

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

IN RE: Case No.: 24-55507-PMB
LAVIE CARE CENTERS, LLC, et. Chapter 11
al., Cases Jointly Administered
Debtor.

_____ /

**RECOVERY CORP.’S SUPPLEMENT
TO MOTION TO COMPEL DISCOVERY RESPONSES**

Pursuant to Federal Rule of Civil Procedure 37(a)(1), Federal Rules of Bankruptcy Procedure 7037 and 9014, Bankruptcy Local Rule 7037-1, and other applicable law, Healthcare Negligence Settlement Recovery Corp. (“Recovery Corp.”), hereby files this supplement to “Recovery Corp.’s Motion to Compel Discovery Responses” [Doc. 405] (the “Compel Motion”) in which Recovery Corp. seeks the order of this Court compelling fifty (50) chapter 11 debtors (collectively, the “Florida DivestCo Debtors”)¹ whose reorganizations are jointly

¹ 1010 Carpenters Way Operations LLC, 1120 West Donegan Avenue Operations LLC, 11565 Harts Road Operations LLC, 195 Mattie M. Kelly Boulevard Operations, LLC, 12170 Cortez



administered and pending before this Court (collectively, the “Jointly Administered Reorganizations”) under the lead debtor, parent entity of the remaining Debtors, LaVie Care Centers, LLC (the “Parent Debtor”), to fully comply with “Recovery Corp.’s First Set of Interrogatories to the Florida DivestCo Debtors Pertaining to Motion to Convert Florida DivestCo Reorganizations to Chapter 7 Liquidations” (the “Interrogatories”), a copy of which is attached to the Compel Motion as Exhibit “A,” and “Recovery Corp.’s Request for Production to Florida DivestCo Debtors Pertaining to Motion to Convert Florida DivestCo Reorganizations to Chapter 7 Liquidations” (the “Production Request”), a copy of which is attached to the Compel Motion as Exhibit “B”, both of which were served on the Florida DivestCo Debtors on August 6, 2024, and in support states as follows:

Boulevard Operations LLC, 1465 Oakfield Drive Operations LLC, 15204 West Colonial Drive Operations LLC, 1550 Jess Parrish Court Operations LLC, 1615 Miami Road Operations LLC, 1851 Elkcam Boulevard Operations LLC, 216 Santa Barbara Boulevard Operations LLC, 2333 North Brentwood Circle Operations LLC, 2826 Cleveland A venue Operations LLC, 3001 Palm Coast Parkway Operations LLC, 3101 Ginger Drive Operations LLC, 3735 Evans Avenue Operations LLC, 3920 Rosewood Way Operations, LLC, 4200 Washington Street Operations LLC, 4641 Old Canoe Creek Road Operations LLC, 518 West Fletcher A venue Operations LLC, 5405 Babcock Street Operations LLC, 6305 Cortez Road West Operations LLC, 6414 13th Road South Operations LLC, 6700 NW 10th Place Operations LLC, 702 South Kings Avenue Operations LLC, 710 North Sun Drive Operations LLC, 741 South Beneva Road Operations LLC, 777 Ninth Street North Operations LLC, 7950 Lake Underhill Road Operations LLC, 9311 South Orange Blossom Trail Operations LLC, 9355 San Jose Boulevard Operations LLC, Baya Nursing and Rehabilitation, LLC, Brandon Facility Operations, LLC, Consulate Facility Leasing, LLC, Epsilon Health Care Properties, LLC, Floridian Facility Operations, LLC, Jacksonville Facility Operations, LLC, Josera, LLC, Kissimmee Facility Operations, LLC, Lidenskab, LLC, LV CHC Holdings I, LLC, Melbourne Facility Operations, LLC, Miami Facility Operations, LLC, New Port Richey Facility Operations, LLC, North Fort Myers Facility Operations, LLC, Orange Park Facility Operations, LLC, Port Charlotte Facility Operations, LLC, Tallahassee Facility Operations, LLC, Tosturi, LLC, and West Altamonte Facility Operations, LLC.

A. TRUNCATED PROCEDURAL BACKGROUND

1. On August 6, 2024, the Interrogatories and Production Request (together the “Subject Discovery Requests”) were served on the Florida DivestCo Debtors. Accordingly, responses to the Subject Discovery Requests were due on or before September 5, 2024 (the “Response Deadline”).

2. The Florida DivestCo Debtors failed to serve their responses to the Subject Discovery Requests on or before the Response Deadline.

3. On September 6, 2024, Recovery Corp. filed the Compel Motion seeking to (a) compel responses to the Subject Discovery Requests, and (b) deem any objections to the Subject Discovery Requests to have been waived.

4. Also on September 6, 2024, but after the Compel Motion was filed, the Florida DivestCo Debtors served their responses (the “Subject Discovery Responses”) to the Subject Discovery Requests, copies of which are attached hereto as Exhibits “A” and “B”. The Subject Discovery Responses are replete with objections.

B. ALLEGATIONS RELATING TO RELIEF REQUESTED

5. Although the relief requested in the Compel Motion seeking an order compelling responses to the Subject Discovery Requests may be moot, Recovery Corp. still requires this Court to enter an order determining that the untimely asserted objections contained within the Subject Discovery Responses have been

waived by the Florida DivestCo Debtors. See Sanibel Beach Front Condos LLC v. Sanibel Arms Condo. Ass'n, Inc., 219CV557FTM29NPM, 2020 WL 4741101, at *2 (M.D. Fla. Jan. 8, 2020) (“Absent compelling circumstances, failure to assert objections to an interrogatory within the time for answers constitutes a waiver and will preclude a party from asserting the objection in a response to a motion to compel...when a party fails to serve timely responses to requests to produce under Rule 34, the party waives any objections it may have to this discovery except objections based on privilege or protection”).

6. In addition to the Rules and supporting case law that provide for the waiver of untimely objections to discovery, a number of aggravating factors militate in favor of deeming the Florida DivestCo Debtors’ objections to have been waived:

- a. **The Debtors’ Head Start:** On February 2, 2023, the Debtors’ counsel in these Jointly Administered Reorganizations, McDermott Will & Emery LLP (“McDermott”), was engaged by the Parent Debtor², giving the Debtors the advantage over Recovery Corp. of eighteen (18) months of advance planning and drafting, the culmination of which was the Debtors’ strategy of combining 282

² See “Debtors’ Application For Entry of Order Authorizing the Retention and Employment of McDermott Will & Emery LLP as Counsel for the Debtors and Debtors-In-Possession Effective As Of The Petition Date” [Doc. 135] at ¶ 10.

disparate Debtors to obfuscate the broad releases sought for insiders from the Debtors including the Florida DivestCo Debtors in exchange for no consideration.

b. Rapid Advancement of Jointly Administered Reorganizations:

The Debtors' head start is evidenced by the raft of first-day motions and the breakneck speed at which the Debtors have attempted to advance these Jointly Administered Reorganizations despite the obvious complexity involved in attempting to reorganize 282 Debtors. Included amongst the first-day motions is the DIP Financing Motion³ which seeks releases for the Debtors' pre and postpetition lenders, including Omega Healthcare Investors, Inc., the Debtors' largest landlord and its prepetition lender. The release for Omega is problematic because Omega has liability to Recovery Corp. for facilitating fraudulent transfers of the Florida DivestCo Debtors' SNFs. Further, given that all but one of the Florida DivestCo Debtors have transferred away their SNFs, the Florida DivestCo Debtors will receive no benefit of the DIP loan funds, yet the Debtors point to the Florida DivestCo Debtors' liability under the same as a basis for

