

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:

MIDWEST CHRISTIAN VILLAGES, INC.  
*et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-42473-659

(Jointly Administered)

Hearing Date: September 29, 2025  
Hearing Time: 11:00 a.m. (CT)  
Hearing Location: Courtroom 7 North

**DEBTORS' SIXTH MOTION PURSUANT TO  
11 U.S.C. § 1121(d) TO EXTEND EXCLUSIVE PERIODS**

The above-captioned debtors and debtors-in-possession (the “Debtors”), by and through their counsel, file this *Sixth Motion Pursuant to 11 U.S.C. § 1121(d) to Extend Exclusive Periods* (the “Motion”) and in support respectfully submit the following:

**RELIEF REQUESTED**

1. By this Motion, the Debtors seek entry of an order pursuant to § 1121 of title 11 of the United States Code (the “Bankruptcy Code”) extending the periods during which the Debtors have the exclusive right to file a chapter 11 plan (the “Exclusive Filing Period”) and to solicit acceptances thereof (the “Exclusive Solicitation Period” and, together with the Exclusive Filing

<sup>1</sup> The address of the Debtors headquarters is 2 Cityplace Dr, Suite 200, Saint Louis, MO 63141-7390. The last four digits of the Debtors’ federal tax identification numbers are: (i) Midwest Christian Villages, Inc. [5009], (ii) Hickory Point Christian Village, Inc. [7659], (iii) Lewis Memorial Christian Village [3104], (iv) Senior Care Pharmacy Services, LLC [1176], (v) New Horizons PACE MO, LLC [4745], (vi) Risen Son Christian Village [9738], (vii) Spring River Christian Village, Inc. [1462], (viii) Christian Homes, Inc. [1562], (ix) Crown Point Christian Village, Inc. [4614], (x) Hoosier Christian Village, Inc. [3749], (xi) Johnson Christian Village Care Center, LLC [8262], (xii) River Birch Christian Village, LLC [7232], (xiii) Washington Village Estates, LLC [9088], (xiv) Christian Horizons Living, LLC [4871], (xv) Wabash Christian Therapy and Medical Clinic, LLC [2894], (xvi) Wabash Christian Village Apartments, LLC [8352], (xvii) Wabash Estates, LLC [8743], (xviii) Safe Haven Hospice, LLC [6886], (xix) Heartland Christian Village, LLC [0196], (xx) Midwest Senior Ministries, Inc. [3401]; (xxi) Shawnee Christian Nursing Center, LLC [0068]; and (xxii) Safe Haven Hospice, LLC [6886].



Period, the “Exclusive Periods”) by approximately 93 days each, through and including December 31, 2025 and March 2, 2026, respectively.

2. On November 7, 2024, the United States Bankruptcy Court for the Eastern District of Missouri (the “Court”) entered the *Order Approving Debtors’ Motion Pursuant to 11 U.S.C. § 1121(d) to Extend Exclusive Periods* [Docket No. 431] (the “First Exclusivity Extension Order”), granting the Debtors’ first request to extend their statutory exclusive period to file a chapter 11 plan through and including January 27, 2025, and solicit votes through and including March 31, 2025 [Docket No. 394] (the “First Exclusivity Motion”).

3. On January 15, 2025, the Court entered the *Bridge Order Granting Debtors’ Motion to Extend Exclusive Filing Period to File a Chapter 11 Plan Through and Including January 30, 2025* [Docket No. 554], which extended the Exclusive Filing Period by three (3) days from January 27, 2025 to January 30, 2025 in order to prevent the Exclusive Filing Period from expiring.

4. On January 29, 2025, the Court entered the *Order Approving Debtors’ Second Motion Pursuant to 11 U.S.C. § 1121(d) to Extend Exclusive Periods* [Docket No. 582] (the “Second Exclusivity Extension Order”), granting the Debtors’ second request to extend their statutory exclusive period to file a chapter 11 plan through and including February 28, 2025, and solicit votes through and including April 30, 2025 [Docket No. 550] (the “Second Exclusivity Motion”).

5. On February 25, 2025, the Court entered the *Order Approving Debtors’ Third Motion Pursuant to 11 U.S.C. § 1121(d) to Extend Exclusive Periods* [Docket No. 611] (the “Third Exclusivity Extension Order”), granting the Debtors’ third request to extend their statutory exclusive period to file a chapter 11 plan through and including April 14, 2025, and solicit votes through and including June 13, 2025 [Docket No. 601] (the “Third Exclusivity Motion”).

