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**PROPOSED COUNSEL TO DEBTORS AND  
DEBTORS IN POSSESSION**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	§ Chapter 11
Higher Ground Education, Inc., <i>et al.</i> , <sup>1</sup>	§ Case No.: 25-80121-11 (MVL)
Debtor.	§ (Jointly Administered)

**DEBTORS’ EMERGENCY MOTION TO SHORTEN NOTICE OF AND SET  
EXPEDITED HEARING ON DEBTORS’ THIRD OMNIBUS MOTION FOR ENTRY  
OF AN ORDER (I) AUTHORIZING THE ASSUMPTION AND ASSIGNMENT OF  
CERTAIN UNEXPIRED LEASES, AND (II) GRANTING RELATED RELIEF**

Pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “**Bankruptcy Code**”), and Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), Higher Ground Education, Inc. (“**HGE**”) and its affiliated debtors and

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal identification number, are: Higher Ground Education Inc. (7265); Guidepost A LLC (8540); Prepared Montessorian LLC (6181); Terra Firma Services LLC (6999); Guidepost Birmingham LLC (2397); Guidepost Bradley Hills LLC (2058); Guidepost Branchburg LLC (0494); Guidepost Carmel LLC (4060); Guidepost FIC B LLC (8609); Guidepost FIC C LLC (1518); Guidepost Goodyear LLC (1363); Guidepost Las Colinas LLC (9767); Guidepost Leawood LLC (3453); Guidepost Muirfield Village LLC (1889); Guidepost Richardson LLC (7111); Guidepost South Riding LLC (2403); Guidepost St Robert LLC (5136); Guidepost The Woodlands LLC (6101); Guidepost Walled Lake LLC (9118); HGE FIC D LLC (6499); HGE FIC E LLC (0056); HGE FIC F LLC (8861); HGE FIC G LLC (5500); HGE FIC H LLC (8817); HGE FIC I LLC (1138); HGE FIC K LLC (8558); HGE FIC L LLC (2052); HGE FIC M LLC (8912); HGE FIC N LLC (6774); HGE FIC O LLC (4678); HGE FIC P LLC (1477); HGE FIC Q LLC (3122); HGE FIC R LLC (9661); LePort Emeryville LLC (7324); AltSchool II LLC (0403). The Debtors’ mailing address is 1321 Upland Dr. PMB 20442, Houston, Texas 77043.



debtors in possession (collectively, the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”) move for an order substantially in the form attached as **Exhibit A**, scheduling an expedited hearing and shortening the notice periods on the *Debtors’ Third Omnibus Motion for Entry of an Order (I) Authorizing the Assumption and Assignment of Certain Unexpired Leases, and (II) Granting Related Relief* (the “**Motion to Shorten Notice**”). In support of this Motion to Shorten Notice, the Debtors respectfully states as follows

**I.**  
**JURISDICTION AND VENUE**

1. The Court has jurisdiction over this Motion to Shorten Notice pursuant to 28 U.S.C. §§ 157(a) and 1334. The Motion to Shorten Notice is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and venue is proper before the Court under 28 U.S.C. §§ 1408 and 1409.

2. The bases for the relief requested herein are section 105(a) of the Bankruptcy Code

**II.**  
**PROCEDURAL BACKGROUND**

**A. Overview of the Chapter 11 Cases**

3. At the beginning of 2025, the Debtors were the largest owner and operator of Montessori schools in the world with over 150 schools (the “**Schools**”). The Debtors’ mission was to modernize and mainstream the Montessori education movement. In addition to owning and operating the Schools, the Debtors provided training and consulting services to Montessori schools around the world. The Debtors sought to offer an end-to-end experience that covers the entire lifecycle of a family at school, virtually, and at home, from birth through secondary education—enabled by next-gen, accredited Montessori instruction. Information on the Debtors, their businesses, and a summary of the relief requested in this Motion can be found in the *Declaration of Jonathan McCarthy in Support of First Day Motions* (the “**First Day Declaration**”), filed concurrently herewith and incorporated herein by reference.

4. On June 17, 2025 and June 18, 2025 (together, the “**Petition Date**”), the Debtors filed voluntary petitions for relief under chapter 11. The Debtors remain in possession of their property and are managing their businesses as debtors-in-possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code. The court has not appointed a trustee and the official committee of unsecured creditors was appointed on July 8, 2025 [Docket No. 158] (the “**Committee**”).

5. On August 8, 2025 the Debtors filed *Debtors’ Third Omnibus Motion for Entry of an Order (I) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (II) Granting Related Relief* (the “**Third Omnibus Assumption Motion**”).