³ 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" [Doc. 15].

substantive consolidation. The Debtors' advancement of the DIP Financing Motion has produced both an interim order approving postpetition financing entered on June 5, 2024, three (3) days after initiating these Jointly Administered Reorganizations, and a final order approving postpetition financing on June 28, 2024, less than a month after the petition date. The deadline to file a challenge the prepetition and postpetition lending transactions is September 15, 2024 (the "Financing Challenge Deadline"). The Debtors have also sought to rapidly advance to confirmation. The Combined Plan⁴ was filed on July 23, 2024, as a combined disclosure statement and plan of reorganization. The Combined Plan utterly fails as a disclosure statement, as it reveals very little about the Debtors' assets, liabilities, income, expenses, interrelationships, third-party claims, or other key business, financial, and legal attributes. The Combined Plan also contains broad releases for both the Debtors and for nondebtors alike. Despite the vagueness of the Combined Plan, and despite the Debtors' claims that the Combined Plan was a "placeholder", the Debtors have advanced the Combined Plan with all deliberate speed. The deadline to object to the disclosure statement component of the Combined Plan

⁴ "Debtors' Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization" [Doc. No. 273].

was September 4, 2024.

- c. **Discovery Delays:** Despite seeking expedited consideration of all relief requested by the Debtors in these Jointly Administered Reorganizations, the Debtors have delayed discovery, failing to provide written responses to the Subject Discovery Requests until the Compel Motion was filed. In their responses, the Florida DivestCo Debtors have asserted objections to every Interrogatory and Production Request. And rather than provide written responses to the Interrogatories, the Florida DivestCo Debtors have merely directed Recovery Corp. to documents the Florida DivestCo Debtors have produced. Further, with respect to the Production Request, although the Florida DivestCo Debtors have begun producing documents, the documents that have been produced were documents responsive to discovery served by the Official Committee of Unsecured Creditors, which presumably had already been compiled and are not necessarily fully responsive to the Production Request. Accordingly, the Florida DivestCo Debtors have not complied with their discovery obligations.

Based upon the Debtors' efforts to rapidly progress these Jointly Administered Reorganizations, the Florida DivestCo Debtor's objections to the Subject Discovery Requests should be deemed to have been waived based upon the failure

to timely assert them. Deeming the objections to be waived will streamline the discovery process by obviating the need to meet and confer regarding the Florida DivestCo Debtor's improper objections and expedite the delivery of discovery to Recovery Corp. that is overdue.

WHEREFORE, Recovery Corp. respectfully requests the order of this Court:

- a. granting the Compel Motion,
- b. deeming objections to the Production Request and Interrogatories to be waived; and
- c. granting any other further relief this Court deems just and proper.

DATED this 13th day of September, 2024.

/s/ John A. Anthony

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been

furnished on September 13th, 2024, by electronic means to:

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EXHIBIT

“A”

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

In re:)	
)	Chapter 11
LAVIE CARE CENTERS, LLC, <i>et al.</i> ,)	Case No. 24-55507 (PMB)
Debtors. ¹)	(Jointly Administered)
)	
)	Related to Docket No. 279

**DEBTORS' RESPONSES AND OBJECTIONS TO RECOVERY CORP.'S
FIRST SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Rules 7026 and 7033 of the Federal Rules of Bankruptcy Procedure, LaVie Care Centers, LLC (“LaVie”) and certain of its affiliates and subsidiaries, as debtors and debtors-in-possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases (the “Chapter 11 Cases”) submit the following Responses and Objections (the “Responses”) to *Recovery Corp.’s First Set of Interrogatories to Florida DivestCo Debtors Pertaining to Motion to Convert Florida DivestCo Reorganizations to Chapter 7 Liquidations* (the “Interrogatories”), served on the Debtors on August 6, 2024 by Healthcare Negligence Settlement Recovery Corp. (“Recovery Corp.”).

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.veritaglobal.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.

PRELIMINARY STATEMENT

1. These Responses are subject to the *Stipulated and Agreed to Confidentiality Agreement and Protective Order* entered in these Chapter 11 Cases on August 21, 2024 (ECF No. 334) (the “Protective Order”), and the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure, and the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Northern District of Georgia (collectively, the “Rules”).

2. In responding to the Interrogatories, the Debtors do not in any manner waive, or intend to waive, but rather expressly reserve and preserve all rights: (a) to object as to privilege, relevance, materiality, and admissibility; (b) to object on the use of any Response in these Chapter 11 Cases or in any other proceeding; and (c) to object further discovery.

3. These Responses are based upon information presently known to the Debtors. As discovery is ongoing, the Debtors intend to supplement these Responses if and when additional relevant information or documentation is brought to their attention, or as otherwise necessary or appropriate, and expressly reserve the right to do so.

4. Nothing in these Responses shall be construed as an admission of the truth or accuracy of any statement contained in the Interrogatories.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. The Debtors object to the definition of “Florida Claims” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, insofar as it states or implies that any of the Debtors engaged in negligent or wrongful conduct prior to the Petition Date. The Debtors further object to the definition of “Florida Claims” as vague, ambiguous, and overbroad to the extent it includes all such claims without regard to whether they are “known or unknown,

asserted or unasserted, meritorious or frivolous, disputed or undisputed, liquidated or unliquidated, fixed or contingent.”

2. The Debtors object to the definition of “Florida Claimants”, “Claimant Firms”, and “Florida Lawsuits” to the extent each definition is predicated on incorrect assumptions of fact or law, including, without limitation, insofar as they state or imply that any of the Debtors engaged in negligent or wrongful conduct prior to the Petition Date. The Debtors further object to these definitions as vague and ambiguous to the extent the Interrogatories do not specify the names of the Florida Claimants or the Claimant Firms, or identify the Florida Lawsuits. In responding to the Interrogatories, the Debtors will construe “Florida Claimants” to mean the individuals listed in the “Schedule of Florida Claimants” attached as Exhibit C to *Recovery Corp.’s Motion to Dismiss or Convert Florida DivestCo Reorganizations*, filed on August 6, 2024 (ECF No. 310) (the “Conversion Motion”), and will construe “Claimant Firms” to mean the law firms listed there.

3. The Debtors object to the definition of “Debtors” as overbroad to the extent it includes “any members, managing members, employees, accountants, attorneys, or other agents of the Debtors.” In responding to the Interrogatories, the Debtors will interpret and apply the term “Debtors” to mean the Debtors in these Chapter 11 Cases.

4. The Debtors object to the definition of “Parent Debtor” as overbroad to the extent it includes “any members, managing members, employees, accountants, attorneys, or other agents of the Parent Debtor.” In responding to the Interrogatories, the Debtors will interpret and apply the term “Parent Debtor” to mean LaVie Care Centers, LLC.

5. The Debtors object to the definition of “DivestCo Debtors” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, improperly and incorrectly asserting that the DivestCo Debtors “are presently de facto shell entities.”

In responding to the Interrogatories, the Debtors will interpret and apply the term “DivestCo Debtors” to mean the Divested Facility Debtors as defined in the *Declaration of M. Benjamin Jones in Support of Chapter 11 Petitions and First Day Pleadings*, dated June 2, 2024 (ECF No. 17) (the “Jones Declaration”) on page 16 and listed in footnote 12.

