

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

In re:

LAVIE CARE CENTERS, LLC, *et al.*¹

Debtors.

)
) Chapter 11
)

) Case No. 24-55507 (PMB)
)

) (Joint Administration Requested)
)

**DEBTORS' EMERGENCY MOTION FOR ENTRY OF ORDER (I) AUTHORIZING
THE DEBTORS TO (A) PREPARE A LIST OF CREDITORS IN LIEU OF
SUBMITTING A FORMATTED MAILING MATRIX AND (B) FILE A
CONSOLIDATED LIST OF THE DEBTORS' 30 LARGEST UNSECURED
CREDITORS, (II) AUTHORIZING THE DEBTORS TO REDACT CERTAIN
PERSONAL IDENTIFICATION INFORMATION FOR INDIVIDUAL CREDITORS,
(III) APPROVING THE FORM AND MANNER OF NOTIFYING CREDITORS OF
COMMENCEMENT OF THESE CHAPTER 11 CASES, AND (IV) AUTHORIZING THE
DEBTORS TO FILE THEIR MONTHLY OPERATING REPORTS ON A
CONSOLIDATED BASIS**

LaVie Care Centers, LLC ("LaVie") and certain of its affiliates and subsidiaries, as debtors and debtors-in-possession in the above-captioned chapter 11 cases (collectively, the "Debtors"), hereby move (the "Motion") for entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"), granting the relief described below. In support thereof, the Debtors rely upon the *Declaration of M. Benjamin Jones in Support of Chapter 11 Petitions and First Day Pleadings* (the "First Day Declaration"),² filed contemporaneously herewith. In further support of the Motion, the Debtors respectfully represent as follows:

¹ The last four digits of LaVie Care Centers, LLC's federal tax identification number are 5592. There are 282 Debtors in these chapter 11 cases, for which the Debtors have requested joint administration. A complete list of the Debtors and the last four digits of their federal tax identification numbers are not provided herein. A complete list of such information may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://www.kccllc.net/LaVie>. The location of LaVie Care Centers, LLC's corporate headquarters and the Debtors' service address is 1040 Crown Pointe Parkway, Suite 600, Atlanta, GA 30338.

² Capitalized terms used but not otherwise defined in this Motion shall have the meanings ascribed to them in the First Day Declaration.



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RELIEF REQUESTED

1. By the Motion, the Debtors respectfully request entry of the Proposed Order (a) authorizing the Debtors to (i) prepare a consolidated list of creditors in lieu of submitting separate mailing matrices for each Debtor (the “Creditor Matrix”), (ii) file a consolidated list of the Debtors’ 30 largest unsecured creditors, and (iii) mail initial notices through the Debtors’ Proposed Notice and Claims Agent (as defined below), (b) authorizing the Debtors to redact certain personal information for individual creditors, (c) approving the form and manner of notifying creditors of commencement of these Chapter 11 Cases (as defined below), (d) authorizing the Debtors to file their monthly operating reports required by the *Operating Guidelines and Reporting Requirements for Debtors in Possession and Trustees*, issued by the Office of the United States Trustee for Region 21 (the “U.S. Trustee” and such monthly operating reports “MORs”), by consolidating the information required for each Debtor in one MOR filed each month in the lead case of LaVie Care Centers, LLC that summarizes all of the specific information (e.g., receipts, disbursements, etc.) on a debtor-by-debtor basis, and (e) granting related relief.

JURISDICTION AND VENUE

2. The Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of these cases and the Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409.

3. The legal predicates for the relief requested herein are sections 105(a), 342(a), and 521 of title 11 of the United States Code (the “Bankruptcy Code”), Rules 1007(a)(1), 1007(d), 2002(a), and 2002(f) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the *Second Amended and Restated General Order 26-2019, Procedures for Complex Chapter 11 Cases*, dated February 4, 2023 (the “Complex Case Procedures”).

BACKGROUND

4. On the date hereof (the “Petition Date”), each Debtor commenced a case by filing a petition for relief under chapter 11 of the Bankruptcy Code (collectively, the “Chapter 11 Cases”) in the United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division (the “Court”). The Debtors continue to operate their business and manage their property as debtors and debtors-in-possession pursuant to Bankruptcy Code sections 1107(a) and 1108.