6. On April 3, 2025, the Court entered the *Amended Bridge Order Granting Debtors' Motion to Extend Exclusive Filing Period to File a Chapter 11 Plan Through and Including April 24, 2025* [Docket No. 681], which extended the Exclusive Filing Period by ten (10) days from April 14, 2025 to April 24, 2025 in order to prevent the Exclusive Filing Period from expiring.

7. On April 28, 2025, the Court entered the *Order Approving Debtors' Fourth Motion Pursuant to 11 U.S.C. § 1121(d) to Extend Exclusive Periods* [Docket No. 711] (the "Fourth Exclusivity Extension Order"), granting the Debtors' fourth request to extend their statutory exclusive period to file a chapter 11 plan through and including June 16, 2025, and solicit votes through and including August 15, 2025 [Docket No. 669] (the "Fourth Exclusivity Motion").

8. On July 3, 2025, the Court entered the *Order Approving Debtors' Fifth Motion Pursuant to 11 U.S.C. § 1121(d) to Extend Exclusive Periods* [Docket No. 765] (the "Fifth Exclusivity Extension Order"), granting the Debtors' fifth request to extend their statutory exclusive period to file a chapter 11 plan through and including September 30, 2025, and solicit votes through and including December 1, 2025 [Docket No. 743] (the "Fifth Exclusivity Motion").

9. By this Motion, the Debtors request a further order extending their exclusive right to file a chapter 11 plan by an additional 93 days through and including December 31, 2025 (the "Filing Exclusivity Period"), and to solicit votes thereon by 93 days through and including March 2, 2025 (the "Soliciting Exclusivity Period," and together with the Filing Exclusivity Period, the "Exclusivity Periods"). This is the Debtors' sixth request for an extension of the Exclusivity Period.

10. The First Exclusivity Extension Order, Second Exclusivity Extension Order, Third Exclusivity Order, Fourth Exclusivity Order, and Fifth Exclusivity Order provided the Debtors with the requisite time required to progress these cases. To date, the sales for the majority of the

Debtors' facilities have closed. The Debtors require additional time to allow for the requisite transition items to be completed for each of the buyers.

11. The Debtors are responsible for receiving payments under their payor numbers and then remitting those payments to the applicable purchaser until the applicable purchaser has made arrangements to receive those payments directly. That transition is expected to take until December, 2025.

12. The Debtors have gathered and exchanged information with professionals for the Official Committee of Unsecured Creditors (the "Committee") and UMB Bank, N.A. (as successor bond trustee, successor master trustee, and DIP Lender) (the "Bond Trustee") which is relevant to which of the Debtors' bankruptcy estates a Chapter 11 plan may be confirmable and worthwhile or whether a structured dismissal may make more sense. Discussions regarding those options are ongoing. If a party can identify a term sheet for a feasible and confirmable Chapter 11 plan, Debtors are prepared to consider any such proposal in good faith.

13. At the hearing on August 13, 2025, the Debtors presented a fourth omnibus motion to reject certain executory contracts [Docket No. 786] and a motion to approve a settlement agreement [Docket No. 781]. Each of these has subsequently been approved by this Court. *See* Docket Nos. 800, 801.

14. Additionally, Debtors will require additional time to review any rejection damage claims asserted as a result of the *Debtors' Fifth Omnibus Motion to Reject Certain Executory Contracts* [Docket No. 811], and where appropriate, object to those rejection damage claims.

15. The Debtors have received confirmation that the Bond Trustee supports the extension of the Exclusive Periods. The Committee has determined to take no position with respect

to extension of the Exclusive Periods at this time. Accordingly, the Debtors request the Court extend the Exclusive Periods by approximately 106 days as requested herein.

### **BACKGROUND**

16. On July 16, 2024 (the "Petition Date"), the Debtors filed voluntary petitions for relief pursuant to chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Missouri (the "Court").

17. The Debtors continue in the operation and management of their business as debtors-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code. The U.S. Trustee appointed the Committee on August 8, 2024 [Docket No. 121].

18. A detailed description of the Debtors' businesses and the events leading up to the filing of these chapter 11 cases can be found in the *Declaration of Kathleen (Kate) Bertram in Support of the Debtors' Chapter 11 Petition and First Day Motions* [Docket No. 3], incorporated by reference herein.

19. The Debtors filed these chapter 11 cases to pursue one or more going concern sales and/or going concern affiliations for each of their facilities. As of the date of the filing of this Motion, the Debtors have largely completed the sales for their facilities and the majority of the sales have closed.

20. The general claims bar date and governmental unit bar dates have expired. There are still rejection damage claims which may be asserted. The Debtors and other parties are in the process of reviewing proofs of claims.