6. The Debtors object to the definition of “Florida DivestCo Debtors” as vague and ambiguous because it does not specify which “subset of DivestCo Debtors” it is referring to here. In responding to the Interrogatories, the Debtors shall interpret and apply the term “Florida DivestCo Debtors” to mean the DivestCo Debtors listed in the “Florida DivestCo Debtors Schedule” attached as Exhibit A to the Conversion Motion.

7. The Debtors object to the definition of “Florida DivestCo Reorganizations” as vague and ambiguous because it does not specify what “subset of the Reorganizations” correspond to the Florida DivestCo Debtors or what it means for these Chapter 11 Cases to “correspond” with them.

8. The Debtors object to the definition of “Non-Debtor Related Entities” as vague and ambiguous because it does not define or specify what it means to be an “affiliate” of the Parent Debtor. In responding to the Interrogatories, the Debtors will interpret and apply the term “affiliate” as defined under 11 U.S.C. § 101(2). The Debtors further object to the definition of “Non-Debtor Related Entities” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, that Aspire Healthcare, LLC is affiliated with the Debtors or the Parent Debtor and that certain Florida SNF Transferees are owned or controlled by certain Non-Debtors affiliated with LaVie.

9. The Debtors object to the definition of “Florida SNF Transferees” as vague and ambiguous because the Interrogatories do not specify the names of each individual Florida SNF

Transferee, and also object to the Interrogatories use of the term “SNF Transferees”. In responding to the Interrogatories, the Debtors will construe “SNF Transferees” to mean the Florida SNF Transferees (and may apply those terms interchangeably in their Responses), and will further construe those terms to mean the “New Owner/Licensee (Transferee)” listed in the Transfer Schedule attached as Exhibit A to the Interrogatories (defined below).

10. The Debtors object to the definition of “Current Florida SNFs” on the grounds that it is vague and ambiguous, including because it refers to the “*potential* subset of SNFs in Florida and owned and/or operated by some of the OpCo Debtors as of the Petition Dates.” The Debtors further object to the definition of “Current Florida SNFs” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, that the Debtors currently operate more than one SNF located in Florida. In responding to the Interrogatories, the Debtors will interpret and apply the term “Current Florida SNFs” to the one SNF currently operated by the Debtors: Harts Harbor Health Care Center, as stated in paragraph 20 of the Jones Declaration.

11. The Debtors object to the definition of “Florida Landlords” as vague and ambiguous because the Interrogatories do not specify or otherwise identify the name of each Florida Landlord, except for the “Omega Parties”, which the Debtors will construe as Omega Healthcare Investors, Inc. (including affiliates and subsidiaries, “Omega”) in responding to the Interrogatories. In addition to Omega, the Debtors will construe “Florida Landlords” to mean the entities listed as “Real Property Owner” in the Transfer Schedule attached as Exhibit A to the Interrogatories (as defined below).

12. The Debtors object to the use of “Litigation Targets” as argumentative and improper in referring to these entities and individuals as “targets,” and further object to the definition of that term because it is predicated on incorrect assumptions of fact or law, including

with respect to releases that are not currently provided for under the DIP Finance Motion, the Bidding Procedures Motion, or the Combined Plan.

13. The Debtors object to the use of the term “Fraudulent Transfer Schedule” as argumentative and improper, and further object to the definition of that term because it is predicated on incorrect assumptions of fact or law and implies that the transactions listed in Exhibit A to the Interrogatories involved fraudulent transfers in violation of 11 U.S. Code § 548 and/or other applicable law. In responding to the Interrogatories, the Debtors will refer to Exhibit A as the “Transfer Schedule.”

14. The Debtors object to the definition of the term “identify” as overbroad and unduly burdensome because it purports to require the Debtors to state (a) “the full name, present address, present employer, and occupation” when used in reference to an individual person; (b) state the legal nature of that person...and to state its full name, address, and principal place of business” when used in reference to a corporate or legal entity; and (c) the author, signatory, addressee, title, date, and page length when used in reference to a document. The Debtors further object to the definition of the term “identify” to the extent the foregoing would impose an excessive discovery burden on the Debtors beyond what is required under the Rules. In responding to the Interrogatories, the Debtors will interpret and apply the term “identify” in a manner consistent with their obligations under the Rules, and will refer to documents by docket number and/or with appropriate Bates labeling when referring to specific documents filed or produced to date. Doing so, however, shall not be construed as a representation by the Debtors that any documents identified by docket or Bates number represents “all” documents that may contain relevant or responsive information.

15. The Debtors object to the definition of the term “related to” as overly broad and unduly burdensome to the extent it purports to extend to any documents and information that could “in any manner...implicate the subject matter” of a particular Interrogatory, and further object to that definition because it is vague and ambiguous as to what “in any manner” means. In responding to the Interrogatories, the Debtors will interpret and apply the term “related to” to mean reasonably or materially concerning or reflecting the relevant subject matter.

16. The Debtors object to the instruction that purports to require the Debtors to “set forth in detail the reasons” the Florida DivestCo Debtors are unable to respond to any of the Interrogatories to the extent it would impose an excessive discovery burden on the Debtors beyond their obligations under the Rules. In responding to the Interrogatories, the Debtors will construe their obligations in accordance with the Rules.

GENERAL OBJECTIONS TO THE INTERROGATORIES

These General Objections apply in common and are made specifically to each and every Interrogatory. They are incorporated into the Responses below as if fully and specifically set forth in Response to each and every Interrogatory, including the Responses that also set forth specific objections. To the extent any of these General Objections are not raised in Response to any particular Interrogatory, the Debtors do not waive any such objection.

1. The Debtors object to the Interrogatories because they are premature and improper at this stage of the proceedings, and seek information and answers the Debtors have yet to discover or determine conclusively, as discovery and the Debtors’ investigation of the claims at issue are ongoing. While the Debtors are working diligently to complete their investigation and comply with their discovery obligations, the Debtors intend to supplement and/or modify their Responses as more information comes to light through their investigation or is disclosed through discovery

and in the course of these Chapter 11 Cases, and expressly reserve their right to do so. Accordingly, the Debtors object to the Interrogatories to the extent the Debtors lack sufficient knowledge and information to respond to such demands.

2. The Debtors object to the Interrogatories that purport to require the Debtors to admit or deny facts and/or allegations regarding each of the Florida Claimants and/or each of the Florida DivestCo Debtors, or other corresponding facts related to one or another of the foregoing. As there are fifty (50) Florida DivestCo Debtors, over 100 Florida Claimants, these Interrogatories are overly burdensome, unnecessary and excessive, and disproportionate to the needs of the case.

3. The Debtors object to the Interrogatories to the extent they call for legal conclusions as facially improper and impermissible under the Rules. The Debtors will not respond to such demands in any Interrogatory.

4. The Debtors object to the Interrogatories as overbroad and unduly burdensome to the extent they call for the Debtors to state “all” facts or identify “any and all” documents, instances, assets, or other category of information, or that call for “every fact, circumstance, condition, or other basis” supporting the Debtors’ position on a particular issue. To the extent the Debtors respond to any such Interrogatories, each Response is made with the express understanding and representation that it does not constitute an exhaustive catalog of “all” or “every” such fact, circumstance, basis, or other category of information that exists. The Debtors similarly object to the Interrogatories to the extent they call for the regurgitation of factual information that may be obtained more easily or efficiently through other means in discovery, or improperly seek a catalog of “all” facts or “every” fact or other category of information relating to a particular issue. Such demands impose obligations that exceed the requirements of the Rules, and the Debtors will not undertake to respond to them beyond what is required under the Rules.