5. To date, the U.S. Trustee has not appointed an official committee in the Chapter 11 Cases, nor has any trustee or examiner been appointed.

6. Additional information regarding the Debtors and these Chapter 11 Cases, including the Debtors’ business operations, capital structure, financial condition, and the reasons for and objectives of these Chapter 11 Cases, is set forth in the First Day Declaration.

BASIS FOR RELIEF REQUESTED

7. Bankruptcy Code section 521(a) and Bankruptcy Rule 1007(a)(1) (collectively, the “Notice Rules”) require a debtor in a voluntary chapter 11 case to file a list containing the name and complete address of each creditor. In addition, Bankruptcy Rule 1007(d) requires a debtor to file a list containing the name, address, and claim of the creditors holding the 20 largest unsecured claims against the debtor. *See* Fed. R. Bankr. P. 1007(d). Under the Complex Case Procedures, debtors seeking joint administration are required to file, in the proposed lead case, a list of their 30 largest unsecured creditors on a consolidated basis. *See* Complex Case Procedures (C)(2). Bankruptcy Rule 2002(a)(1) also provides that the clerk (or other person directed by the Court) must give the debtor, the Office of the United States Trustee, all creditors, and any indenture trustee at least 21-days’ notice by mail of the meeting of creditors under Bankruptcy Code section 341.

See Fed. R. Bankr. P. 2002(a)(1). Bankruptcy Rule 2002(f)(1) also provides that notice of the order for relief shall be sent by mail to all creditors. *See* Fed. R. Bankr. P. 2002(f)(1).

8. The Debtors submit that permitting them to maintain a single consolidated list of creditors in lieu of filing a separate creditor matrix for each Debtor is warranted under the circumstances of these Chapter 11 Cases. Specifically, maintaining a single consolidated list of creditors will benefit the Debtors and their estates by allowing the Debtors to provide required notices more efficiently to parties-in-interest and reduce the potential for duplicate mailings. Indeed, many of the Debtors' creditors overlap and thus, to the extent that the Debtors are required to maintain separate mailing matrices, a substantial number of parties likely would receive multiple copies of the same notice.

9. More specifically, there are 282 entities that are Debtors in these Chapter 11 Cases. The Debtors estimate that there are thousands of potential creditors and parties-in-interest in these Chapter 11 Cases. As such, requiring the Debtors to comply with the matrix requirements would be an exceptionally burdensome task and would greatly increase the risk of error and the concomitant costs.

10. Accordingly, the Debtors, working with the Proposed Notice and Claims Agent (as defined below), have prepared a single, consolidated list of the Debtors' creditors in electronic format. To ensure that no parties-in-interest are prejudiced, the Debtors will make their consolidated list of creditors available in readable, electronic format to any party-in-interest who so requests (or in non-electronic format at such requesting party's sole cost and expense). The Debtors therefore submit that the prepetition and maintenance of a single consolidated creditor list is warranted under the facts and circumstances present in these Chapter 11 Cases.

11. Concurrently with the filing of this motion, and in accordance with the Complex Case Procedures, the Debtors are seeking to retain Kurtzman Carson Consultants LLC as their notice and claims agent in these Chapter 11 Cases (the “Proposed Notice and Claims Agent”). If that application is granted, the Proposed Notice and Claims Agent will, among other things, assist with the consolidation of the Debtors’ computer records into a creditor database and complete the mailing of notices to the parties in such database.

12. Specifically, the Debtors propose that the Proposed Notice and Claims Agent undertake all mailings directed by the Court, the United States Trustee for Region 21 (the “U.S. Trustee”), or as required by Bankruptcy Code section 342(a) and Bankruptcy Rules 2002(a) and (f), including the Notice of Commencement (as defined below) of these Chapter 11 Cases. The Debtors believe that using the Proposed Notice and Claims Agent, who will promptly provide notices to all applicable parties, for this purpose will maximize efficiency in administering these Chapter 11 Cases and will ease administrative burdens that otherwise fall upon the Court and the U.S. Trustee. Additionally, the Proposed Notice and Claims Agent will assist the Debtors in preparing creditor lists and mailing initial notices. Accordingly, the Debtors believe that maintaining electronic-format lists of creditors, rather than preparing and filing separate creditor matrices for each Debtor, will not only maximize efficiency and accuracy, but also reduce costs.