**B. The Prepetition Foreclosures and the Assigned Leases**

6. As stated in the First Day Declaration, three different pre-petition Foreclosures (as defined in the First Day Declaration) and sales occurred with the Foreclosure Buyers acquiring the foreclosed assets (the “**Foreclosed Assets**”). While certain of the unexpired leases (the “**Leases**”) allowed for the free assignment of those Leases from the Debtors to the Foreclosure Buyers, the vast majority of the Leases required landlord consent. Due to the timing of the Foreclosures and these Chapter 11 Cases, not all of the Leases were assigned to the Foreclosure Buyers prior to the Petition Date. As such, the Debtors and the Foreclosure Buyers are utilizing these Chapter 11 Cases to effectuate the assumption and assignment of certain Leases to the Foreclosure Buyers.

7. An ancillary issue resulting from the delayed assignments relates to property insurance for the leases premises. The Debtors, as the tenant under the Leases, have maintained property insurance for the Leases. In May 2025, the Debtors obtained a ninety (90) day extension of the current property insurance policy, which expires on August 25, 2025. While the Debtors have been working with their insurance provider and broker to obtain a further extension of the property insurance, the current insurance provider has not committed to such an extension (and the

cost of such an extension). Having the Third Omnibus Assumption Motion heard at the omnibus hearing scheduled for August 21, 2025 at 1:30 p.m. (prevailing Central Time) (the “**Omnibus Hearing**”) will obviate the need to incur the costs to maintain property insurance.

### **III.** **REQUEST FOR RELIEF**

8. The Debtors request that (a) the Third Omnibus Assumption Motion be heard at the Omnibus Hearing; and (b) set the deadline to file objections to the Third Omnibus Assumption Motion for August 19, 2025, at 5:00 p.m. (prevailing Central Time) - two calendar days prior to the scheduled Omnibus Hearing.

### **IV.** **BASIS FOR RELIEF**

9. Bankruptcy Rule 9006(c)(1) says that “when an act is required or allowed to be done at or within a specified time by these rules” the Court “for *cause* shown may in its discretion with or without motion or notice order the period reduced.” Fed. R. Bankr. Pro. 9006(c)(1). For the reasons set forth below, sufficient cause exists to justify shortening the notice of and setting an expedited hearing on of the Disclosure Statement.

10. The Debtors commenced these Chapter 11 cases under significant liquidity constraints and with a primary objective of preserving value for their estates and creditors. The Debtors budgeted for certain operational costs, like property insurance, to match anticipated operational and procedural timelines in these Chapter 11 Cases. Specific to this issue, the Debtors extended their property insurance through August 25, 2025 based on the assumption that any Leases with operating schools will be assumed and assigned to the Foreclosure Buyers by that date. Extending the property insurance further will require the Debtors to incur costs that were not budgeted for – potentially resulting in smaller recoveries for creditors. Allowing for the Third

Omnibus Assumption Motion to be heard at the Omnibus Hearing allows for the Debtors to eliminate or limit the need for property insurance.

11. Further, the Omnibus Hearing is a scheduled docket day for these Chapter 11 Cases. Thus, holding a hearing on that day should be convenient for all parties. No creditors or parties in interest will be harmed or unduly prejudiced by shortening the notice period on the Third Omnibus Assumption Motion by twelve days. They will still have time to review and object (if necessary) to the Third Omnibus Assumption Motion.

12. Accordingly, the Debtors request that the Court (a) set the Third Omnibus Assumption Motion to be heard at the Omnibus Hearing; and (b) set the deadline to file objections to the Third Omnibus Assumption Motion for August 19, 2025, at 5:00 p.m. (prevailing Central Time)

## V. **NOTICE**

13. The Debtors will provide notice of this Motion to (a) the Office of the United States Trustee for the Northern District of Texas; (b) the United States Attorney's Officer for the Northern District of Texas; (c) counsel to the Committee ; (d) Cozen O'Connor, as counsel to the Senior DIP Lender and Plan Sponsor; (e) Kane Russell Coleman Logan PC, as counsel to the Junior DIP Lender; (f) the Contract Counterparties identified in the Third Omnibus Assumption Motion; and (g) all parties in interest who have formally appeared and requested notice pursuant to Bankruptcy Rule 2002. The Debtors respectfully submit that no further notice of this Motion is required.