5. The Debtors objects to the Interrogatories to the extent they seek information the Debtors have produced or disclosed in these Chapter 11 Cases, or that is reasonably available to Recovery Corp. from other sources. As providing written answers to Interrogatories that include such demands would impose an unreasonable, disproportionate, and excessive discovery burden on the Debtors, the Debtors will refer to documents with responsive information that have been filed or produced in these Chapter 11 Cases, or direct Recovery Corp. to such documents and information that are otherwise reasonably or equally available to Recovery Corp.

6. The Debtors object to the Interrogatories to the extent they seek information that is not within the Debtors' possession, custody, or control, including, without limitation, with respect to information that is in the exclusive possession, custody, and control of Synergy, Omega Healthcare Investors, Inc. (including affiliates and subsidiaries, "Omega"), Dias & Associates, and/or the Florida SNF Transferees.

7. The Debtors similarly object to the Interrogatories to the extent they are duplicative or cumulative of discovery requests served upon (or which should be served upon) other sources, including, without limitation, Synergy, Omega, Dias & Associates, and/or the Florida SNF Transferees, without any attempt by Recovery Corp. to appropriately limit the Interrogatories to seek only information that would reasonably be in the Debtors' exclusive possession, custody, or control.

8. The Debtors object to the Interrogatories that demand information that would purportedly "confirm" or "rebut" questions relating to any particular subject or issue as argumentative, vague and ambiguous, and otherwise improper. The Debtors further object to such demands to the extent they call for legal conclusions and/or purport to require definitive proof that the Debtors cannot reasonably provide at this time or otherwise. To the extent the Debtors

undertake to respond to any such Interrogatory, their Response shall not be construed as an admission or representation on the part of the Debtors that it “confirms” or “rebutts” the subject matter of the request.

9. The Debtors object to the Interrogatories to the extent they seek information protected from disclosure by the attorney-client privilege, the work-product doctrine, common-interest protection, the self-evaluation privilege, the business-strategy immunity, or any other privilege, immunity, rule of privacy or confidentiality, protection, or restriction that protects such information from involuntary disclosure or production. The Debtors will not disclose any such privileged or protected information in response to the Interrogatories.

SPECIFIC RESPONSES AND OBJECTIONS TO THE INTERROGATORIES

Interrogatory No. 1:

Identify every individual (a) having any material role in responding to these Interrogatories, (b) having responsibility for substantive knowledge regarding documents described in the Production Request, and/or (c) having any material role in responding to the Admissions Request.

Response to Interrogatory No. 1:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as overbroad, unduly burdensome and excessive to the extent it calls for the Debtors to identify “*every* individual” who had “any” material role or substantive knowledge with respect to these discovery requests.

Subject to and without the foregoing objections, as their response to this Interrogatory the Debtors state as follows: (a) these Responses were prepared by attorneys at McDermott Will & Emery LLP, as counsel for the Debtors; (b) at this time the Debtors are reasonably able to identify M. Benjamin Jones, Chris Bryson, Greg Hayes, Timothy Lehner, Jeron Walker, and Daniel Dias as having substantive knowledge of the documents the Debtors have produced or agreed to produce

in response to Recovery Corp.'s Document Requests; and (c) the Debtors' Responses and Objections to Recovery Corp.'s Requests for Admission were prepared by attorneys at McDermott Will & Emery LLP, as counsel for the Debtors.

Interrogatory No. 2:

Identify all individuals having material personal knowledge regarding any of the material allegations set forth in the Dismissal Motion and/or any responses or objections to matters covered in the Admissions Request, and these Interrogatories.

Response to Interrogatory No. 2:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous with respect to the phrase "material allegations set forth in the Dismissal Motion," and overbroad in calling for the Debtors to identify "all individuals" who may have material personal knowledge regarding "any responses or objections" to the Interrogatories or the Admissions Request. The Debtors further object to this Interrogatory to the extent it seeks information that is not within the Debtors' possession, custody, or control, or that would require the Debtors to speculate whether third-party individuals have "material personal knowledge" regarding several broad and undefined categories of information, which are also separate and distinct. The Debtors also similarly object to this Interrogatory because it calls for information that is in Recovery Corp.'s possession, custody, or control, including with respect to its own allegations, or that could and should be obtained from other parties, including, specifically, the Florida SNF Transferees, Synergy, Omega and other Florida Landlords, and/or Danial Dias and Dias & Associates. The Debtors further object to this Interrogatory to the extent that it seeks information that privileged or protected, and to the extent that it is duplicative and unreasonably cumulative of the preceding Interrogatory. The Debtors further object to this Interrogatory because it is premature, as discovery is ongoing and the Debtors have not completed their investigation into the claims and allegations asserted in the Dismissal Motion.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors state they are reasonably able to identify M. Benjamin Jones, Chris Bryson, Greg Hayes, Timothy Lehner, Jeron Walker, and Daniel Dias as having material personal knowledge regarding the factual allegations asserted in the Dismissal Motion.

Interrogatory No. 3:

If the Florida DivestCo Debtors deny that each of them formerly operated a Divested Florida SNF, as reflected in the Fraudulent Transfer Schedule, identify and explain every fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial.

Response to Interrogatory No. 3:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it is duplicative and unnecessarily cumulative of its Requests for Admission, and because it calls for information that Recovery Corp. has in its possession, custody, or control, including as reflected by the information contained in the Transfer Schedule and Exhibit C to Recovery Corp's Conversion Motion (ECF 310-3, pages 2-4). The Debtors further object to this Interrogatory as overly burdensome, unnecessary and excessive, and disproportionate to the needs of the case, to the extent it purports to require the Debtors provide a response for *each* of the fifty (50) Florida DivestCo Debtors, and in calling for the Debtors to "identify and explain *every* fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial."

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to their Response to Request for Admission No. 1. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any,

other information Recovery Corp. seeks from this Interrogatory that it does not already have and the basis for its demands under the Rules.

Interrogatory No. 4:

If the Florida DivestCo Debtors deny that each of the Florida Claimants is a former resident of a Divested Florida SNF, or the legal representative of such a resident, or such resident's probate estate, identify and explain every fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial.

Response to Interrogatory No. 4:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it is duplicative and unnecessarily cumulative of its Requests for Admission, and because it calls for information that is in Recovery Corp.'s possession, custody or control, including as reflected in the Transfer Schedule and in Exhibit C to Recovery Corp's Conversion Motion (ECF 310-3, pages 2-4). The Debtors also object on the same grounds to the extent this Request seeks information that is not within the Debtors' possession, custody, or control, including, without limitation, regarding the Claimants, their legal representatives, and their probate estates. Moreover, the Debtors object to this Interrogatory overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the over one hundred (100) Florida Claimants, and to "identify and explain *every* fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial."

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to their Response to Request for Admission No. 2. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any,

other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and the basis for it demands under the Rules.

Interrogatory No. 5:

If the Florida DivestCo Debtors deny that each of the Florida Claimants asserted a nursing home negligence claim arising under chapter 400 Florida Statutes against a corresponding Florida DivestCo Debtor, as reflected in the Fraudulent Transfer Schedule, while said Florida DivestCo Debtor operated its Divested Florida SNF, identify and explain every fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial.

