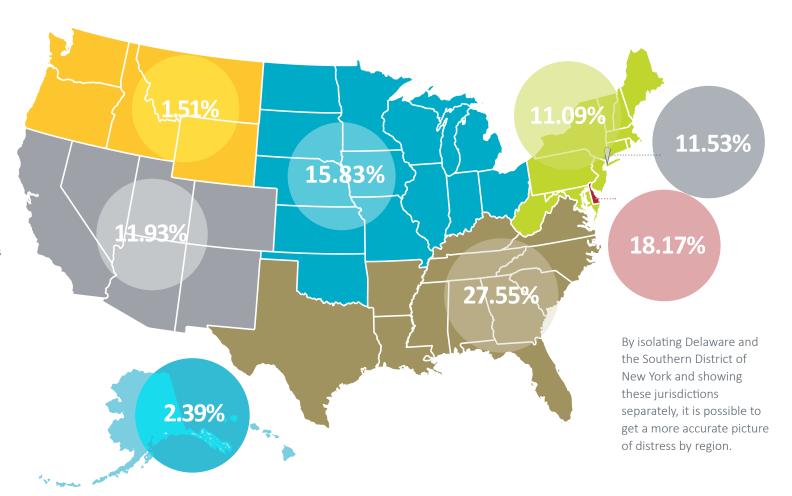




### Geography

The percentage breakdown of index-filings for the current period by geographic region is:

- Midwest
- Non-Continental U.S. & Territories
- Northeast
- Delaware
- Northwest
- Southern District of New York
- Southeast
- Southwest

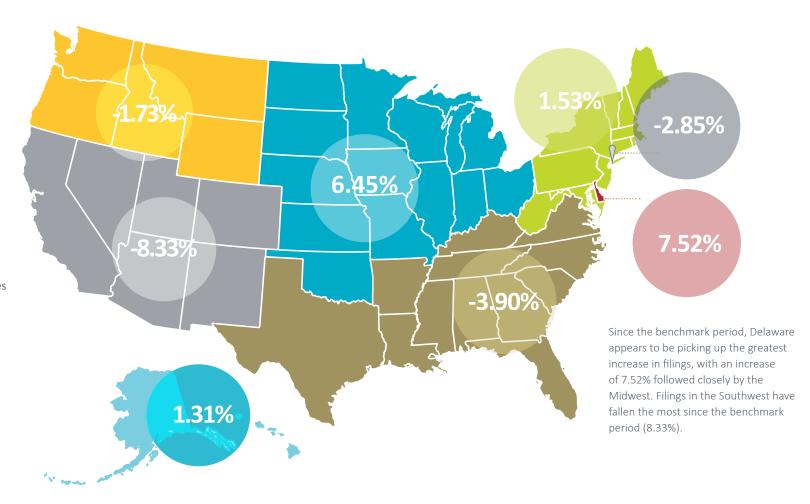




### Change in Geographic Distribution Since Benchmark Period

Looking at the difference in geographic breakdowns of index filings now versus the benchmark period of fourth quarter 2010, the relative change versus the benchmark is:

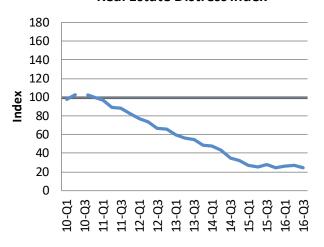
- Midwest
- Non-Continental U.S. & Territories
- Northeast
- Delaware
- Northwest
- Southern District of New York
- Southeast
- Southwest





### REAL ESTATE DISTRESS RESEARCH INDEX

### **Real Estate Distress Index**



For the third quarter of 2016, the Polsinelli|TrBK Real Estate Distress Research Index was 24.22. This represents a decrease of nearly three points since the last quarter. It appears to be declining slightly.

