

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	
)	
LAVIE CARE CENTERS, LLC, et al.,	)	Case No. 24-55507 (PMB)
)	
	)	Chapter 11
Debtors.)	
	)	(Jointly Administered)
_____)	
)	
LOVE BROWNE, as Administrator of the Estate of)	
JUBILEE BROWNE, Deceased,	)	CONTESTED MATTER
)	
Movant,)	
)	
v.)	
	)	Case No. 24-55771
WILLIAMSBURG FACILITY)	
OPERATIONS, LLC,)	
)	
Respondent.)	
_____)	

**NOTICE OF HEARING ON MOTION BY CREDITOR LOVE BROWNE,
AS ADMINISTRATOR OF THE ESTATE OF JUBILEE BROWNE,
FOR LEAVE TO FILE UNTIMELY PROOF OF CLAIM**

PLEASE TAKE NOTICE that **LOVE BROWNE, as Administrator of the Estate of JUBILEE BROWNE, Deceased** has filed a *Motion for Leave to File Untimely Proof of Claim* (the “Motion”) and related papers with the Court seeking an order allowing a late filed proof of claim on the grounds of improper scheduling and lack of actual notice of the claims bar date.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion pursuant to the Sixth Notice of Omnibus Hearings at **9:30 A.M. on JUNE 25, 2025**, in **COURTROOM 1202**, United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303, which may be attended in person or via the Court’s Virtual Hearing Room. You may join the Virtual Hearing Room through the “Dial-In and Virtual Bankruptcy Hearing Information” link at the top of the homepage of the Court’s website, www.ganb.uscourts.gov, or the link on the



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judge's webpage, which can also be found on the Court's website. Please also review the "Hearing Information" tab on the judge's webpage for further information about the hearing. You should be prepared to appear at the hearing via video, but you may leave your camera in the off position until the Court instructs otherwise. Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge's webpage.

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleadings with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk before the hearing. The address of the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, SW, Atlanta Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: April 28, 2025

/s/ John A. Moore

John A. Moore (Ga. Bar No. 519792)
THE MOORE LAW GROUP, LLC
1745 Martin Luther King Jr. Dr.
Atlanta, GA 303014
(678) 288-5600 – Telephone
(888) 726-4355 – Facsimile

Counsel for Movant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *NOTICE OF HEARING ON MOTION BY CREDITOR LOVE BROWNE, AS ADMINISTRATOR OF THE ESTATE OF JUBILEE BROWNE, FOR LEAVE TO FILE UNTIMELY PROOF OF CLAIM* was served via the Court's CM/ECF system on all counsel of record registered in these Chapter 11 cases through CM/ECF and the following on this 28th day of April, 2025.

Williamsburg Facility Operations, LLC
1811 Jamestown Road
Williamsburg, VA 23185

Daniel M. Simon, Esq.
Jack Gabriel Haake, Esq.
McDermott Will & Emery LLP
1180 Peachtree St. NE, Ste 3350
Atlanta, GA 30309
dmsimon@mwe.com
jhaake@mwe.com

Jonathan S. Adams, Esq.
Office of the United States Trustee
362 Richard B Russell Federal Building
75 Ted Turner Drive, SW
Atlanta, GA 30303
jonathan.s.adams@usdoj.gov

R. Jeneane Treace, Esq.
Assistant United States Trustee
362 Richard Russell Bldg.
75 Ted Turner Drive, SW
jeneane.treace@usdoj.gov

Matthew R. Brooks, Esq.
Francis J. Lawall, Esq.
Troutman Pepper Locke LLP
Suite 3000
600 Peachtree Street, NE
Atlanta, GA 30308
matthew.brooks@troutman.com
francis.lawall@troutman.com

KCC, LLC dba Verita Global
222 N. Pacific Coast Highway
Suite 300
El Segundo, CA 90245

/s/ John A. Moore
John A. Moore (Ga. Bar No. 519792)
THE MOORE LAW GROUP, LLC
1745 Martin Luther King Jr. Dr.
Atlanta, GA 303014
(678) 288-5600 – Telephone
(888) 726-4355 – Facsimile
jmoore@moorelawllc.com

