

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.)				(Joint Administration Requested)
)				

**REQUEST FOR EXPEDITED CONSIDERATION OF
CERTAIN FIRST DAY MATTERS**

On June 2, 2024, the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. The Debtor asserts that the cases qualify as “Complex Chapter 11 Cases” and that they need expedited consideration of the following initial case matters (check those that apply):

- X *Debtors’ Emergency Motion for Entry of Order Directing Joint Administration of the Chapter 11 Cases* [Docket No. 3]
- X *Debtors’ Emergency Motion for Entry of Order (I) Authorizing the Debtors to (A) Prepare a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix and (B) File a Consolidated List of the Debtors’ 30 Largest Unsecured Creditors, (II) Authorizing the Debtors to Redact Certain Personal Identification Information for Individual Creditors, (III) Approving the Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (IV) Authorizing the Debtors to File Their Monthly Operating Reports on a Consolidated Basis* [Docket No. 4]
- X *Debtors’ Emergency Application for Entry of Order Authorizing the Retention and Employment of Kurtzman Carson Consultants, LLC as Claims, Noticing, Solicitation, and Administrative Agent Effective as of the Petition Date* [Docket No. 5]

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, for which the Debtors have requested joint administration. 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’ proposed claims and noticing agent at <https://www.kccllc.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.



- X *Debtors' Emergency Motion for Entry of Order (I) Extending Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs and (II) Granting Related Relief [Docket No. 6]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Implementation of Procedures to Maintain and Protect Confidential Health Information as Required by Applicable Privacy Rules and (II) Granting Related Relief [Docket No. 7]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Maintain and Continue Resident Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief [Docket No. 8]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Payment of Prepetition Obligations Owed to Resident Care Vendors [Docket No. 9]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Maintain Existing Insurance Policies and Surety Bonds, and Pay All Obligations Arising Thereunder; (II) Renew, Revise, Extend, Supplement, Change, or Enter into New Insurance Policies; and (III) Granting Related Relief [Docket No. 10]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Taxes, Fees, and Related Obligations and (II) Granting Related Relief [Docket No. 11]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections by Utility Providers; and (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Service [Docket No. 12]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Pay Prepetition Wages, Compensation, and Employee Benefits, (II) Continue Certain Employee Benefit Programs in the Ordinary Course, and (III) Granting Related Relief [Docket No. 13]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Existing Cash Management System, (B) Maintain Existing Bank Accounts and Business Forms and Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Maintain Purchasing Card Program and Honor Prepetition Obligations Related Thereto, and (D) Continue to Perform Intercompany Transactions; (II) Extending the Time for the Debtors to Comply with 11 U.S.C. § 345(b) Deposit and Investment Requirements; and (III) Granting Related Relief [Docket No. 14]*
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the*

Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Docket No. 15]

Dated: Atlanta, Georgia
June 2, 2024

MCDERMOTT WILL & EMERY LLP

/s/ Daniel M. Simon

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*Proposed Counsel for the Debtors and
Debtors-in-Possession*

EXHIBIT A

Proposed Order

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

<p>In re:</p> <p>LAVIE CARE CENTERS, LLC, <i>et al.</i>¹</p> <p style="text-align: center;">Debtors.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Chapter 11</p> <p>Case No. 24-55507 (PMB)</p> <p>(Jointly Administered)</p> <p>Related to Docket No. ____</p>
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**ORDER GRANTING COMPLEX CHAPTER 11 BANKRUPTCY CASE TREATMENT
AND SCHEDULING HEARING ON FIRST DAY MATTERS**

On June 2, 2024, the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code, a Notice of Designation of Complex Chapter 11 Cases, and a Request for Expedited Consideration of Certain First Day Matters. After review of the initial pleadings filed in these cases, the Court

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, for which the Debtors have requested joint administration. 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’ proposed claims and noticing agent at <https://www.kccllc.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.

concludes that these cases appear to be Complex Chapter 11 Cases. Accordingly, unless the Court orders otherwise,

IT IS ORDERED THAT:

I. These Cases shall proceed in accordance with the Procedures for Complex Chapter 11 Cases pursuant to the *Second Amended and Restated General Order 26-2019, Procedures for Complex Chapter 11 Cases*, dated February 6, 2023;

II. The Request for Expedited Consideration of Certain First Day Matters is GRANTED. A hearing will be held before the Court on the ___ day of June, 2024 at ___:___ .m. in Courtroom ___, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, GA 30303 to consider the following First Day Matters:

X Debtors' Emergency Motion for Entry of Order Directing Joint Administration of the Chapter 11 Cases [Docket No. 3]

X Debtors' Emergency Motion for Entry of Order (I) Authorizing the Debtors to (A) Prepare a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix and (B) File a Consolidated List of the Debtors' 30 Largest Unsecured Creditors, (II) Authorizing the Debtors to Redact Certain Personal Identification Information for Individual Creditors, (III) Approving the Form and Manner of Notifying Creditors of Commencement of These Chapter 11 Cases, and (IV) Authorizing the Debtors to File Their Monthly Operating Reports on a Consolidated Basis [Docket No. 4]

X Debtors' Emergency Application for Entry of Order Authorizing the Retention and Employment of Kurtzman Carson Consultants, LLC as Claims, Noticing, Solicitation, and Administrative Agent Effective as of the Petition Date [Docket No. 5]

X Debtors' Emergency Motion for Entry of Order (I) Extending Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs and (II) Granting Related Relief [Docket No. 6]

X Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Implementation of Procedures to Maintain and Protect Confidential Health Information as Required by Applicable Privacy Rules and (II) Granting Related Relief [Docket No. 7]

- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Maintain and Continue Resident Programs and Honor Prepetition Obligations Related Thereto, and (II) Granting Related Relief* [Docket No. 8]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Payment of Prepetition Obligations Owed to Resident Care Vendors* [Docket No. 9]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Maintain Existing Insurance Policies and Surety Bonds, and Pay All Obligations Arising Thereunder; (II) Renew, Revise, Extend, Supplement, Change, or Enter into New Insurance Policies; and (III) Granting Related Relief* [Docket No. 10]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Taxes, Fees, and Related Obligations and (II) Granting Related Relief* [Docket No. 11]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment; (II) Establishing Procedures for Resolving Objections by Utility Providers; and (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Service* [Docket No. 12]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing Debtors to (I) Pay Prepetition Wages, Compensation, and Employee Benefits, (II) Continue Certain Employee Benefit Programs in the Ordinary Course, and (III) Granting Related Relief* [Docket No. 13]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Existing Cash Management System, (B) Maintain Existing Bank Accounts and Business Forms and Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Maintain Purchasing Card Program and Honor Prepetition Obligations Related Thereto, and (D) Continue to Perform Intercompany Transactions; (II) Extending the Time for the Debtors to Comply with 11 U.S.C. § 345(b) Deposit and Investment Requirements; and (III) Granting Related Relief* [Docket No. 14]
- X *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 15]

III. Copies of the First Day Matters shall be made available as follows: (a) upon written request to the Debtors' proposed counsel of record; (b) at the website of the Debtors' proposed claims and noticing agent, <https://www.kccllc.net/LaVie>; (c) by using the "Submit an Inquiry"

option on the Debtors' proposed claims and noticing agent website at <https://www.kccllc.net/LaVie/inquiry>; and/or (d) in the Office of the Clerk, U.S. Bankruptcy Court between 8:00 a.m. and 4:00 p.m. or online anytime at <http://ecf.ganb.uscourts.gov> (registered users) or at <http://pacer.psc.uscourts.gov> (unregistered users). No further notice shall be required.

IV. Attached hereto are this Court's telephonic and video appearance procedures. Parties may attend the hearing telephonically via the following dial-in and corresponding Meeting ID, or may attend through video conference via the following Virtual Data Room link:

<https://www.zoomgov.com/j/1617069079?pwd=WG16TGpyM1Z6dFZ6YVlrUkZwQ2RiZz09>

Phone Number: 833-568-8864

Meeting ID: 161 706 9079

END OF ORDER

Prepared and presented by:

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INSTRUCTIONS FOR APPEARING BY VIDEO CONFERENCE (11/15/2022)

- ARRIVE EARLY. Connect via Judge Baisier's Virtual Hearing Room at least ten (10) minutes before the hearing time.
- QUIET PLACE; NO CARS. Make sure you are alone in a quiet place free of any background noises. A car is not an appropriate place from which to participate in a hearing. If you are not alone, you must advise the court who else is in the room with you.
- BACKGROUND. Use a plain or blurred background. Make sure your background is not distracting to other participants or embarrassing to you.
- APPROPRIATE COURT ATTIRE. Dress for your virtual proceeding as if you were attending your court proceeding in the courtroom. Appropriate attire is mandatory for any appearance in court.
- CAMERA ANGLE; DISTANCE FROM CAMERA. The camera should be pointed straight at your face. It should not be pointed up towards the ceiling or down towards the floor. Distance from the camera also matters. Too close is not good and too far away is not good either.
- HEADSET ENCOURAGED; CELL PHONES DISCOURAGED; SPEAKERPHONE PROHIBITED. Use a headset if at all possible, to improve your audio and reduce or eliminate background noise. If you use a cell phone to connect to a virtual hearing, you risk a slow connection or disconnection. Use a computer with an internet connection if at all possible. DO NOT use a speakerphone.
- IDENTIFY YOURSELF. Each time you speak, identify yourself for the audio record.
- VIRTUAL COMPETENCE. Learn how to mute and unmute yourself. If your hearing involves presentation of documents by you, learn how to share your screen before the hearing.
- NO SELF RECORDING. Pursuant to BLR 5073-1, you are prohibited from recording or broadcasting the proceedings.
- NO COURT REPORTER. In the Bankruptcy Court for the Northern District of Georgia, hearings are recorded by audio and video only. There is no court reporter transcribing the proceedings.
- YOUR CONNECTION; YOUR RESPONSIBILITY. You are responsible for your connection to the virtual courtroom. The court will not wait for you or reschedule a hearing because your connection is not stable, reliable or otherwise does not permit your participation. Make sure in advance that your connection is adequate to allow you to participate fully.

INSTRUCTIONS FOR APPEARING BY TELEPHONIC CONFERENCE (11/15/2022)

- ARRIVE EARLY. Dial in at least ten (10) minutes before the hearing time.
- QUIET PLACE; NO CARS. Make sure you are alone in a quiet place free of any background noises. A car is not an appropriate place from which to participate in a hearing. If you are not alone, you must advise the court who else is in the room with you.
- CELL PHONES DISCOURAGED; SPEAKERPHONE PROHIBITED. If you use a cell phone to connect to a telephonic hearing, you risk a slow connection or disconnection. Use a land line if at all possible. DO NOT use a speakerphone.
- IDENTIFY YOURSELF. Each time you speak, identify yourself for the audio record.
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