Response to Interrogatory No. 5:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it is duplicative and unnecessarily cumulative of its Requests for Admission, and because it calls for information that is in Recovery Corp.'s possession, custody or control, including as reflected in the Transfer Schedule and in Exhibit C to Recovery Corp's Conversion Motion (ECF 310-3, pages 2-4), or could be obtained from the Florida Claimants' own pleadings in the Florida Lawsuits as a matter of public record. The Debtors further object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the over one hundred (100) Florida Claimants, and to "identify and explain *every* fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial." Moreover, the Debtors object to this Interrogatory as improper because it calls for a legal conclusion regarding the Florida Claimants and the nature of their claims against the Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the documents cited above, including the Florida Claimants' public filings and pleadings in the Florida Lawsuits, and to the Debtors' Response to

Request for Admission No. 3. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and the basis for its demands under the Rules.

Interrogatory No. 6:

Explain the role of the Dias Defendants in dealing with the Claimant Firms in connection with the Florida Lawsuits and the settlement of the Florida Claims, taking care to identify every position or role that Dan Dias, Esquire, held or maintained at the time as counsel, officer, or any other role on behalf of the Florida DivestCo Debtors, any of the other Debtors, or any of the Non-Debtor Related Entities during or about this time frame.

Response to Interrogatory No. 6:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it is duplicative and unnecessarily cumulative of its Requests for Admission, and because it calls for information that is in Recovery Corp.'s possession, custody or control. The Debtors further object to this Interrogatory as vague and ambiguous, including because it is unclear what "dealing with the Claimant Firms" or "taking care" means, and to the extent the Interrogatories' definition of "Non-Debtor Related Entities" is vague and ambiguous itself. The Debtors further object to this Interrogatory as overly broad in demanding that the Debtors "identify *every* position or role that Dan Dias, Esquire, held or maintained at the time as counsel, officer, or any other role on behalf of the Florida DivestCo Debtors, any of the other Debtors, or any of the Non-Debtor Related Entities during or about this time frame." The Debtors further object to this Interrogatory to the extent it calls for information the Debtors have produced or disclosed in these Chapter 11 Cases. Moreover, the Debtors object to this Interrogatory to the extent it calls for information that is not within the Debtors' possession, custody, or control, and which could and should be obtained from other parties, including, Daniel Dias, Dias & Associates, and the unspecified "Non-Debtor Related Entities" referenced above.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to their Response to Request for Admission No. 4, No. 6, Nos. 14-15, and No. 25. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis of such demands under the Rules.

Interrogatory No. 7:

Set forth the circumstances under which each of the Florida DivestCo Debtors relinquished operational control of its Divested Florida SNF to one of the Florida SNF Transferees, following the date that each such Florida Claimant asserted a claim against the corresponding Florida DivestCo Debtor, as reflected in the Fraudulent Transfer Schedule.

Response to Interrogatory No. 7:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous, including because it is unclear what setting forth “the circumstances under which each of the Florida DivestCo Debtors relinquished operational control of its Divested Florida SNF to one of the Florida SNF Transferees” means. The Debtors further object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the fifty (50) Florida DivestCo Debtors, and to “identify and explain *every* fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial.” Moreover, the Debtors further object to this Interrogatory because it calls for information the Debtors have disclosed in public filings, including, without limitation, on pages 9-17 and 35-38 of the Jones Declaration, or that the Debtors have produced or agreed to produce, including, specifically, with respect to the Operations Transfer Agreements (“OTAs”)

(see, e.g., LV_00021392, LV_00021413, LV_00021464, LV_00021514, LV_0021565, LV_0021637, LV_00021704, LV_00021776, LV_00021848, LV_00021918, LV_00021998, LV_00022069, LV_00022076, LV_00022158, LV_00022245, LV_00022316, LV_00022389, LV_00022457, LV_00022524, LV_00022590, LV_00022656, LV_00022723, LV_00022790, LV_00022858, LV_00022924, LV_00022990, LV_00023056, LV_00023123, LV_00023189, LV_00023260, LV_00023326, LV_00023396, LV_00023470, LV_00023537, LV_00023608, LV_00023677, LV_00023744, LV_00023852, LV_00023960, LV_00024069, LV_00024178, LV_00024239, LV_00024290, LV_00024356, and LV_00025642), or that Recovery Corp. otherwise has in its possession, custody, or control, including as reflected by the information contained in the Transfer Schedule.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the OTAs cited above, which set forth the terms and conditions of the operative transfers. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 8:

Set forth the sums due to each of the Florida Claimants when each of their corresponding Florida DivestCo Debtors relinquished operational control of its Divested Florida SNF to one of the Florida SNF Transferees under the settlements previously reached with the Dias Defendants on behalf of the Florida DivestCo Debtors.

Response to Interrogatory No. 8:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it calls for information the Debtors have disclosed

in public filings, including, without limitation, on pages 37-39 of the Jones, and Schedule E/F to the Schedule of Assets and Liabilities filed for each of the Florida DivestCo Debtors, or that the Debtors have produced or agreed to produce, including, specifically, with respect to the settlement agreements with the Florida Claimants. (*See, e.g.*, LV_00025704, LV_00025708, LV_00025711, LV_00025715, LV_00025719, LV_00025722, LV_00025726, LV_00025730, LV_00025733, LV_00025736, LV_00025739, LV_00025743, LV_00025746, LV_00025750, LV_00025753, LV_00025756, LV_00025759, LV_00025762, LV_00025765, LV_00025768, LV_00025771, LV_00025775, LV_00025778, LV_00025782, and LV_00025785.) The Debtors further object to this Interrogatory to the extent it calls for information that Recovery Corp. has in its possession, custody, or control, including with respect to the Florida Claimants, the timing of their claims, and the operative settlement agreements they entered into with the Florida DivestCo Debtors, and reflected in Exhibit C to Recovery Corp.'s Conversion Motion (ECF 310-3, pages 2-4). Moreover, the Debtors object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the over one hundred (100) Florida Claimants, along with the corresponding Florida DivestCo Debtor (of which there are fifty (50)), and to "identify and explain *every* fact, circumstance, condition, event, document, and witness that confirms, refutes, or otherwise materially bears on said denial."

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the documents cited above, including, specifically, the operative settlement agreements the Debtors have produced, which include the settlement amounts and payment schedules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this

Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules

Interrogatory No. 9:

Explain the corporate relationship in terms of ownership, management, or control of the Parent Debtor to each of the Florida DivestCo Debtors, taking care to identify any mediate or intermediate parents, subsidiaries, affiliates, or related entities.