Current	Last	1 Year
24.22	27.14	27.71

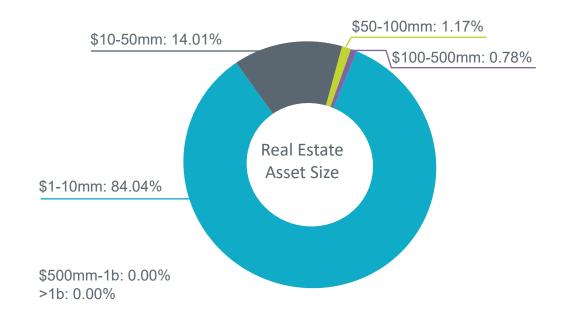
The Real Estate Distress Research Index appears to be declining slightly. The index has decreased in three of the last five quarters, but the percentage of real estate filings to total filings has remained relatively stable when the total number of filings in the Chapter 11 Index has increased, suggesting real estate distress is stable, relative to overall distress.

### Volatility

Similar to the Chapter 11 Distress Research Index, case filings measured in the Real Estate Distress Research Index show significant volatility quarter-on-quarter. Since the benchmark period of the fourth quarter of 2010, filing numbers declined 11 times compared to the prior quarter, and climbed 12 times compared to the prior quarter. The volume of declines far exceeded any increases in filings, resulting in the 75% drop in the index since the benchmark period of the fourth quarter of 2010. The index is measured on a trailing four-quarter basis to smooth out this volatility and provide a better picture of long-term trends.

### **Asset Size**

The percentage breakdown of index-filings for the current period by asset size is:



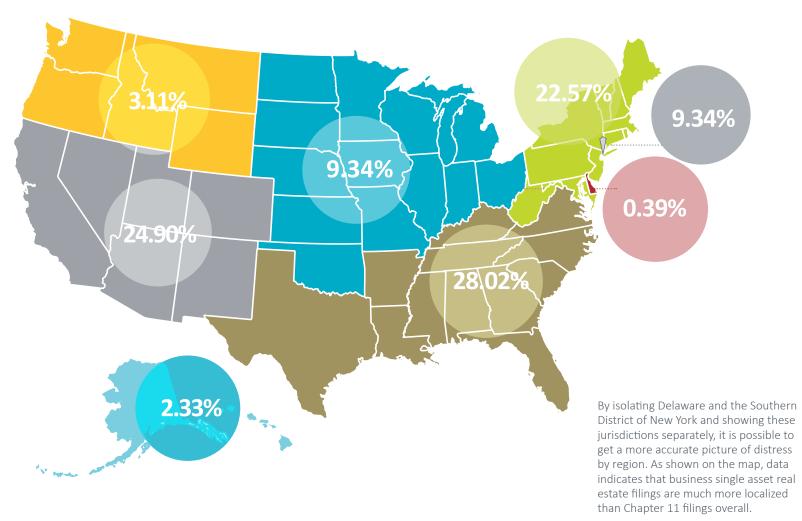


### REAL ESTATE DISTRESS RESEARCH INDEX

### Geography

The percentage breakdown of index-filings for the current period by geographic region is:

- Midwest
- Non-Continental U.S. & Territories
- Northeast
- Delaware
- Northwest
- Southern District of New York
- Southeast
- Southwest