I. Cause Exists to Authorize the Debtors to Prepare a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix.

13. As stated above, unless a debtor’s schedules of assets and liabilities are filed simultaneously with a chapter 11 petition, the Notice Rules require a debtor to file a list containing the name and address of each creditor. *See* 11 U.S.C. §§ 521(a), 1007(a)(1). In addition, and as discussed below, Bankruptcy Rule 1007(d) requires a debtor to file a list containing the names, addresses, and claims of the creditors holding the 20 largest unsecured claims against the debtor.

See Fed. R. Bankr. P. 1007(d). Under the Complex Case Procedures, debtors seeking joint administration are required to file, in the proposed lead case, a list of their 30 largest unsecured creditors on a consolidated basis. *See* Complex Case Procedures (C)(2). Further, Bankruptcy Rule 2002(a)(1) provides, in relevant part, that “the clerk, or some other person as the court may direct, shall give the debtor, the trustee, all creditors and indenture trustees at least 21-days’ notice by mail of...the meeting of creditors under § 341 or § 1104(b) of the [Bankruptcy] Code.” Fed. R. Bankr. P. 2002(a)(1). Bankruptcy Rule 2002(f)(1) also provides that notice of the order of relief shall be sent by mail to all creditors. *See* Fed. R. Bankr. P. 2002(f)(1).

14. Permitting the Debtors to maintain a consolidated list of their creditors in electronic format only, in lieu of filing a creditor matrix, is warranted under the circumstances of these cases. Indeed, because the Debtors have thousands of potential creditors, converting the Debtors’ computerized information to a format compatible with the matrix requirements would be a highly burdensome task and would greatly increase the risk of error and concomitant costs.

15. The Debtors, working together with the Proposed Notice and Claims Agent, have already prepared a single, consolidated list of the Debtors’ creditors in electronic format. The Debtors are prepared to make the list available in electronic form to any party in interest who so requests (or in non-electronic form at such requesting party’s sole cost and expense) in lieu of submitting a mailing matrix to the Court clerk’s office.

II. Cause Exists to Authorize the Debtors to File a Single Consolidated List of the Debtors’ 30 Largest Unsecured Creditors.

16. Bankruptcy Rule 1007(d) provides that a debtor shall file “a list containing the name, address, and claim of the creditors that hold the 20 largest unsecured claims, excluding insiders.” Fed. R. Bankr. P. 1007(d). If joint administration of a complex chapter 11 case is sought before this Court, the lead debtor must file one consolidated list of the debtors’ 30 largest

unsecured creditors, rather than file a separate list for each individual debtor. *See* Complex Case Procedures (C)(2). Because certain of the Debtors share many creditors and the Debtors operate as a single business enterprise, the Debtors request authority to file a single, consolidated list of their 30 largest general unsecured creditors (the “Consolidated Top 30 List”).

17. Compiling separate top 20 creditor lists for each of the 282 Debtors would consume a substantial amount of the Debtors’ time and resources. Further, the Debtors believe the Consolidated Top 30 List will aid the U.S. Trustee in its efforts to communicate with these creditors and, further, will aid in the U.S. Trustee’s appointment of an official creditors’ committee if deemed appropriate. As such, the Debtors believe that filing a single consolidated list of their 30 largest unsecured creditors, consistent with the Bankruptcy Rules and Complex Case Procedures, in these Chapter 11 Cases is appropriate.

