

Upon consideration of the *Debtor Defendant's Motion to Dismiss Adversary Complaint* (the "Motion") filed on April 21, 2025 at Adv. Docket No. 5 and the *Memorandum of Law in Support of Debtor Defendant's Motion to Dismiss Adversary Complaint* (the "Memorandum") filed on April 21, 2025 at Adv. Docket No. 6, seeking entry of an order dismissing the complaint (the "Complaint") filed on March 10, 2025 at Adv. Docket No. 1 by Ms. Euclide Julien (the "Plaintiff") in the above-captioned adversary proceeding (the "Adversary Proceeding"); and there having been no opposition filed with respect to the relief sought in the Motion or the Memorandum such that the Motion and the Memorandum are deemed unopposed under BLR 7007-1(c); and based on the representations in same, it appearing that the Court lacks subject matter jurisdiction with respect to the Complaint because it is not a core proceeding pursuant to the statutory "core proceeding" definition as set forth in 28 U.S.C. § 157(b)(2); and that venue of the Complaint is not proper in this District pursuant to 28 U.S.C. § 157(b)(5); and the Court having determined that the legal and factual bases for dismissal set forth in the Motion and the Memorandum establish just cause to grant the relief requested therein; and that the relief requested in the Motion and the Memorandum is in the best interests of the Debtor Defendant, its creditors, and other parties in interest; and after due deliberation thereon and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED** to the extent set forth herein.
2. The Complaint is hereby **DISMISSED** in its entirety with prejudice and without leave to replead.

3. In light of the relief granted herein, the status conference currently scheduled in the Adversary Proceeding for May 12, 2025 at 1:20 p.m. (prevailing Eastern Time) [Docket No. 4] is no longer necessary and is hereby **CANCELLED**.

4. The Court retains jurisdiction to hear and determine 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

MCDERMOTT WILL & EMERY LLP

Daniel M. Simon (Georgia Bar No. 690075)

1180 Peachtree Street NE, Suite 3350

Atlanta, Georgia 30309

Telephone: (404) 260-8535

Facsimile: (404) 393-5260

Email: dsimon@mwe.com

- and -

Emily C. Keil (admitted *pro hac vice*)

444 West Lake Street, Suite 4000

Chicago, Illinois 60606

Telephone: (312) 372-2000

Facsimile: (312) 984-7700

Email: ekeil@mwe.com

Counsel for the Debtors and Debtors-in-Possession

Distribution List

LaVie Care Centers, LLC
c/o Ankura Consulting Group, LLC,
485 Lexington Avenue, 10th Floor,
New York, NY 10017
Attn: M. Benjamin Jones

Daniel M. Simon
McDermott Will & Emery LLP
1180 Peachtree Street NE, Suite 3350
Atlanta, GA 30309

Emily C. Keil
McDermott Will & Emery LLP
444 West Lake Street, Suite 4000
Chicago, IL 60606

Jonathan S. Adams
Office of the United States Trustee
362 Richard Russell Federal Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

Euclide Julien
6421 N. Florida Avenue
Tampa, FL 33604