



IT IS ORDERED as set forth below:

Date: May 8, 2025

Paul Baisier

**Paul Baisier
U.S. Bankruptcy Court Judge**

Signed as Revised by the Court

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

| | | |
|---|---|--|
| _____ |) | |
| In re: |) | Chapter 11 |
| |) | |
| LAVIE CARE CENTERS, LLC, <i>et al.</i> , ¹ |) | Case No. 24-55507 (PMB) |
| |) | |
| Debtors. |) | (Jointly Administered) |
| _____ |) | |
| EUCLIDE JULIEN, |) | Chapter 11 |
| |) | |
| Plaintiff, |) | Adv. Case No. 25-05053 (PMB) |
| |) | |
| v. |) | Related to Docket Nos. 1, 2, 3, 4, 5, 6 |
| |) | |
| LAVIE CARE CENTERS, LLC, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER DISMISSING ADVERSARY COMPLAINT

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, which are being jointly administered for procedural purposes only. 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' claims and noticing agent at <https://www.veritaglobal.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.



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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

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- and -

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Counsel for the Debtors and Debtors-in-Possession

Distribution List

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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

Julien,
Plaintiff
LaVie Care Centers, LLC,
Defendant

Adv. Proc. No. 25-05053-pmb

CERTIFICATE OF NOTICE

District/off: 113E-9
Date Rcvd: May 09, 2025

User: bncadmin
Form ID: pdf509

Page 1 of 2
Total Noticed: 6

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ^ | Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 11, 2025:

| Recip ID | Recipient Name and Address |
|----------|---|
| | + Daniel M. Simon, McDermott Will & Emery LLP, 1180 Peachtree Street NE, Suite 3350, Atlanta, GA 30309-7516 |
| | + Emily C. Keil, McDermott Will & Emery LLP, 444 West Lake Street, Suite 4000, Chicago, IL 60606-0029 |
| | + Euclide Julien, 6421 N. Florida Avenue, Tampa, FL 33604-6007 |
| | + Jonathan S. Adams, Office of the United States Trustee, 362 Richard Russell Federal Bldg, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3315 |
| dft | + LaVie Care Centers, LLC, 1040 Crown Pointe Pkwy, Suite 600, Atlanta, GA 30338-4741 |

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|----------------------------|----------------------|--|
| | ^ MEBN | May 09 2025 20:16:59 | LaVie Care Centers, LLC, c/o Ankura Consulting Group, LLC, 485 Lexington Avenue, 10th Floor, New York, NY 10017-2619 |

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 11, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 9, 2025 at the address(es) listed below:

| Name | Email Address |
|------|---------------|
|------|---------------|

District/off: 113E-9

User: bncadmin

Page 2 of 2

Date Rcvd: May 09, 2025

Form ID: pdf509

Total Noticed: 6

Catherine T. Lee

on behalf of Defendant LaVie Care Centers LLC clee@mwe.com

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on behalf of Defendant LaVie Care Centers LLC dmsimon@mwe.com, dnorthrop@mwe.com;ekeil@mwe.com

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TOTAL: 6