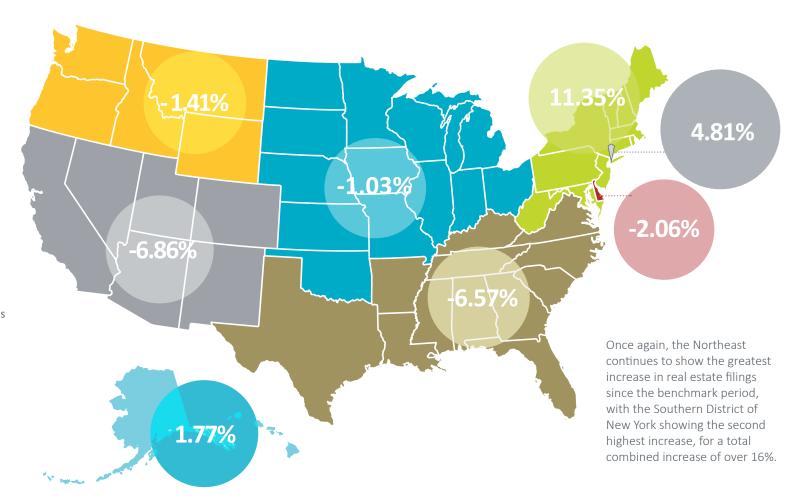


### REAL ESTATE DISTRESS RESEARCH INDEX

### Change in Geographic Distribution Since Benchmark Period

Looking at the difference in geographic breakdowns of index filings now versus the benchmark period of fourth quarter 2010, the relative change versus the benchmark is:

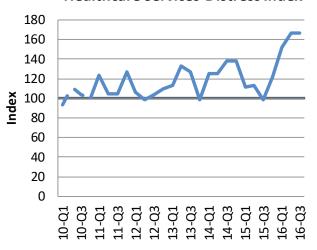
- Midwest
- Non-Continental U.S. & Territories
- Northeast
- Delaware
- Northwest
- Southern District of New York
- Southeast
- Southwest





### **HEALTHCARE SERVICES** DISTRESS RESEARCH INDEX

### **Healthcare Services Distress Index**



For the third quarter of 2016, the Polsinelli|TrBK Healthcare Services Distress Research Index stayed stable at 163.33. After significant increases in the previous three quarters, the Healthcare Services Index matched last quarter's high mark. This is the highest the index has measured since the benchmark period of the fourth quarter of 2010 and is 63% higher than the benchmark period. The Healthcare Index remains much higher than the both the Chapter 11 Index representing the broader US economy, and the Real Estate Index.

Current	Last	1 Year
163.33	163.33	98.33

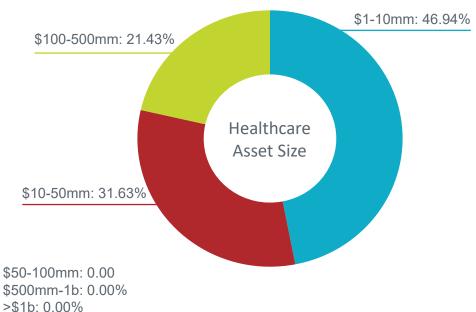
For a look at the underlying causes that are creating financial distress in the healthcare services industry from previous high levels, see the 2015 Polsinelli | TrBK Distress Indices Special Report: Causes of Healthcare Distress in 2014, released on August 13, 2015 and available at www.distressindex.com.

### Volatility

Case filing numbers measured in the Healthcare Services Distress Research Index show similar volatility to the other Polsinelli | TrBK Distress Indices when comparing only whether the number is greater or less. Since the benchmark period of the fourth quarter of 2010, filing numbers declined 12 times compared to the prior quarter, and increased 11 times compared to the prior quarter similar to the other indices. For the Healthcare Services Index the volume of increased filings has generally outstripped declines, resulting in an index value that is 63% higher than the benchmark period of the fourth quarter of 2010. The index is measured on a trailing four-quarter basis to smooth out volatility and provide a better picture of long-term trends.

### **Asset Size**

The percentage breakdown of index-filings for the current period by asset size is:



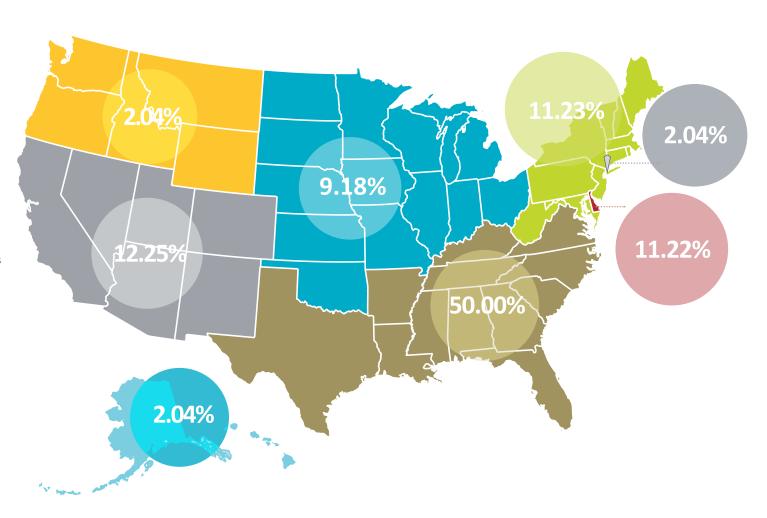


# HEALTHCARE SERVICES DISTRESS RESEARCH INDEX

### Geography

The percentage breakdown of index-filings for the current period by geographic region is:

- Midwest
- Non-Continental U.S. & Territories
- Northeast
- Delaware
- Northwest
- Southern District of New York
- Southeast
- Southwest



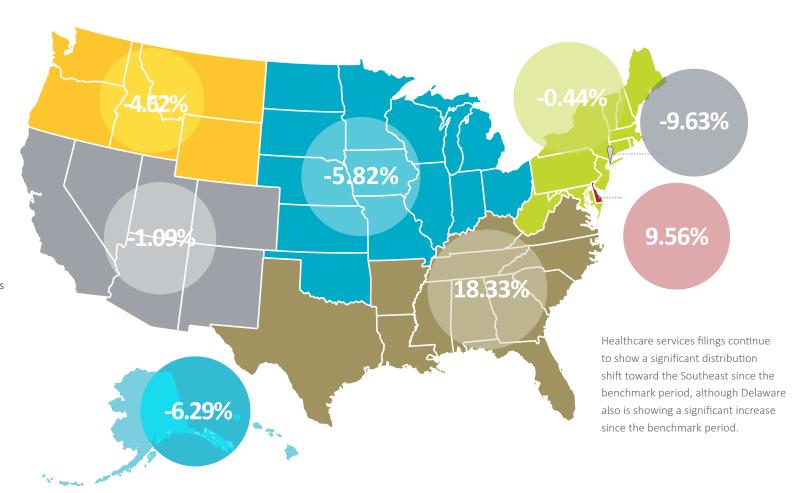


## HEALTHCARE SERVICES DISTRESS RESEARCH INDEX

### Change in Geographic Distribution Since Benchmark Period

Looking at the difference in geographic breakdowns of index filings now versus the benchmark period of fourth quarter 2010, the relative change versus the benchmark is:

- Midwest
- Non-Continental U.S. & Territories
- Northeast
- Delaware
- Northwest
- Southern District of New York
- Southeast
- Southwest





### Understanding The Polsinelli | TrBK Distress Indices

The Polsinelli|TrBK Distress Indices© are research indices based on Chapter 11 bankruptcy filing data. The Chapter 11 Distress Research Index serves as the primary index, and is based on filings by entities with assets scheduled at greater than \$1 million dollars as represented on initial Chapter 11 petitions. Individuals and involuntary filings are excluded from the calculation.

The Real Estate Distress Research Index and the Healthcare Services Distress Research Index are subsets of the Chapter 11 Distress Research Index, with each requiring the presence of one additional, and different, criterion. The Real Estate Distress Research Index requires that a filing be classified as a "single asset real estate" case as indicated on the Chapter 11 petition. These filings typically involve companies that are solely in the business of owning and leasing a single property such as an office building, healthcare facility, retail outlet, or multifamily apartment building. The Healthcare Services Distress Research Index requires that the debtor be classified as a "healthcare business" as indicated on the Chapter 11 petition in order to be counted; based on this definition, non-service healthcare businesses are generally excluded from the Healthcare Services Distress Research Index.