Response to Interrogatory No. 9:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous with respect to what explaining “the corporate relationship in terms of ownership, management, or control of the Parent Debtor to each of the Florida DivestCo Debtors” entails, or what “taking care” means in regard to identifying affiliated entities. The Debtors also object to this Request on the same grounds because the Interrogatories does not define or specify what it means to be an “affiliate” of the Parent Debtor, which the Debtors will interpret and apply as defined under 11 U.S.C. § 101(2). The Debtors further object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the fifty (50) Florida DivestCo Debtors. Moreover, the Debtors object to this Interrogatory to the extent it calls for information the Debtors have disclosed in public filings, including, without limitation, in the Jones Declaration on pages 9-19 and in the Organizational Chart attached thereto as Exhibit A, or that the Debtors have produced or agreed to produce, including, specifically, at LV_00024407-14 and LV_00025670-80.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the documents cited above, including, specifically, the Jones Declaration on pages 9-19 and in the Organizational Chart attached thereto as Exhibit A, and the organizational charts the Debtors have produced at LV_00024407-14 and

LV_00025670-80, which set forth the Debtors' ownership and corporate structure in further detail. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 10:

Explain the corporate relationship in terms of ownership, management, or control of Synergy to the Parent Debtor, Raydiant, NSPIRE, Aspire, and any other subsidiary of Synergy having a direct or indirect interest in the Florida SNF Transferees.

Response to Interrogatory No. 10:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous with respect to what explaining "the corporate relationship in terms of ownership, management, or control of the Parent Debtor to each of Synergy to the Parent Debtor, Raydiant, NSPIRE, Aspire, and any other subsidiary of Synergy" entails. The Debtors further object to this Interrogatory because it is predicated on the incorrect factual assumption that Synergy has any ownership or control over the Debtors, including the Parent Debtor. Moreover, the Debtors object to this Request because it seeks information that is not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, Synergy, Raydiant, NSPIRE, Aspire, and/or the SNF Transferees. Otherwise, the Debtors object to this Interrogatory to the extent it calls for information the Debtors have disclosed in public filings, including, without limitation, in the Jones Declaration on pages 9-19 and in the Organizational Chart attached thereto as Exhibit A, or that the Debtors have produced or agreed to produce, including, specifically, at LV_00024407-14 and LV_00025670-80.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the documents cited above, including, specifically at LV_00025670-80, which reflects the corporate relationship (if any) between the LaVie and the above-referenced entities, and further refer Recovery Corp. to the Debtors' Responses to Request for Admission No. 19 and No. 23. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 11:

For each instance in which one of the Florida DivestCo Debtors relinquished operational control of its Divested Florida SNF to one of the Florida SNF Transferees, identify what value the corresponding Florida SNF Transferee gave on account of each such transfer.

Response to Interrogatory No. 11:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as overly burdensome and disproportionate to the needs of the case, and as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including, without limitation, on pages 35-38 of the Jones Declaration, or that the Debtors have produced or agreed to produce, including the OTAs produced to date. (*See, e.g.*, LV_00021392, LV_00021413, LV_00021464, LV_00021514, LV_0021565, LV_0021637, LV_00021704, LV_00021776, LV_00021848, LV_00021918, LV_00021998, LV_00022069, LV_00022076, LV_00022158, LV_00022245, LV_00022316, LV_00022389, LV_00022457, LV_00022524, LV_00022590, LV_00022656, LV_00022723, LV_00022790, LV_00022858, LV_00022924, LV_00022990, LV_00023056, LV_00023123, LV_00023189,

LV_00023260, LV_00023326, LV_00023396, LV_00023470, LV_00023537, LV_00023608, LV_00023677, LV_00023744, LV_00023852, LV_00023960, LV_00024069, LV_00024178, LV_00024239, LV_00024290, LV_00024356, and LV_00025642). Moreover, the Debtors further object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the fifty (50) Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the OTAs cited above, which set forth the terms and conditions of the operative transfers, and the Jones Declaration at pages 35-38, which provides further background and information, and further refer Recovery Corp. to the Debtors' Responses to Request for Admission Nos. 5-6, and Nos. 10-11. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 12:

For each instance in which one of the Florida DivestCo Debtors relinquished operational control of its Divested Florida SNF to one of the Florida SNF Transferees, identify what value the corresponding Florida Landlord gave or received on account of each such transfer.

Response to Interrogatory No. 12:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including, without limitation, on pages 35-38 of the Jones Declaration, or that the Debtors have produced or agreed

to produce, including the OTAs produced to date and identified in response to the preceding Request, as well as documents reflecting certain fees the Florida Landlords received in connection with the relevant transfers. (*See, e.g.*, LV_00025681 at 25687-88 and LV_00025642-61.) The Debtors further object to this Interrogatory to the extent it seeks because it seeks information that is not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, the SNF Transferees and the Florida Landlords, or that is publicly available (including with respect to Omega). (*Id.*) The Debtors further object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the fifty (50) Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the documents cited above, including, specifically, LV_00025681 at 25687-88 and LV_00025642-61, which reflect certain fees Omega received in connection with the operative transfers, as well as their Responses to Request for Admission Nos. 5-6, and Nos. 10-11. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 13:

Set forth all benefits that the Florida DivestCo Debtors and their estates derive from any funding authorized by this Court upon consideration of the DIP Finance Motion.

Response to Interrogatory No. 13:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous in form and in substance,

including with respect to the phrase “all benefits,” such that it is unclear what information the Debtors are being asked to provide. Moreover, the Debtors object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the *Final Order (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, and (IV) Granting Related Relief* (ECF No. 189), which speaks for itself, and further refer Recovery Corp. to the Debtors’ Responses to Request for Admission No. 28 and No. 29. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.’s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 14:

Set forth all assets that the Florida DivestCo Debtors and their estates intend to market or sell in connection with any sale authorized by this Court upon consideration of the Bidding Procedures Motion.

Response to Interrogatory No. 14:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as premature and improper. Moreover, the Debtors object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the *Order (I) Approving Bidding Procedures*

and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (V) Authorizing the Assumption and Assignment of Assumed Contracts, and (VI) Authorizing the Sale of Assets (ECF No. 177), and specifically at Exhibit 1, Section I (“Assets to be Auctioned”) at page 21 of 50, which speaks for itself, and further refer Recovery Corp. to the Debtors’ Response to Request for Admission No. 31 and No. 32. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.’s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 15:

Set forth in summary fashion what business or financial affairs each of the Florida DivestCo Debtors propose to reorganize or liquidate under the Combined Plan.

Response to Interrogatory No. 15:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous in calling for the Debtors to respond “in summary fashion” without specifying what that means. The Debtors further object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases. The Debtors further object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the fifty (50) Florida DivestCo Debtors. Moreover, the Debtors object to this Request because

it is premature and improper, as negotiations regarding a final Chapter 11 Plan of Reorganization are ongoing.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the *Debtors' Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* (ECF No. 273), as well as in the Schedule E/F to the Schedule of Assets and Liabilities filed for each of the Florida DivestCo Debtors, which speak for themselves, and further refer Recovery Corp. to the Debtors' Response to Request for Admission No. 35, No. 36 and No. 37. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 16:

With respect to each divestment of a Divested Florida SNF, set forth the opinion of the corresponding Florida DivestCo Debtor as to the value received by the corresponding Florida SNF Transferee as a result of such transaction, taking care to identify any document or expert who contributed to this opinion, or any other basis for this opinion, whether lay or professional.