Counsel for Movant

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	
)	
LAVIE CARE CENTERS, LLC, et al.,	)	Case No. 24-55507 (PMB)
)	
Debtors.	)	Chapter 11
	)	(Jointly Administered)
)	
	)	Hearing: June 25, 2025 at 9:30 AM
)	
LOVE BROWNE, as Administrator of the Estate of)	
JUBILEE BROWNE, Deceased,	)	CONTESTED MATTER
)	
Movant,)	
)	
v.)	
	)	Case No. 24-55771
WILLIAMSBURG FACILITY)	
OPERATIONS, LLC,)	
)	
Respondent.)	
)	

**MOTION BY CREDITOR LOVE BROWNE, AS ADMINISTRATOR OF THE ESTATE
OF JUBILEE BROWNE, FOR LEAVE TO FILE UNTIMELY PROOF OF CLAIM**

Creditor LOVE BROWNE, as Administrator of the Estate of JUBILEE BROWNE, Deceased (“Creditor”), by and through undersigned counsel, respectfully requests this Court enter an order granting leave to file an untimely proof of claim in the above-captioned bankruptcy case. In support thereof, Creditor states as follows:

This Motion is brought pursuant to Federal Rule of Bankruptcy Procedure 3002(c)(7) and Rule 3003(c)(3). The Court has jurisdiction under 28 U.S.C. §§ 157 and 1334. Venue is proper under 28 U.S.C. §§ 1408 and 1409.

BACKGROUND INFORMATION

On June 2, 2024, Williamsburg Facility Operations, LLC (the “Debtor”) filed a voluntary petition under Chapter 11 of the Bankruptcy Code under Case Number **24-55771**. Debtor’s case is being jointly administered under Case No. **24-55507**. The deadline to file general unsecured claims (the “Bar Date”) was July 25, 2024.

Creditor represents the ESTATE OF JUBELEE BROWNE, Deceased, who was a resident of the Debtor’s skilled nursing facility. On October 28, 2022, Creditor filed a wrongful death and negligence action against Debtor in the Circuit Court of the City of Norfolk, Virginia, under Case No. CL22014644-00 (the “State Court Action”). The underlying Complaint filed in the State Court Action alleges that Debtor provided substandard and negligent care to Ms. Browne, a patient with Stage 4 renal failure and congestive heart failure, including repeated failures to provide life-sustaining peritoneal dialysis treatments on multiple weekends due to staff shortages. This resulted in significant fluid retention in her heart and lungs, ultimately contributing to her death. The Complaint further alleges that Ms. Browne suffered repeated falls, including two incidents resulting in hip fractures, as well as other indicators of systemic neglect — such as not receiving oral hygiene for extended periods and suffering a stroke that went unreported to her family. These failures reflect chronic understaffing, disregard for medical protocols, and a violation of regulatory care standards.

Creditor did not receive formal notice of the bankruptcy filing or of the claims bar date. Although Creditor is listed on the Debtor’s bankruptcy Schedule E/F, the address is listed only as “on File”. As a result, Creditor was not served with notice of the Bar Date and only learned of the bankruptcy through independent efforts taken in connection with the Motion for Relief from Stay filed on April 10, 2025. *See Affidavit of Love Browne*, which is attached hereto as **Exhibit “A”**.

LEGAL BASIS FOR RELIEF

Federal Rule of Bankruptcy Procedure 3003(c)(3) allows the Court to extend the time for filing a proof of claim “for cause.” Similarly, under Federal Rule of Bankruptcy Procedure 3002(c)(7), this Court may extend the time in which a creditor may file a claim by not more than sixty days from the date of the order granting the motion if the court finds that the notice was insufficient to give the creditor a reasonable time to file a proof of claim. The term “the notice” in Federal Rule of Bankruptcy Procedure 3002(c)(7) refers to the **actual notice** of the deadline to file a proof of claim, not general notice of the bankruptcy case filing. *In re Aguilar*, No. 24-21304-SMG, 2025 Bankr. LEXIS 926 (Bankr. S.D. Fla. Apr. 10, 2025).