14. The pleadings in these Chapter 11 Cases and supporting papers are available on the Debtors' website at [www.veritaglobal.net/HigherGround](http://www.veritaglobal.net/HigherGround) or on the Bankruptcy Court's website at <https://ecf.txnb.uscourts.gov/>. You can request any pleading you need from (i) the proposed noticing agent at: [HigherGroundInfo@veritaglobal.com](mailto:HigherGroundInfo@veritaglobal.com), (888) 733-1431 (U.S./Canada) (toll-

free), +1 (310) 751-2632 (International), or (ii) proposed counsel for the Debtors at: Foley & Lardner LLP, 1144 15<sup>th</sup> Street, Suite 2200, Denver, CO 80202, Attn: Tim Mohan (tmohan@foley.com), and Foley & Lardner LLP, 1000 Louisiana Street, Suite 2000, Houston, Texas 77002, Attn: Nora McGuffey (nora.mcguddy@foley.com) and Quynh-Nhu Truong (qtruong@foley.com).

**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 relief as the Court deems appropriate under the circumstances.

DATED: August 8, 2025

Respectfully submitted by:

/s/ Holland N. O'Neil

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**PROPOSED COUNSEL TO DEBTORS  
AND DEBTORS IN POSSESSION**

**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2025, a true and correct copy of the foregoing document was served electronically by the Court's PACER system.

/s/ Nora J. McGuffey  
Nora J. McGuffey

**Exhibit A**

**Proposed Order**



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	§	Chapter 11
	§	
Higher Ground Education, Inc., <i>et al.</i> , <sup>1</sup>	§	Case No.: 25-80121-11 (MVL)
	§	
Debtor.	§	(Jointly Administered)

**ORDER GRANTING DEBTORS' MOTION TO SHORTEN NOTICE OF  
AND SET EXPEDITED HEARING ON THE DEBTORS' THIRD OMNIBUS  
MOTION FOR ENTRY OF AN ORDER (I) AUTHORIZING THE  
ASSUMPTION AND ASSIGNMENT OF CERTAIN UNEXPIRED LEASES, AND  
(II) GRANTING RELATED RELIEF**

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal identification number, are: Higher Ground Education Inc. (7265); Guidepost A LLC (8540); Prepared Montessorian LLC (6181); Terra Firma Services LLC (6999); Guidepost Birmingham LLC (2397); Guidepost Bradley Hills LLC (2058); Guidepost Branchburg LLC (0494); Guidepost Carmel LLC (4060); Guidepost FIC B LLC (8609); Guidepost FIC C LLC (1518); Guidepost Goodyear LLC (1363); Guidepost Las Colinas LLC (9767); Guidepost Leawood LLC (3453); Guidepost Muirfield Village LLC (1889); Guidepost Richardson LLC (7111); Guidepost South Riding LLC (2403); Guidepost St Robert LLC (5136); Guidepost The Woodlands LLC (6101); Guidepost Walled Lake LLC (9118); HGE FIC D LLC (6499); HGE FIC E LLC (0056); HGE FIC F LLC (8861); HGE FIC G LLC (5500); HGE FIC H LLC (8817); HGE FIC I LLC (1138); HGE FIC K LLC (8558); HGE FIC L LLC (2052); HGE FIC M LLC (8912); HGE FIC N LLC (6774); HGE FIC O LLC (4678); HGE FIC P LLC (1477); HGE FIC Q LLC (3122); HGE FIC R LLC (9661); LePort Emeryville LLC (7324); AltSchool II LLC (0403). The Debtors' mailing address is 1321 Upland Dr. PMB 20442, Houston, Texas 77043.

Upon the motion (the “**Motion to Shorten Notice**”)<sup>2</sup> filed by Higher Ground Education, Inc. (“**HGE**”) and its affiliated debtors and debtors in possession (collectively, the “**Debtors**”), pursuant to section 105(a) of title 11 of the United States Code and Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedure, for entry of an order scheduling an expedited hearing and shortening the notice period with respect to the Third Omnibus Assumption Motion; and the Court having subject matter jurisdiction to consider the Motion to Shorten Notice and the relief requested therein in accordance with 28 U.S.C. §§ 157(b) and 1334; and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and adequate and appropriate notice of the Motion to Shorten Notice under the circumstances having been provided; and the Court having determined that the legal and factual bases set forth in the Motion to Shorten Notice establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Motion to Shorten is granted as set forth herein.
2. The Third Omnibus Assumption Motion shall be heard at the Omnibus Hearing on August 21, 2025, at 1:30 p.m. (CT), with objections, if any, due no later than August 19, 2025, at 5:00 p.m. (CT).
3. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

**###END OF ORDER###**

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<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion to Shorten Notice.

Submitted by:

/s/ Holland N. O'Neil

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