## **JURISDICTION AND VENUE**

21. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

22. The statutory predicate for the relief sought herein is § 1121(d) of the Bankruptcy Code.

## **BASIS FOR RELIEF**

### **A. Exclusive Periods May be Extended for Cause.**

23. Under § 1121(d) of the Bankruptcy Code, the Court may extend the Exclusive Periods for cause “on request of a party in interest made within the respective periods specified in subsections (b) and (c) of this section and after notice and a hearing, the court may for cause reduce or increase the 120-day period or the 180-day period referred to in this section.” 11 U.S.C. § 1121(d).

24. The Bankruptcy Code neither defines the term “cause” for purposes of § 1121(d) nor establishes formal criteria for an extension. The legislative history of § 1121 of the Bankruptcy Code indicates, however, that it is intended to be a flexible standard to balance the competing interests of a debtor and its creditors. *See* H.R. Rep. No. 95-595, at 23132 (1978), *reprinted in* 1978 U.S.C.C.A.N. 5963 (noting that Congress intended to give Bankruptcy Courts great flexibility to protect a debtor’s interests by allowing a debtor an unimpeded opportunity to negotiate settlement of debts without interference from other parties in interest); *In re Timbers of Inwood Forest Assoc., Ltd.*, 808 F.2d 363, 372 (5th Cir. 1987) (“Any bankruptcy court involved in an assessment of whether ‘cause’ exists should be mindful of the legislative goal behind § 1121.”); *In re Mirant Corp.*, Ch. 11 Case No. 4-04-CV-476-A, 2004 WL 2250986, at \*2 (N.D. Tex. Sept. 30, 2004) (“In

virtually every case where an extension has been granted, the debtor showed substantial progress had been made in negotiations toward reorganization.”).

25. The broad discretion conferred on the Court in these circumstances enables the Court to consider a variety of factors to assess the totality of circumstances in each case. *In re Adelpia Commc’ns Corp.*, 352 B.R. 578, 587 (Bankr. S.D.N.Y. 2006) (identifying factors courts consider in determining whether to extend exclusivity); *see also In re Hoffinger Indus., Inc.*, 292 B.R. 639, 643-44 (B.A.P. 8th Cir. 2003) (identifying the *Adelpia* factors as factors to consider in determining whether cause exists to extend exclusivity); *In re New Millennium Mgmt., LLC*, No. 13-35719-H3-11, 2014 WL 792115, at \*6 (Bankr. S.D. Tex. Feb. 25, 2014) (same); *In re Friedman’s, Inc.*, 336 B.R. 884, 888 (Bankr. S.D. Ga. 2005) (same); *In re Express One Int’l, Inc.*, 194 B.R. 98, 100 (Bankr. E.D. Tex. 1996) (same); *In re Washington-St. Tammany Elec. Co-op., Inc.*, 97 B.R. 852, 854 (E.D. La. 1989) (noting that the decision to extend exclusivity “rests with the discretion of the Court”).

26. These non-exclusive factors include:

- a. the size and complexity of the debtor’s case;
- b. the necessity for sufficient time to permit the debtor to negotiate a chapter 11 plan and prepare adequate information;
- c. the existence of good faith progress towards reorganization;
- d. the fact that the debtor is paying its bills as they become due;
- e. whether the debtor has demonstrated reasonable prospects for filing a viable plan;
- f. whether the debtor has made progress in negotiations with its creditors;
- g. whether the debtor is seeking an extension of exclusivity in order to pressure creditors to submit to the debtor’s reorganization demands; and

h. whether an unresolved contingency exists.

*See, e.g., Millennium Mgmt.*, 2014 WL 792115, at \*6; *see also Adelpia*, 352 B.R. at 587 (noting that the factors listed above are “objective factors which courts historically have considered in making determinations of this character”); *see also In re Borders Grp., Inc.*, 460 B.R. 818, 822 (Bankr. S.D.N.Y. 2011) (evaluating the factors set forth in *Adelpia* to hold that the debtor established cause to extend exclusivity).

