



IT IS ORDERED as set forth below:

Date: July 10, 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 Nos. 10, 47, 232
_____)	

**FINAL ORDER (I) AUTHORIZING DEBTORS TO
(II) MAINTAIN EXISTING INSURANCE POLICIES AND SURETY BONDS AND
PAY ALL OBLIGATIONS ARISING THEREUNDER; (III) RENEW, REVISE,
EXTEND, SUPPLEMENT, CHANGE, OR ENTER INTO NEW INSURANCE
POLICIES AND SURETY BONDS; AND (IV) 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’ 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.



Upon the motion (the “Motion”)² of the Debtors for entry of an Interim Order and a final order (this “Order”), authorizing, but not directing, the Debtors to (a) maintain coverage under the existing Insurance Policies and Surety Bonds and pay on an uninterrupted basis all premiums, deductibles, administration costs, and brokers’ fees arising thereunder or in connection therewith that are paid for by the Debtors in the ordinary course of business (collectively, the “Insurance Obligations”); (b) renew, revise, extend, supplement, change, or enter into new insurance policies, premium financing agreements, and surety bonds as needed in their business judgment without further order of this Court; and (c) granting related relief, all as more fully set forth in the Motion; and upon consideration of the First Day Declaration and the Interim Order entered on June 5, 2024; 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 III 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 on a final basis as set forth herein.
2. The Debtors are authorized, but not directed, in the ordinary course of business and consistent with past practice, to maintain the Insurance Policies, the Premium Financing Agreements, the Surety Bonds, and any related agreements and to pay the Insurance Obligations as they become due, including any prepetition and postpetition amounts owed to the Insurance Carriers, the Surety, and/or the Premium Financing Provider.
3. Without further order of this Court, the Debtors are authorized, but not directed, in the ordinary course of business and consistent with past practice, to renew, revise, extend, supplement, change, endorse, and/or enter into new Insurance Policies, financing agreements, and surety bonds as needed in their business judgment.
4. The banks and financial institutions on which checks were drawn or electronic payment requests made for payment of the prepetition obligations approved herein are authorized to receive, process, honor, and pay all such checks and electronic payment requests when presented for payment, and all such banks and financial institutions are authorized to rely on the Debtors' designation of any particular check or electronic payment request as approved by this Order without any duty of further inquiry and without liability for following the Debtors' instructions.
5. The Debtors are authorized to issue postpetition checks, or to effect postpetition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of the Chapter 11 Cases with respect to the relief granted herein.
6. Notwithstanding anything to the contrary contained in the Motion or this Order, any payment to be made and any relief or authorization granted hereunder shall be limited by, and shall be subject to, the requirements imposed on the Debtors in the Final DIP Order, including, for

the avoidance of doubt, the Approved DIP Budget. To the extent of any conflict (but solely to the extent of such conflict) between the terms of this Order and the terms of the Final DIP Order, the terms of the Final DIP Order will govern.

7. 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.

8. 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.

9. 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.

10. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

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

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

13. 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

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United States Bankruptcy Court
Northern District of Georgia

In re:
LaVie Care Centers, LLC
Debtor

Case No. 24-55507-pmb
Chapter 11

CERTIFICATE OF NOTICE

District/off: 113E-9
Date Rcvd: Jul 10, 2024

User: bncadmin
Form ID: pdf453

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Total Noticed: 5

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.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 12, 2024:

Recip ID	Recipient Name and Address
db	+ LaVie Care Centers, LLC, 1040 Crown Pointe Pkwy, Suite 600, Atlanta, GA 30338-4741
	+ Daniel M. Simon, McDermott Will & Emery LLP, 1180 Peachtree Street NE, Suite 3350, Atlanta, GA 30309-3531
	+ Emily C. Keil, McDermott Will & Emery LLP, 444 West Lake Street, Suite 4000, Chicago, IL 60606-0029
	+ Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, 3rd Floor, El Segundo, CA 90245-5648
	+ LaVie Care Centers, LLC, c/o Ankura Consulting Group, LLC, Attn: M. Benjamin Jones, 485 Lexington Avenue, 10th Floor, New York, NY 10017-2619

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).

NONE

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: Jul 12, 2024

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 July 10, 2024 at the address(es) listed below:

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Ashley Champion	on behalf of Creditor Welltower NNN Group LLC achampion@polsinelli.com, ggodfrey@polsinelli.com
Bryan E. Bates	on behalf of Creditor MidCap Funding IV Trust bbates@phrd.com
Caryn E. Wang	on behalf of Creditor Welltower NNN Group LLC cewang@polsinelli.com
Catherine T. Lee	on behalf of Debtor LaVie Care Centers LLC clee@mwe.com

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