Courts routinely grant relief where the debtor failed to provide actual notice to a known creditor. *See e.g., In re Mitrano*, No. 6:24-bk-02053-TPG; 2024 Bankr. LEXIS 2494 (Bankr. M.D. Fla. Oct. 8, 2024) (allowing a late filed claim where the creditor adequately demonstrated that she received insufficient notice of the bar date to give her a reasonable time to file a proof of claim). Here, because the Debtor listed the Creditor without an address and failed to serve notice of the Bar Date, the failure to file a timely claim was due entirely to the Debtor’s failure to comply with Rule 1007(a) notice requirements. Creditor did not have actual notice of the Bar Date but only learned of this bankruptcy and the Bar Date through independent efforts taken in connection with the Motion for Relief from Stay filed by Creditor on April 10, 2025. Thus, cause exists to grant this Motion. *Id.*

REQUEST FOR RELIEF

Creditor respectfully requests that the Court: (i) grant leave to file the proof of claim attached hereto as **Exhibit “B”**, as timely; and (ii) order that such proof of claim be treated as having been filed before the Bar Date for all purposes under the Bankruptcy Code and Plan.

CONCLUSION

For all the reasons stated herein, Creditor respectfully requests that the Court enter an order permitting the late filing of the Proof of Claim and grant such other relief as is just and proper.

Dated: April 28, 2025

/s/ John A. Moore

John A. Moore (Ga. Bar No. 519792)

THE MOORE LAW GROUP, LLC

1745 Martin Luther King Jr. Dr.

Atlanta, GA 303014

(678) 288-5600 – Telephone

(888) 726-4355 – Facsimile

jmoore@moorelawllc.com

Counsel for Movant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *MOTION BY CREDITOR LOVE BROWNE, AS ADMINISTRATOR OF THE ESTATE OF JUBELEE BROWNE, FOR LEAVE TO FILE UNTIMELY PROOF OF CLAIM* was served via the Court's CM/ECF system on all counsel of record registered in these Chapter 11 cases through CM/ECF and the following on this 28th day of April, 2025.

Williamsburg Facility Operations, LLC
1811 Jamestown Road
Williamsburg, VA 23185

Daniel M. Simon, Esq.
Jack Gabriel Haake, Esq.
McDermott Will & Emery LLP
1180 Peachtree St. NE, Ste 3350
Atlanta, GA 30309
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Office of the United States Trustee
362 Richard B Russell Federal Building
75 Ted Turner Drive, SW
Atlanta, GA 30303
jonathan.s.adams@usdoj.gov

R. Jeneane Treace, Esq.
Assistant United States Trustee
362 Richard Russell Bldg.
75 Ted Turner Drive, SW
jeneane.treace@usdoj.gov

Matthew R. Brooks, Esq.
Francis J. Lawall, Esq.
Troutman Pepper Locke LLP
Suite 3000
600 Peachtree Street, NE
Atlanta, GA 30308
matthew.brooks@troutman.com
francis.lawall@troutman.com

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222 N. Pacific Coast Highway
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1745 Martin Luther King Jr. Dr.
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Counsel for Movant

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	
)	
LAVIE CARE CENTERS, LLC, et al.,	)	Case No. 24-55507 (PMB)
)	
	)	Chapter 11
Debtors.)	
	)	(Jointly Administered)
)	

STATE OF GEORGIA)	
	)	SS:
COUNTY OF FULTON)	

**AFFIDAVIT OF LOVE BROWNE IN SUPPORT OF
MOTION FOR LEAVE TO FILE UNTIMELY PROOF OF CLAIM**

I, LOVE BROWNE, being over the age of eighteen and competent to testify, hereby declare the following under penalty of perjury:

1. I am the duly appointed Administrator of the Estate of Jubelee Browne, deceased.
2. I make this affidavit in support of the Motion for Leave to File Untimely Proof of Claim in the bankruptcy case of *Lavie Care Centers, LLC, et al.*, and its jointly administered debtor *Williamsburg Facility Operations, LLC*.
3. I am the representative of the Creditor in a wrongful death and negligence action brought on behalf of the Estate of Jubelee Browne against Williamsburg Facility Operations, LLC. This action was filed in the Circuit Court of the City of Norfolk, Virginia, on October 28, 2022, under Case No. CL22014644-00 (the "State Court Action").
4. At no time prior to April 2025 did I receive notice of the deadline for filing general unsecured claims (the "Bar Date"), which was July 25, 2024.