III. Cause Exists to Redact Certain Confidential Information.

18. Bankruptcy Code section 107(c) provides that the Court “for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft...[a]ny means of identification...contained in paper filed, or to be filed in a case under” the Bankruptcy Code. 11 U.S.C. § 107(c)(1)(A). The Debtors respectfully submit that cause exists to authorize the Debtors to redact address information of individual creditors—many of whom are the Debtors’ employees and residents—from the Creditor Matrix because such information could be used to perpetrate identity theft. The Debtors propose to provide an unredacted version of the Creditor Matrix to the Court, the U.S. Trustee, and any official committee of unsecured creditors appointed in these Chapter 11 Cases.

19. Contemporaneously herewith, the Debtors filed the *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Implementation of Procedures to Maintain and Protect Confidential Health Information as Required by Applicable Privacy Rules and (II) Granting Related Relief*, which seeks, among other things, the implementation of certain confidentiality procedures with respect to the Debtors' residents.

IV. The Proposed Manner and Form of Initial Notices to Creditors is Appropriate.

A. Mailing the Notice of Commencement

20. The Debtors propose that the Proposed Notice and Claims Agent undertake all mailings directed by the Court, the U.S. Trustee, or as required by Bankruptcy Code section 342(a) and Bankruptcy Rules 2002(a) and (f), including the notice of commencement of these Chapter 11 Cases, substantially in the form attached as Exhibit 1 to **Exhibit A** (the "Notice of Commencement").

21. The Proposed Notice and Claims Agent's assistance with the mailing and preparation of creditor lists and notices will ease administrative burdens that otherwise would fall upon the Court and the U.S. Trustee. With such assistance, the Debtors can file a computer-readable consolidated list of creditors and also undertake all necessary mailings.

22. Accordingly, the Debtors submit that the proposed maintenance of an electronic list of creditors by the Proposed Notice and Claims Agent, the filing of the Consolidated Top 30 List, and the authority to mail or otherwise publish the Notice of Commencement are appropriate under the facts and circumstances present here, and consistent with the applicable provisions of the Bankruptcy Code, Bankruptcy Rules, Local Rules of the United States Court of the Northern District of Georgia, and the Complex Case Procedures.

23. Further, courts in this and other districts have routinely granted relief similar to the relief requested herein. *See, e.g., In re Steward Health Care System LLC*, Case No. 24-90213 (CML) (Bankr. S.D. Tex. May 7, 2024) [Docket No. 90]; *In re Casa Systems, Inc.*, Case No. 24-10695 (KBO) (Bankr. D. Del. Apr. 25, 2024) [Docket No. 203]; *In re Sientra, Inc.*, Case No. 24-10245 (JTD) (Bankr. D. Del. Apr. 9, 2024) [Docket No. 275]; *In re ConvergeOne Holdings, Inc.*, Case No. 24-90194 (CML) (Bankr. S.D. Tex. Apr. 4, 2024) [Docket No. 74]; *In re SC Healthcare Holding, LLC*, Case No. 24-10443 (TMH) (Bankr. D. Del. Mar. 22, 2024) [Docket No. 80]; *In re The Krystal Company*, Case No. 20-61605 (PWB) (Bankr. N.D. Ga. Jan. 23, 2020) [Docket No. 47]; *In re Jack Cooper Ventures, Inc.*, Case No. 19-62393 (PWB) (Bankr. N.D. Ga. Aug. 9, 2019) [Docket No. 75].

B. The Debtors' Current and Former Residents

24. The Debtors have tens of thousands of current and former residents. Providing individual notice of every filing in the Chapter 11 Cases to every current and former resident of the Debtors that could conceivably hold an unknown claim against the Debtors would be impracticable and extremely costly to the Debtors' estates. In light of the expense and impracticability of providing individual notice of every filing to each of the Debtors' current and former residents, while recognizing the importance of notifying creditors of the commencement of the Chapter 11 Cases and relevant claims bar dates, the Debtors propose to exclude current and former residents from the service list maintained by the Proposed Claims and Noticing Agent and serve the Debtors' current and former residents via publication only by publishing a copy of the Notice of Commencement in one of the following publications: The New York Times, The Wall Street Journal, or USA Today. Moreover, the Debtors propose to post a copy of the Notice of Commencement in the common areas of the Debtors' skilled nursing, assisted living, and

independent living facilities to better apprise current residents of the Chapter 11 Cases and alleviate the cost of mailing such notices to over 3,000 residents who reside at the same facility addresses. The Debtors submit that such relief is in the best interests of the estates, given the significant cost (potentially hundreds of thousands of dollars) and administrative burden associated with serving tens of thousands of current and former residents.