Response to Interrogatory No. 16:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous to the extent it is unclear what the "value received by the corresponding Florida SNF Transferee" means, or what would constitute the "opinion" of each corresponding Florida DivestCo Debtor in that regard. Moreover, the Debtors object to this Interrogatory as improper in calling for information that is not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida SNF Transferees. The Debtors further object to this

Interrogatory because it appears to be predicated on the incorrect factual assumption that each Florida DivestCo Debtor prepared or caused to be prepared an “opinion” regarding the fair market value of the assets each Florida SNF Transferee received in connection with those transactions. The Debtors further object to this Interrogatory because it calls for information the Debtors have disclosed in public filings, or that the Debtors have produced or agreed to produce in these Chapter 11 Cases, including, specifically, the OTAs that have been produced to date. (*See, e.g.*, LV_00021392, LV_00021413, LV_00021464, LV_00021514, LV_00021565, LV_00021637, LV_00021704, LV_00021776, LV_00021848, LV_00021918, LV_00021998, LV_00022069, LV_00022076, LV_00022158, LV_00022245, LV_00022316, LV_00022389, LV_00022457, LV_00022524, LV_00022590, LV_00022656, LV_00022723, LV_00022790, LV_00022858, LV_00022924, LV_00022990, LV_00023056, LV_00023123, LV_00023189, LV_00023260, LV_00023326, LV_00023396, LV_00023470, LV_00023537, LV_00023608, LV_00023677, LV_00023744, LV_00023852, LV_00023960, LV_00024069, LV_00024178, LV_00024239, LV_00024290, LV_00024356, and LV_00025642). Beyond that, the Debtors object to this Interrogatory as overly broad, unduly burdensome, and disproportionate to the needs of the case in calling for the Debtors to provide a response as to *each* of the fifty (50) Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the documents cited above, including, specifically the OTAs the Debtors have produced, which include the terms and conditions of the operative transfers. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.’s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp.

does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 17:

Describe all measures taken by the Florida DivestCo Debtors, Synergy, the Parent Debtor, the Florida SNF Transferees, the Dias Defendants, or any other law firm for any of them, to advise either the Florida Claimants or the Claimant Firms, of its filings/applications with the Florida Agency for Health Care Administration (“AHCA”), relating to operations transfer agreements (“OTA”), change of ownership filings (“CHOW”), change of operator filings (“CHOP”), and other filings, applications, and submissions relating to the divestment of Divested Florida SNFs from their corresponding Florida DivestCo Debtors.

Response to Interrogatory No. 17:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory because it is predicated on the incorrect legal conclusion that the Florida DivestCo Debtors were obligated to provide such notice to the Florida Claimants in the first place. The Debtors further object to this Request because it seeks information that would have been provided, if at all, to the Florida Claimants. The Debtors similarly object to this Interrogatory to the extent it seeks documents and information that are not within the Debtors’ possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida Claimants or Dias & Associates. Because the information sought should be in Recovery Corp.’s possession, custody, or control, and, if not, could be obtained from the Florida Claimants, or other parties, responding to this Interrogatory would impose an unnecessary and unduly burdensome discovery obligation on the Debtors that is inconsistent with the Rules and exceeds their requirements. Moreover, the Debtors object to this Interrogatory as duplicative and unnecessarily cumulative of documents and information the Debtors have disclosed in public filings, and/or that the Debtors have produced or agreed to produce in these Chapter 11 Cases.

Based on the foregoing objections, the Debtors will not provide any further response to this Interrogatory as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 18:

Identify the name of every individual or business entity, including aliases or DBAs as applicable, that the Debtors believe or urge will receive some form of release under the relief requested by the Debtors in the Bidding Procedures Motion, the DIP Finance Motion, or under the Combined Plan.

Response to Interrogatory No. 18:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as premature and improper. Moreover, the Debtors object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases, as well as overly broad and unduly burdensome in calling for the Debtors to identify “every individual or business entity that the Debtors believe or urge will receive some form of release” through these Chapter 11 Cases. Likewise, the Debtors object to the foregoing phrase as vague and ambiguous, and as predicated on incorrect facts and assumptions, with respect to what the Debtors’ purportedly “believe or urge.”

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the *Order (I) Approving Bidding Procedures and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Establishing Notice and Procedures for*

the Assumption and Assignment of Contracts and Leases, (V) Authorizing the Assumption and Assignment of Assumed Contracts, and (VI) Authorizing the Sale of Assets (ECF No. 177), *Final Order (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, and (IV) Granting Related Relief* (ECF No. 189), and *Debtors' Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* (ECF No. 273), which speak for themselves, and further refer Recovery Corp. to the Debtors' Response to Request for Admission No. 30, No. 32 and No. 37. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 19:

Describe the manner in which the Debtors share any substantial identity in connection with their pre-petition business, financial, or legal dealings.

Response to Interrogatory No. 19:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as vague and ambiguous, because the term "substantial identity" is unclear and undefined. Moreover, the Debtors object to this Interrogatory as facially improper because it is premised upon an incorrect conclusion of law relating to the "substantial identity" of certain Debtors, and because it calls for legal conclusions in that regard. The Debtors further object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, and/or that the Debtors have produced or agreed to produce in these Chapter 11 Proceedings.

Based on the foregoing objections, the Debtors will not provide any further response to this Interrogatory as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 20:

Identify any and all instances in which any of the Florida Claimants is believed by any of the Florida DivestCo Debtors to have relied upon the consolidated credit of more than one of the Debtors in connection with any business or financial affairs of each such Florida Claimant.

Response to Interrogatory No. 20:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as entirely improper for a number of reasons. For one, this Interrogatory appears to improperly assert or rely on conclusions of fact and law—including regarding the nature of the settlement agreements and related negotiations between the Florida DivestCo Debtors and the Florida Claimants—and calls for speculation as to what the Florida DivestCo Debtors *believed* with respect to the actions of the Florida Claimants. This Interrogatory also improperly seeks information that is not within the Debtors' possession, custody, or control, and calls for information that could, if anything, be obtained from the Florida Claimants themselves. Moreover, the Debtors object to this Interrogatory as vague, ambiguous, and poorly-worded to such extent that it is entirely unclear what information, if any, the Debtors could possibly be expected to provide in response. Beyond that, the Debtors object to this Interrogatory because it is overly broad and responding to it would impose an excessive and unduly burdensome discovery obligation on the Debtors.

Based on the foregoing objections, the Debtors will not provide any further response to this Interrogatory as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 21:

Set forth every fact, circumstance, condition, event, or other basis upon which the Florida DivestCo Debtors contend that it would be fair and equitable for Recovery Corp. to receive no distribution on account of its claims in these Reorganizations and simultaneously be precluded from asserting third-party claims against the Miami Defendants and the other Litigation Targets.

Response to Interrogatory No. 21:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as entirely improper for a number of reasons. It is premature, argumentative, predicated on an incomplete hypothetical involving a position the Debtors have never asserted, and is based on and calls for legal conclusions of law.

Based on the foregoing objections, the Debtors will not provide any further response to this Interrogatory as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 22:

Set forth every fact, circumstance, condition, event, or other basis upon which the Florida DivestCo Debtors contend that they can propose the Combined Plan in good faith when it would produce little or no distribution to Recovery Corp. on account of its claims, and yet preclude Recovery Corp. from asserting claims against the Miami Defendants and the other Litigation Targets.

Response to Interrogatory No. 22:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as entirely improper for a number of reasons. It is premature, argumentative, predicated on an incomplete hypothetical involving a position the Debtors have never asserted, and is based on and calls for legal conclusions of law. Moreover, the Debtors object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, and/or that the Debtors have produced or agreed to produce in these Chapter 11 Proceedings.