The Polsinelli|TrBK Distress Indices also include in their calculation business filings under Chapter 9 (municipalities) that meet the \$1 million threshold criteria, but these are generally a very small number of filings by comparison to Chapter 11. The Indices previously tracked business filings under Chapter 15 (international) as well, but in order to remain consistent with their criteria, the Indices now exclude Chapter 15 because recent government changes mean that Chapter 15 petitions no longer show asset size. The Chapter 11 Index was restated as a result in the first quarter of 2016, with the effect being less than one point in any quarter since the benchmark period, and there was no effect on the Real Estate and Healthcare Services Indices. Chapter 15's comprise a small number of overall filings.

The indices are contrarian measures of economic performance, so that a low index value is likely to occur in a strong economy, and a higher index value is likely to occur when financial distress is escalating. Thus, the indices are one indicator intended to suggest potential health or trouble in the economy. The indices track the increase or decrease in comparative Chapter 11 filings for prior quarters and years. The indices provide economic information that may not be reflected by the broader stock market averages, because the indices include both public and private company information.

The indices are calculated from 2010 through the present, and are benchmarked based on filing numbers in 2010. The indices are based on independent data collected and provided exclusively by the TrollerBk.com bankruptcy service, and not U.S. government statistical information (although that information is likely to be consistent within a margin of error).

While information for each individual quarter is available from 2010 forward, the indices are calculated on a rolling four-quarter basis in order to control for volatility, and to provide a more relevant picture of existing and long-term trends.

The historical filing information from which the Polsinelli|TrBK Distress Indices are calculated is available for purchase to the public from the TrollerBk.com bankruptcy service. In addition, weekly reports of newly filed cases anticipated to meet the criteria for the indices are also available for purchase from the TrollerBk.com bankruptcy service on a subscription basis.

### **Publication Information**

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The indices are research indices intended for informational and educational use only. Data is provided exclusively by the TrollerBk.com bankruptcy service, and the Indices are prepared with assistance from CBIZ Valuation Group, LLC. As research indices, the Polsinelli|TrBK Distress Indices are subject to restatement for up to two years. Pursuant to statistical precision analysis, the bankruptcy data used to generate the indices is calculated to be accurate to at least a +/- 6% margin of error at a 95% confidence level.

The Indices are published quarterly, generally within 45 days after the end of each calendar quarter, and are overseen by an Index Advisory Committee consisting of Bobby Guy (Polsinelli), Robert Dempsey (Polsinelli), Jeremy Johnson (Polsinelli), Richard Romero (CBIZ Valuation Group, LLC), Prof. Matthew S. Shotwell, Ph.D (Vanderbilt University\*), and a representative from TrollerBk.com. All publications are subject to copyright and legal protections. Permission to reprint the indices themselves is granted to recipients so long as appropriate attribution is given to Polsinelli|TrBK and the indices are presented in their original formats with their appropriate names.

The indices are edited by Bobby Guy, Robert Dempsey, and Jeremy Johnson, with assistance from Shanti Katona (Real Estate Distress Research Index), and members of the Mergers & Acquisitions, Real Estate, Healthcare, and Bankruptcy & Restructuring teams at Polsinelli. For more information on the Polsinelli|TrBK Distress Indices, and for media inquiries, please contact Jeremy Johnson at 646.289.6507 or jeremy.johnson@polsinelli.com or Bobby Guy at 615.259.1511 or bguy@polsinelli.com.

To purchase the historical data from which the indices are computed, or for weekly notices regarding all new cases likely to meet the criteria for the indices, contact third party data provider <u>TrollerBk.com</u>, at **210.816.3103** or <u>info@TrollerBk.com</u>.

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\*Matthew S. Shotwell, Ph.D., is Assistant Professor, Department of Biostatistics, Vanderbilt University, and acts as an independent consultant in connection with the Polsinelli|TrBK Distress Indices. No affiliation between the indices and Vanderbilt University is expressed or implied.