



IT IS ORDERED as set forth below:

Date: June 5, 2024

Paul Baisier

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

**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)
)	
)	Related to Docket No. 4

INTERIM 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, (IV) SCHEDULING A FINAL HEARING, AND (V) GRANTING RELATED RELIEF

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' proposed claims and noticing agent at <https://www.kcellc.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 the motion (the “Motion”)² of the Debtors for entry of an order (this “Order”), (a) authorizing the Debtors to (i) prepare a consolidated list of creditors in lieu of submitting separate mailing matrices for each Debtor, (ii) file a consolidated list of the Debtors’ 30 largest unsecured creditors, and (iii) mail initial notices through the Debtors’ Proposed Notice and Claims Agent, (b) authorizing the Debtors to redact certain personal information for individual creditors, (c) approving the form and manner of notifying creditors of commencement of these Chapter 11 Cases, (d) authorizing the Debtors to file one MOR in the lead case of LaVie Care Centers, LLC reflecting all information (*i.e.*, receipts, disbursements, etc.) on a consolidated, debtor-by-debtor basis, and (e) granting related relief, all as more fully set forth in the Motion; and upon consideration of the First Day Declaration; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article II I of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and the Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the “Hearing”); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and it appearing that no other or further notice is necessary; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties-in-interest; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

ORDERED, ADJUDGED, AND DECREED that:

1. The Motion is granted as set forth herein.
2. The final hearing (the “Final Hearing”)³ on the Motion shall be held on June 27, 2024, at 9:30 a.m. (prevailing Eastern Time). Any objections or responses to the entry of the proposed Final Order shall be filed with the Court and served on the following no later than 4:00 p.m. (prevailing Eastern Time) on June 21, 2024: (a) LaVie Care Centers, LLC, c/o Ankura Consulting Group, LLC, 485 Lexington Avenue, 10th Floor, New York, NY 10017 (Attn: M. Benjamin Jones); (b) proposed counsel to the Debtors, McDermott Will & Emery LLP, 1180 Peachtree St. NE, Suite 3350, Atlanta, GA 30309 (Attn: Daniel M. Simon), and 444 West Lake Street, Suite 4000, Chicago, IL 60606 (Attn: Emily C. Keil); (c) counsel to the Prepetition Omega Secured Parties and proposed DIP Lenders, Scroggins & Williamson, P.C., 4401 Northside Parkway, Suite 450, Atlanta, GA 30327 (Attn: Matthew W. Levin), and Goodwin Proctor LLP, The New York Times Building, 620 Eighth Avenue, New York, NY 10018 (Attn: Robert J. Lemons), and Ferguson Braswell Fraser Kubasta PC, 2500 Dallas Parkway, Suite 600, Plano, TX 75093 (Attn: Leighton Aiken); (d) counsel to the Debtors’ prepetition ABL lender, Proskauer LLP, One International Place, Boston, MA 02110 (Attn: Charles A. Dale) and Vedder Price LLP, 222 North LaSalle Street, Chicago, IL 60601 (Attn: Kathryn L. Stevens); (e) counsel to the Debtors’ proposed DIP Lenders, DLA Piper LLP, 1900 N. Pearl St., Suite 2200, Dallas, TX 75201 (Attn:

³ Parties may attend the Final Hearing in **Courtroom 1202 in the Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303** or virtually via **Judge Baisier’s Virtual Hearing Room**. The link for the Virtual Hearing Room can be found on Judge Baisier’s webpage at <https://www.ganb.uscourts.gov/content/honorable-paul-m-baisier> and is best used on a desktop or laptop computer but may be used on a phone or tablet. Participants’ devices must have a camera and audio. You may also join the Virtual Hearing Room through the “Dial-In and Virtual Bankruptcy Hearing Information” link at the top of the homepage of the Court’s website, www.ganb.uscourts.gov. Please review “Instructions for Appearing by Telephone and Video Conference” located under the “Hearing Information” tab on the judge’s webpage prior to the hearing. You should be prepared to appear at the hearing via video, but you may leave your camera in the off position unless you are speaking or until the Court instructs otherwise. Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge’s webpage.

James Muenker) and 1251 Avenue of the Americas, New York, NY 10020 (Attn: Kira Mineroff); (f) the Office of the United States Trustee for Region 21, 362 Richard Russell Building & U.S. Courthouse, 75 Ted Turner Drive, S.W., Atlanta, GA 30303 (Attn: Jonathan S. Adams); (g) counsel to the official committee of unsecured creditors (if any) appointed in these Chapter 11 Cases; and (h) any party that has requested notice pursuant to Bankruptcy Rule 2002. If no objections to entry of the Final Order are filed and served, the Court may enter such Final Order without further notice or hearing.