V. Cause Exists to Allow the Consolidation of the MORs.

25. The Debtors recognize that MORs are normally filed in each individual chapter 11 case. However, filing individual MORs for each of the 282 Debtors would result in a pronounced procedural and administrative burden on the Debtors' estates for the pendency of these Chapter 11 Cases. In this case, it has been estimated that over 24 hours of aggregate paralegal time would be needed for the filing of the MORs alone *each month*, in addition to the additional incremental professional fees incurred in preparing and reviewing 282 MORs *each month*.

26. Moreover, over 200 of the Debtors are non-operational and as such, the MORs for those entities would consistently reflect non-activity and no disbursements. Consequently, creditors and other parties-in-interest also stand to benefit from the consolidation of the MORs, as such consolidation obviates the need for creditors and parties-in-interest to wade through numerous reports that provide little-to-no insight into the overall financial health of the Debtors. As proposed, the MOR filed in the lead case of LaVie Care Centers, LLC will provide a consolidated breakdown of receipts, disbursements, and other financial information by individual Debtor (*i.e.*, all of the information that would normally be available through the individual MORs will be provided in the consolidated MOR filed in LaVie Care Centers, LLC). As such, the requested relief will not harm the Debtors' estates, the U.S. Trustee, or any parties-in-interest in

these Chapter 11 Cases, and is necessitated by the facts and circumstances of these Chapter 11 Cases.

EMERGENCY CONSIDERATION

27. The Debtors respectfully request emergency consideration of this Motion pursuant to Bankruptcy Rule 6003, which empowers a court to grant relief within the first 21 days after the commencement of a chapter 11 case “to the extent that relief is necessary to avoid immediate and irreparable harm.” Fed. R. Bankr. P. 6003. Here, the Debtors believe an immediate and orderly transition into chapter 11 is critical to the viability of their operations and that any delay in granting the relief requested could hinder the Debtors’ operations and cause irreparable harm. Furthermore, the failure to receive the requested relief during the first 21 days of these Chapter 11 Cases would severely disrupt the Debtors’ operations at this critical juncture. Accordingly, the Debtors submit that it has satisfied the “immediate and irreparable harm” standard of Bankruptcy Rule 6003 and, therefore, respectfully request that the Court approve the relief requested in this Motion on an emergency basis.

RESERVATION OF RIGHTS

28. Nothing in the Motion should be construed as (a) authority to assume or reject any executory contract or unexpired lease of real property, or as a request for the same; (b) an admission as to the validity, priority, or character of any claim or other asserted right or obligation, or a waiver or other limitation on the Debtors’ ability to contest the same on any ground permitted by bankruptcy or applicable non-bankruptcy law; (c) a promise or requirement to pay any claim or other obligation; or (d) granting third-party-beneficiary status, bestowing any additional rights on any third party, or being otherwise enforceable by any third party.

NOTICE

29. The Debtors will provide notice of the Motion to: (a) the U.S. Trustee; (b) the Internal Revenue Service; (c) the United States Attorney for the Northern District of Georgia; (d) the Attorney General for the State of Georgia; (e) the Georgia Department of Revenue; (f) the Centers for Medicare and Medicaid Services; (g) the states attorneys general for states in which the Debtors conduct business; (h) the parties included on the Debtors' list of their 30 largest unsecured creditors; (i) counsel to the Debtors' prepetition lenders; (j) counsel to the proposed DIP Lenders; and (k) all parties entitled to notice pursuant to Bankruptcy Rule 2002. The Debtors submit that no other or further notice is required.

NO PRIOR REQUEST

30. No previous request for the relief sought herein has been made to this or any other court.

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WHEREFORE, the Debtors respectfully request that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as may be just and proper.