27. Not all factors are relevant to every case, and courts tend to use a relevant subset of the above factors in determining whether cause exists to grant an exclusivity extension in a particular chapter 11 case. *See, e.g., Hoffinger Indus.*, 292 B.R. at 644 (“It is within the discretion of the bankruptcy court to decide which factors are relevant and give the appropriate weight to each.”); *In re Wisconsin Barge Line, Inc.*, 78 B.R. 946, 948 (Bankr. E.D. Mo. 1987) (finding cause to extend exclusivity where the cases were large and complex and the debtors acted diligently by having on file a plan capable of confirmation); *In re Seri. Merch. Co., Inc.*, 256 B.R. 744, 751-54 (Bankr. M.D. Tenn. 2000) (finding cause to extend where the debtors established six of the aforementioned factors); *Express One Int’l.*, 194 B.R. at 100 (identifying four of the factors as relevant in determining whether “cause” existed to extend exclusivity); *see also In re Dow Corning Corp.*, 208 B.R. 661, 670 (Bankr. E.D. Mich. 1997) (“When the Court is determining whether to terminate a debtor’s exclusivity, the primary consideration should be whether or not doing so would facilitate moving the case forward. And that is a practical call that can override a mere toting up of the factors.”).

**B. Cause Exists to Extend Exclusive Periods.**

28. As set forth below, an extension of each of the Exclusive Periods by approximately 93 days is appropriate, in the best interest of the Debtors’ stakeholders, and consistent with the intent and purpose of Chapter 11 of the Bankruptcy Code. The requested extension of the Exclusive



Periods will enable the Debtors to continue to focus on the careful transition of the sold facilities to the buyers and the ongoing discussions regarding possible Chapter 11 plans for one or more of the bankruptcy estates and/or structured dismissal of one or more of the cases.

29. Further, an extension will allow the Debtors to keep their attention on their operations, and allow for the continued review and analysis of claims and sale of remaining assets, which will be relevant to formulating a chapter 11 plan and drafting a substantive disclosure statement for one or more of the bankruptcy estates. Accordingly, application of the relevant above factors to the facts of these chapter 11 cases demonstrates that ample cause exists to grant the reasonable and limited extension of the Exclusive Periods requested herein.

30. As demonstrated further below, granting an extension of the Exclusive Periods will help progress these cases and allow the Debtors to focus on ensuring a successful transition of the sold facilities.

31. Further, as noted above, the Debtors are collecting and forwarding certain payor receivables to the applicable buyers post-closing as part of the transition of those facilities.

32. Further, the Debtors are moving forward with final claims processing and rejection of certain remaining executory contracts.

33. The Exclusive Periods established by Congress were incorporated into the Bankruptcy Code to afford a full and fair opportunity for a debtor to propose a chapter 11 plan and solicit acceptances of such plan without the deterioration and disruption of a debtor's business that might be caused by the filing of multiple competing plans.

34. The facts in these cases are more than sufficient to support a finding of "cause" to extend the Exclusive Periods.

35. Additionally, the Debtors have confirmed that the Bond Trustee supports the extension of the Exclusive Periods.

36. For the foregoing reasons, an extension of the Exclusive Periods is necessary, appropriate, and in the best interests of the Debtors, their estates, and all other parties in interest in these cases. Accordingly, the Debtors request that the Court extend the Exclusive Periods.

**RESERVATION OF RIGHTS**

37. Nothing contained herein is intended to be or shall be deemed to waive the right to seek a further extension of the Debtors' Exclusive Periods for cause shown or other relief.

**NOTICE**

38. This Motion and notice of this Motion will be served respectively on Master Service List, Master Notice List.

39. Notice of this Motion and any order entered hereon will be served in accordance with Local Rule 9013-3(A)(1). The Debtors submit that, under the circumstances, no other or further notice is required.

**WHEREFORE**, the Debtors respectfully request (i) entry of an order extending the Exclusive Filing Period by approximately 93 days through and including December 31, 2025 and extending the Exclusive Solicitation Period by 93 days through and including March 2, 2026 and (ii) any such other and further relief as the Court deems just and proper.

Dated: September 16, 2025  
St. Louis, Missouri

Respectfully submitted

**DENTONS US LLP**

/s/ Stephen O'Brien

Stephen O'Brien

MoBar # 43977

**DENTONS US LLP**

211 N Broadway Ste 3000

St. Louis, MO 63102

Telephone: (314) 241-1800

stephen.obrien@dentons.com

Robert E. Richards (admitted *pro hac vice*)

Samantha Ruben (admitted *pro hac vice*)

**DENTONS US LLP**

233 S. Wacker Drive, Suite 5900

Chicago, Illinois 60606-6404

Telephone: (312) 876-8000

robert.richards@dentons.com

samantha.ruben@dentons.com

– and –

David A. Sosne

MoBar # 28365

**SUMMERS COMPTON WELLS LLC**

903 South Lindbergh Blvd., Suite 200

St. Louis, Missouri 63131

Telephone: (314) 991-4999

dsosne@scw.law

*Co-Counsel to the Debtors and Debtors-in-Possession*