3. The Debtors are authorized, but not directed, to file a consolidated list of the 30 largest unsecured creditors in these Chapter 11 Cases in lieu of each Debtor filing a list of its 20 largest unsecured creditors.

4. In lieu of submitting a formatted mailing matrix, the Debtors shall make available a single, consolidated list of all of the Debtors' creditors in electronic form to any entity who so requests and in non-electronic form at such requesting entity's sole cost and expense.

5. The Debtors are authorized to redact address information of individual creditors listed on the Creditor Matrix, including but not limited to the Debtors' current and former employees; *provided* that the Debtors shall provide an unredacted version of the Creditor Matrix to the Court, the U.S. Trustee, the DIP Lenders, and any official committee of unsecured creditors appointed in these Chapter 11 Cases.

6. The Notice of Commencement in these Chapter 11 Cases, substantially in the form attached hereto as **Exhibit 1**, is hereby approved.

7. The Debtors, with the assistance of the Proposed Notice and Claims Agent (upon the Court's approval of the Debtors' retention of the Proposed Notice and Claims Agent), are authorized, but not directed, to undertake all mailings directed by the Court, the U.S. Trustee, or

as required by the Bankruptcy Code, the Bankruptcy Rules, and the Complex Case Procedures, as applicable, including the Notice of Commencement of these Chapter 11 Cases, and any other correspondence that the Debtors may wish to send creditors.

8. The Debtors shall serve the Notice of Commencement on their current residents by (a) posting the Notice of Commencement in the common areas of their facilities and (b) distributing a letter from the facility apprising them of the commencement of the chapter 11 cases, which shall include a copy of the Notice of Commencement. The Debtors may supplement such notice in their sole discretion by publishing the Notice of Commencement in either a national or local publication.

9. Nothing in the Motion or this Order or the relief granted (including any actions taken or payments made by the Debtors pursuant thereto) shall be construed as (a) authority to assume or reject any executory contract or unexpired lease of real property, or as a request for the same; (b) an admission as to the validity, priority, or character of any claim or other asserted right or obligation, or a waiver or other limitation on the Debtors' ability to contest the same on any ground permitted by bankruptcy or applicable non-bankruptcy law; (c) a promise or requirement to pay any claim or other obligation; or (d) granting third-party-beneficiary status, bestowing any additional rights on any third party, or being otherwise enforceable by any third party.

10. The Court finds and determines that the requirements of Bankruptcy Rule 6003 are satisfied and that the relief requested in the Motion is necessary to avoid immediate and irreparable harm.

11. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a), the Local Rules, and the Complex Case Procedures are satisfied by such notice.

12. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

13. The Debtors are authorized to take all actions necessary to implement the relief granted in this Order.

14. The Court retains exclusive jurisdiction with respect to 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

Daniel M. Simon (Georgia Bar No. 690075)

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- and -

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

Distribution List

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Kurtzman Carson Consultants LLC
222 N. Pacific Coast Highway, 3rd Floor
El Segundo, CA 90245

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

EXHIBIT 1

Notice of Commencement

Information to identify the case:	
Debtor <u>LaVie Care Centers, LLC, et al.</u> Name	EIN <u>45-3515592</u>
United States Bankruptcy Court for the Northern District of Georgia	Date case filed for chapter 11: June 2, 2024
Case number: <u>Lead Case 24-55507 (PMB), Jointly Administered</u>	

Official Form 309F (For Corporations or Partnerships)

Notice of Chapter 11 Bankruptcy Case

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For the debtor listed above and certain of its affiliates and subsidiaries, a full list of which is available on the Debtors' restructuring website at <https://www.kccllc.net/LaVie>, cases have been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered for each Debtor. This notice has important information about the cases for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read all pages carefully.

The filing of the cases imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from the debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected on the website created by Claims and Noting Agent Kurtzman Carson Consultants ("KCC") for these chapter 11 cases at <https://www.kccllc.net/LaVie> or at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov).

Inquiries regarding this notice may be directed to KCC by calling (877) 709-4750 (toll free for U.S. and Canadian-based parties) or +1 (424) 236-7230 (for international parties) or using the "Submit an Inquiry" link on the KCC website: <https://www.kccllc.net/LaVie/inquiry>.