Dated: Atlanta, Georgia
June 2, 2024

MCDERMOTT WILL & EMERY LLP

/s/ Daniel M. Simon

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*Proposed Counsel for the Debtors and
Debtors-in-Possession*

CERTIFICATE OF SERVICE

I hereby certify that on this date a true and correct copy of the foregoing Motion was served by the Court's CM/ECF system on all counsel of record registered in these Chapter 11 Cases through CM/ECF. Subject to the Court's approval of their retention and access to filing privileges, the Debtors' proposed claims and noticing agent, Kurtzman Carson Consultants LLC, will be filing a supplemental certificate of service on the docket to reflect any additional service of the foregoing Motion.

Dated: Atlanta, Georgia
June 2, 2024

MCDERMOTT WILL & EMERY LLP

/s/ Daniel M. Simon

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*Proposed Counsel for the Debtors and
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EXHIBIT A

Proposed Order

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

In re:

LAVIE CARE CENTERS, LLC, *et al.*¹

Debtors.

)
) Chapter 11
)
) Case No. 24-55507 (PMB)
)
) (Jointly Administered)
)
) Related to Docket No. ____

ORDER (I) AUTHORIZING THE DEBTORS TO (A) PREPARE A LIST OF CREDITORS IN LIEU OF SUBMITTING A FORMATTED MAILING MATRIX AND (B) FILE A CONSOLIDATED LIST OF THE DEBTORS' 30 LARGEST UNSECURED CREDITORS, (II) AUTHORIZING THE DEBTORS TO REDACT CERTAIN PERSONAL IDENTIFICATION INFORMATION FOR INDIVIDUAL CREDITORS, (III) APPROVING THE FORM AND MANNER OF NOTIFYING CREDITORS OF COMMENCEMENT OF THESE CHAPTER 11 CASES, (IV) AUTHORIZING THE DEBTORS TO FILE THEIR MONTHLY OPERATING REPORTS ON A CONSOLIDATED BASIS, AND (V) GRANTING RELATED RELIEF

¹ The last four digits of LaVie Care Centers, LLC's federal tax identification number are 5592. There are 282 Debtors in these chapter 11 cases, for which the Debtors have requested joint administration. A complete list of the Debtors and the last four digits of their federal tax identification numbers are not provided herein. A complete list of such information may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://www.kccllc.net/LaVie>. The location of LaVie Care Centers, LLC's corporate headquarters and the Debtors' service address is 1040 Crown Pointe Parkway, Suite 600, Atlanta, GA 30338.

Upon the motion (the “Motion”)² of the Debtors for entry of an order (this “Order”), (a) authorizing the Debtors to (i) prepare a consolidated list of creditors in lieu of submitting separate mailing matrices for each Debtor, (ii) file a consolidated list of the Debtors’ 30 largest unsecured creditors, and (iii) mail initial notices through the Debtors’ Proposed Notice and Claims Agent, (b) authorizing the Debtors to redact certain personal information for individual creditors, (c) approving the form and manner of notifying creditors of commencement of these Chapter 11 Cases, (d) authorizing the Debtors to file one MOR in the lead case of LaVie Care Centers, LLC reflecting all information (*i.e.*, receipts, disbursements, etc.) on a consolidated, debtor-by-debtor basis, and (e) granting related relief, all as more fully set forth in the Motion; and upon consideration of the First Day Declaration; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article II I of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and the Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the “Hearing”); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and it appearing that no other or further notice is necessary; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties-in-interest; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

ORDERED, ADJUDGED, AND DECREED that:

1. The Motion is granted as set forth herein.
2. The Debtors are authorized, but not directed, to file a consolidated list of the 30 largest unsecured creditors in these Chapter 11 Cases in lieu of each Debtor filing a list of its 20 largest unsecured creditors.
3. In lieu of submitting a formatted mailing matrix, the Debtors shall make available a single, consolidated list of all of the Debtors' creditors in electronic form to any entity who so requests and in non-electronic form at such requesting entity's sole cost and expense.
4. The Debtors are authorized to redact address information of individual creditors listed on the Creditor Matrix, including but not limited to the Debtors' current and former employees; *provided* that the Debtors shall provide an unredacted version of the Creditor Matrix to the Court, the U.S. Trustee, the DIP Lenders, and any official committee of unsecured creditors appointed in these Chapter 11 Cases.
5. The Notice of Commencement in these Chapter 11 Cases, substantially in the form attached hereto as **Exhibit 1**, is hereby approved.
6. The Debtors, with the assistance of the Proposed Notice and Claims Agent (upon the Court's approval of the Debtors' retention of the Proposed Notice and Claims Agent), are authorized, but not directed, to undertake all mailings directed by the Court, the U.S. Trustee, or as required by the Bankruptcy Code, the Bankruptcy Rules, and the Complex Case Procedures, as applicable, including the Notice of Commencement of these Chapter 11 Cases, and any other correspondence that the Debtors may wish to send creditors.
7. The Debtors are not required to include current and former residents on the service list maintained by the Proposed Claims and Noticing Agent. Notwithstanding the foregoing, the

Debtors shall be required to serve the Debtors' current and former residents via publication only by publishing a copy of the Notice of Commencement in one of the following publications: (a) The New York Times; (b) The Wall Street Journal; or (c) USA Today. The Debtors are authorized to post the Notice of Commencement in the common areas of their facilities to apprise current residents of the Chapter 11 Cases and shall not be required to mail the Notice of Commencement to their current residents.

8. The Debtors are not required to file one MOR in each individual chapter 11 case; rather, the Debtors shall file one MOR on a monthly basis in the lead case of LaVie Care Centers, LLC, Case No. 24-55507 (PMB), that reflects receipts, disbursements, and other financial information on a consolidated, debtor-by-debtor basis.

9. Nothing in the Motion or this Order or the relief granted (including any actions taken or payments made by the Debtors pursuant thereto) shall be construed as (a) authority to assume or reject any executory contract or unexpired lease of real property, or as a request for the same; (b) an admission as to the validity, priority, or character of any claim or other asserted right or obligation, or a waiver or other limitation on the Debtors' ability to contest the same on any ground permitted by bankruptcy or applicable non-bankruptcy law; (c) a promise or requirement to pay any claim or other obligation; or (d) granting third-party-beneficiary status, bestowing any additional rights on any third party, or being otherwise enforceable by any third party.

10. The Court finds and determines that the requirements of Bankruptcy Rule 6003 are satisfied and that the relief requested in the Motion is necessary to avoid immediate and irreparable harm.

11. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a), the Local Rules, and the Complex Case Procedures are satisfied by such notice.

12. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

13. The Debtors are authorized to take all actions necessary to implement the relief granted in this Order.

14. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

END OF ORDER

Prepared and presented by:

/s/ Daniel M. Simon

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EXHIBIT 1

Notice of Commencement

Information to identify the case:

Debtor LaVie Care Centers, LLC, et al.EIN 45-3515592

Name

United States Bankruptcy Court for the Northern District of Georgia

Date case filed for chapter 11: **June 2, 2024**Case number: Lead Case 24-55507 (PMB), Jointly Administered

Official Form 309F (For Corporations or Partnerships)

Notice of Chapter 11 Bankruptcy Case

12/17

For the debtors listed above, cases has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered for each Debtor. This notice has important information about the cases for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read all pages carefully.

The filing of the cases imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from the debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected on the website created by Claims and Noting Agent Kurtzman Carson Consultants ("KCC") for these chapter 11 cases at <https://www.kccllc.net/LaVie> or at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov).

Inquiries regarding this notice may be directed to KCC by calling (877) 709-4750 (toll free for U.S. and Canadian-based parties) or +1 (424) 236-7230 (for international parties) or using the "Submit an Inquiry" link on the KCC website: <https://www.kccllc.net/LaVie/inquiry>.