5. Although the Estate of Jubilee Browne is listed on Debtors' bankruptcy Schedule E/F, the listed address is stated only as "on File." As a result, I did not receive service of the Notice of the Bar Date or any other formal notification of the bankruptcy proceedings.

6. I only became aware of the Bar Date through independent efforts made in connection with my attempt to obtain relief from the automatic stay so that I could pursue the Debtor's liability insurance coverage in connection with the State Court Action.

7. On or about April 10, 2025, I authorized the filing of a Motion for Relief from the Automatic Stay in order to allow the State Court Action to proceed to the extent of available insurance coverage.

8. It was subsequent to the filing of this motion that I first learned of the previously expired Bar Date for filing claims.


9. The failure to timely file a proof of claim was not due to any lack of diligence on my part but was a direct result of the Debtor's failure to provide proper notice of the bankruptcy and Bar Date to me or my legal counsel.

SWORN TO AND SUBSCRIBED before me this 25th day of April, 2025.



LOVE BROWNE

Notary Seal:



NOTARY PUBLIC
State of Pearl Lena Adams
My Commission Expires NOTARY PUBLIC
Fulton County, GEORGIA
My Commission Expires
08/16/2027

EXHIBIT B

Fill in this information to identify the case:

Indicate the Debtor against which you assert a claim by listing it below. Please refer to the Bar Date Notice or visit www.veritaglobal.net/LaVie for the full list of debtors in these cases.
(You may only indicate one Debtor per claim form.)

Debtor Williamsburg Facility Operations, LLC

United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division

Case number 24-55771

Modified Official Form 410

Proof of Claim

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>The Estate of Jubelee Browne</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent? <u>Love Browne, Administrator c/o John Moore, Esq.</u> Name <u>1745 Martin Luther King Jr Dr</u> Number Street <u>Atlanta GA 30314</u> City State ZIP Code <u>USA</u> Country Contact phone <u>678-288-5600</u> Contact email <u>jmoore@moorelawllc.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different) <u>Love Browne, Administrator</u> Name Number Street City State ZIP Code Country Contact phone _____ Contact email <u>lovebrownellc@gmail.com</u>
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on <u>MM / DD / YYYY</u>	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?

☒

No

☐

Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ _

7. How much is the claim?

\$ 5,000,000.00

Does this amount include interest or other charges?

☒

No

☐

Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Wrongful Death

9. Is all or part of the claim secured?

☒

No

☐

Yes. The claim is secured by a lien on property.

Nature of property:

☐

Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

☐

Motor vehicle

☐

Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property:

\$ _____

Amount of the claim that is secured:

\$ _____

Amount of the claim that is unsecured:

\$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition:

\$ _____

Annual Interest Rate (when case was filed) _____ %

☐

Fixed

☐

Variable

10. Is this claim based on a lease?

☒

No

☐

Yes. Amount necessary to cure any default as of the date of the petition.

\$ _____

11. Is this claim subject to a right of setoff?

☒

No

☐

Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?



No



Yes. Check all that apply:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.



Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ _____



Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ _____



Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ _____



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

\$ _____



Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ _____



Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

\$ _____

* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?



No



Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:



I am the creditor.



I am the creditor's attorney or authorized agent.



I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.



I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

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

Executed on date

04 / 25 / 2025

MM / DD / YYYY



Signature

Print the name of the person who is completing and signing this claim:

Name

Love

Browne

First name

Middle name

Last name

Title

Administrator of the Estate of Jubelee Browne

Company

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address

1443 Westmont Rd. SW

Number

Street

Atlanta

GA

30311

USA

City

State

ZIP Code

Country

Contact phone

678-288-5601

Email

lovebrownellc@gmail.com