Debtors' counsel, representatives of KCC, and the staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Lead Debtor Name	All Other Names Used in Last 8 Years	Case Number	Tax I.D. Numbers
LaVie Care Centers, LLC	N/A	24-55507	45-3515592
2. Other Debtor Names & Case Numbers	A full listing of the Debtors' names, tax I.D. numbers, and corresponding case numbers is available on the Debtors' restructuring website: https://www.kccllc.net/LaVie .		
3. Address	1040 Crown Pointe Parkway, Suite 600 Atlanta, GA 30338		
4. Debtors' attorney	Debtors' Claims and Noticing Agent (for court documents and <u>case information inquiries</u>): KURTZMAN CARSON CONSULTANTS LLC ("KCC") Website: https://www.kccllc.net/LaVie Submit an Inquiry: https://www.kccllc.net/LaVie/inquiry Telephone: (877) 709-4750 (toll free for U.S. and Canadian-based parties) +1 (424) 236-7230 (for international parties)		
McDERMOTT WILL & EMERY LLP Daniel M. Simon 1180 Peachtree St. NE, Suite 3350 Atlanta, Georgia 30309 Telephone: (404) 260-8535 Emily C. Keil (admitted <i>pro hac vice</i>) Jake Jumbeck (admitted <i>pro hac vice</i>) Catherine Lee (admitted <i>pro hac vice</i>) 444 West Lake Street, Suite 4000 Chicago, IL 60606 Telephone: (312) 372-2000			

Debtor: LaVie Care Centers, LLC, et al.

Case Number (*if known*): 24-55507 (PMB)

<p>5. Bankruptcy clerk's office</p>	<p>Hours open: Monday – Friday 8:00 AM – 4:00 PM Contact phone: 404-215-1000 Court website: www.ganb.uscourts.gov</p> <p>Documents in this case may be filed at this address.</p> <p>Clerk of the United States Bankruptcy Court 1340 United States Courthouse 75 Ted Turner Drive, SW Atlanta, Georgia 30303</p> <p>You may inspect all records filed in this case at this office or online at www.pacer.gov or at the Debtors' restructuring website at https://www.kccllc.net/LaVie.</p>
<p>6. Meeting of creditors The Debtors' representative must attend the meeting to be questioned under oath. Creditors may attend but are not required to do so. The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	<p>Date: [], 2024 at []:00 [].m. (ET)</p> <p>The meeting will be held telephonically – please dial []. The access code is [].</p>
<p>7. Proof of claim deadline</p>	<p>Deadline for filing proof of claim: Not yet set. If deadline is set, the court will send you another notice.</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be filed either electronically or as a paper document. A proof of claim form may be obtained at www.uscourts.gov, any bankruptcy clerk's office, or on the case website at https://kccllc.net/LaVie.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none">▪ your claim is designated as <i>disputed, contingent, or unliquidated</i>;▪ you file a proof of claim in a different amount; or▪ you receive another notice. <p>If your claim is not scheduled or if your claim is designated as <i>disputed, contingent, or unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the Bankruptcy Clerk's office or online at www.pacer.gov or at the Debtors' restructuring website at https://www.kccllc.net/LaVie.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>
<p>8. Exception to discharge Deadline The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p>	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline imposed by Federal Rule of Bankruptcy Procedure 4007(c).</p>
<p>9. Creditors with a foreign address</p>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>

Debtor: LaVie Care Centers, LLC, et al.

Case Number (*if known*): 24-55507 (PMB)

10. Filing a Chapter 11 bankruptcy case	Bankruptcy cases under Chapter 11 of the Bankruptcy Code has been filed in this court by the Debtors listed herein, and orders for relief have been entered. Chapter 11 allows the debtor to reorganize or liquidate according to a plan. A plan is not effective unless confirmed by the court. You may receive a copy of a plan and a disclosure statement telling you about a plan, and you might have the opportunity to vote on a plan. You will receive notice of the date of a confirmation hearing, and you may object to confirmation of a plan and attend a confirmation hearing. Unless a trustee is serving, the Debtors will remain in possession of the Debtors' property and may continue to operate any business.
11. Discharge of debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. <i>See</i> Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the Bankruptcy Clerk's Office by the deadline.

If you have any questions related to this notice, please call (877) 709-4750 (toll free for U.S. and Canadian-based parties) or +1 (424) 236-7230 (for international parties) or using the "Submit an Inquiry" link on the KCC website: <https://www.kccllc.net/LaVie/inquiry>. You may access documents and case information at <https://www.kccllc.net/LaVie>.