Debtors' counsel, representatives of KCC, and the staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Lead Debtor Name	All Other Names Used in Last 8 Years	Case Number	Tax I.D. Numbers
LaVie Care Centers, LLC	N/A	24-55507	45-3515592
2. Other Debtor Names & Case Numbers	A full listing of the Debtors' names, tax I.D. numbers, and corresponding case numbers is available on the Debtors' restructuring website: https://www.kccllc.net/LaVie .		
3. Address	1040 Crown Pointe Parkway, Suite 600 Atlanta, GA 30338		
4. Debtors' attorney McDERMOTT WILL & EMERY LLP Daniel M. Simon 1180 Peachtree St. NE, Suite 3350 Atlanta, Georgia 30309 Telephone: (404) 260-8535 Emily C. Keil (<i>pro hac vice</i> pending) Jake Jumbeck (<i>pro hac vice</i> pending) Catherine Lee (<i>pro hac vice</i> pending) 444 West Lake Street, Suite 4000 Chicago, IL 60606 Telephone: (312) 372-2000	Debtors' Claims and Noticing Agent (for court documents and <u>case information inquiries</u>): KURTZMAN CARSON CONSULTANTS LLC ("KCC") Website: https://www.kccllc.net/LaVie Submit an Inquiry: https://www.kccllc.net/LaVie/inquiry Telephone: (877) 709-4750 (toll free for U.S. and Canadian-based parties) +1 (424) 236-7230 (for international parties)		

Debtor: LaVie Care Centers, LLC, et al.

Case Number (if known): 24-55507 (PMB)

<p>5. Bankruptcy clerk's office</p>	<p>Hours open: Monday – Friday 8:00 AM – 4:00 PM Contact phone: 302-252-2900</p> <p>Documents in this case may be filed at this address.</p> <p>Clerk of the United States Bankruptcy Court 75 Ted Turner Drive, SW Atlanta, Georgia 30303</p> <p>You may inspect all records filed in this case at this office or online at www.pacer.gov or at the Debtors' restructuring website at https://www.kccllc.net/LaVie.</p>
<p>6. Meeting of creditors The Debtors' representative must attend the meeting to be questioned under oath. Creditors may attend but are not required to do so. The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	<p>Date: [], 2024 at []:00 [].m. (ET)</p> <p>The meeting will be held telephonically – please dial []. The access code is [].</p>
<p>7. Proof of claim deadline</p>	<p>Deadline for filing proof of claim: Not yet set. If deadline is set, the court will send you another notice.</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be filed either electronically or as a paper document. A proof of claim form may be obtained at www.uscourts.gov, any bankruptcy clerk's office, or on the case website at https://kccllc.net/LaVie.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none"> ▪ your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>; ▪ you file a proof of claim in a different amount; or ▪ you receive another notice. <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the Bankruptcy Clerk's office or online at www.pacer.gov or at the Debtors' restructuring website at https://www.kccllc.net/LaVie.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>
<p>8. Exception to discharge Deadline The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p>	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline imposed by Federal Rule of Bankruptcy Procedure 4007(c).</p>
<p>9. Creditors with a foreign address</p>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>

Debtor: LaVie Care Centers, LLC, et al.

Case Number (if known): 24-55507 (PMB)

10. Filing a Chapter 11 bankruptcy case	Bankruptcy cases under Chapter 11 of the Bankruptcy Code has been filed in this court by the Debtors listed herein, and orders for relief have been entered. Chapter 11 allows the debtor to reorganize or liquidate according to a plan. A plan is not effective unless confirmed by the court. You may receive a copy of a plan and a disclosure statement telling you about a plan, and you might have the opportunity to vote on a plan. You will receive notice of the date of a confirmation hearing, and you may object to confirmation of a plan and attend a confirmation hearing. Unless a trustee is serving, the Debtors will remain in possession of the Debtors' property and may continue to operate any business.
11. Discharge of debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. <i>See</i> Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the Bankruptcy Clerk's Office by the deadline.

If you have any questions related to this notice, please call (877) 709-4750 (toll free for U.S. and Canadian-based parties) or +1 (424) 236-7230 (for international parties) or using the "Submit an Inquiry" link on the KCC website: <https://www.kccllc.net/LaVie/inquiry>. You may access documents and case information at <https://www.kccllc.net/LaVie>.