Subject to and without waiving the foregoing objections, as their response to this Interrogatory the Debtors refer Recovery Corp. to the *Order (I) Approving Bidding Procedures and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (V) Authorizing the Assumption and Assignment of Assumed Contracts, and (VI) Authorizing the Sale of Assets* (ECF No. 177), *Final Order (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, and (IV) Granting Related Relief* (ECF No. 189), and *Debtors' Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* (ECF No. 273), which speak for themselves, and further refer Recovery Corp. to the Debtors' Response to Request for Admission No. 36. The Debtors will not provide any further response to this Interrogatory as

written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Interrogatory No. 23:

If the Florida DivestCo Debtors contend that Recovery Corp. has inaccurately concluded that the Combined Plan, the Bidding Procedures Motion, and the DIP Finance Motion would grant broader releases in favor of the Miami Defendants and/or the Litigation Targets than the Debtors intend, explain why the Debtors have sought and obtained a temporary restraining order under Bankruptcy Code §105(a) precluding Recovery Corp. from pursuing these same third-party defendants.

Response to Interrogatory No. 23:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Interrogatory as entirely improper for a number of reasons. It is premature, argumentative, predicated on an incomplete hypothetical involving a position the Debtors have never asserted, and is based on and calls for conclusions of law. Moreover, the Debtors object to this Interrogatory because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, and/or that the Debtors have produced or agreed to produce in these Chapter 11 Proceedings.

Subject to and without waiving the foregoing objections, the Debtors refer Recovery Corp. to the *Order (I) Approving Bidding Procedures and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (V) Authorizing the Assumption and Assignment of Assumed Contracts, and (VI) Authorizing the Sale of Assets* (ECF No. 177), *Final Order (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, and (IV) Granting Related Relief (ECF No. 189), and *Debtors' Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* (ECF No. 273), which speak for themselves, and further refer Recovery Corp. to the Debtors' Response to Request for Admission No. 36. The Debtors will not provide any further response to this Interrogatory as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to additional information, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel for clarification, and to determine what, if any, other information Recovery Corp. seeks from this Interrogatory that Recovery Corp. does not already have and that the Debtors could provide, and the basis for its demands under the Rules.

Dated: Miami, Florida
September 6, 2024

MCDERMOTT WILL & EMERY LLP

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EXHIBIT

“B”

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

In re:)	
)	Chapter 11
LAVIE CARE CENTERS, LLC, <i>et al.</i> ,)	Case No. 24-55507 (PMB)
Debtors. ¹)	(Jointly Administered)
)	
)	Related to Docket No. 279

**DEBTORS' RESPONSES AND OBJECTIONS TO RECOVERY CORP.'S
FIRST SET OF REQUESTS FOR PRODUCTION**

Pursuant to Federal Rules of Civil Procedure Rules 34, incorporated through Rules 7026, 7034, and 9016 of the Federal Rules of Bankruptcy Procedure, LaVie Care Centers, LLC (“LaVie”) and certain of its affiliates and subsidiaries, as debtors and debtors-in-possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases (the “Chapter 11 Cases”) submit the following Responses and Objections (the “Responses”) to *Recovery Corp.’s Requests for Production to Florida DivestCo Debtors Pertaining to Motion to Convert Florida DivestCo Reorganizations to Chapter 7 Liquidations* (the “Requests”), served on the Debtors on August 6, 2024 by Healthcare Negligence Settlement Recovery Corp. (“Recovery Corp.”) in these Chapter 11 Cases.

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.veritaglobal.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.

PRELIMINARY STATEMENT

1. Any documents that have or may be produced in response to the Requests, including in the Debtors' rolling productions to Recovery Corp. on August 27, August 29, and September 5, 2024, are subject to the *Stipulated and Agreed to Confidentiality Agreement and Protective Order* entered in these Chapter 11 Cases on August 21, 2024 (ECF No. 334) (the "Protective Order"), and the Federal Rules of Bankruptcy Procedure, the Federal Rules of Civil Procedure, and the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Northern District of Georgia (collectively, the "Rules"),

2. Subject to the foregoing and the objections set forth below, the Debtors will produce responsive, non-privileged documents within their possession, custody, or control that are located after a reasonable and good faith search. With respect to email communications specifically, as discussed in the meet and confer held on August 27, 2024, the Debtors will search for and produce responsive non-privileged documents from the custodial records of the Debtors' former CEO, Jeron Walker, from January 1, 2020 through May 8, 2024, and the Debtors' current CEO, Timothy Lehner, from May 9, 2024 to the Petition Date, in accordance with the search parameters provided to Recovery Corp.'s counsel on August 27, 2024. The Debtors also will search for and produce response, non-privileged external email communications between the Debtors' counsel Dias & Associates PA and (1) counsel for the tort plaintiffs or (2) the OTA transferees and their counsel.

3. In responding to these Requests, including by producing documents prior to serving these Responses, the Debtors have not and do not in any manner waive, or intend to waive, but rather expressly reserve and preserve all rights: (a) to object as to privilege, relevance, materiality,

and admissibility; (b) to object on the use of any Response or responsive documents in these Chapter 11 Cases or in any other proceeding; and (c) to object further discovery.

4. These Responses are based upon information presently known to the Debtors. The Debtors reserve the right to supplement these Responses if and when additional relevant information or documentation is brought to their attention, or as otherwise necessary or appropriate.

5. Nothing in these Responses shall be construed as an admission of the truth or accuracy of any statement contained in the Requests.

6. Any agreement by the Debtors to search for and produce documents responsive to any Request, or to meet and confer with counsel regarding any Request, shall not be construed as an admission or representation on the part of the Debtors that any such documents actually exist and/or are in the Debtors' possession, custody, or control.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. The Debtors object to the definition of "Florida Claims" to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, insofar as it states or implies that any of the Debtors engaged in negligent or wrongful conduct prior to the Petition Date. Debtors further object to the definition of "Florida Claims" as vague, ambiguous, and overbroad to the extent it includes all such claims without regard to whether they are "known or unknown, asserted or unasserted, meritorious or frivolous, disputed or undisputed, liquidated or unliquidated, fixed or contingent."

2. The Debtors object to the definition of "Florida Claimants", "Claimant Firms," and "Florida Lawsuits" to the extent each definition is predicated on incorrect assumptions of fact or

law, including, without limitation, insofar as they state or imply that any of the Debtors engaged in negligent or wrongful conduct prior to the Petition Date.

3. The Debtors object to the definition of “Florida Claimants”, “Claimant Firms”, and “Florida Lawsuits” to the extent each definition is predicated on incorrect assumptions of fact or law, including, without limitation, insofar as they state or imply that any of the Debtors engaged in negligent or wrongful conduct prior to the Petition Date. The Debtors further object to these definitions as vague and ambiguous to the extent the Requests do not specify the names of the Florida Claimants or the Claimant Firms, or identify the Florida Lawsuits. In responding to the Requests, the Debtors will construe “Florida Claimants” to mean the individuals listed in the “Schedule of Florida Claimants” attached as Exhibit C to *Recovery Corp.’s Motion to Dismiss or Convert Florida DivestCo Reorganizations*, filed on August 6, 2024 (ECF No. 310) (the “Conversion Motion”), and will construe “Claimant Firms” to mean the corresponding law firms listed there.

4. The Debtors object to the definition of “Debtors” as overbroad to the extent it includes “any members, managing members, employees, accountants, attorneys, or other agents of the Debtors.” In responding to the Requests, the Debtors will interpret and apply the term “Debtors” to mean the Debtors in these Chapter 11 Cases, and, subject to the responses and objections set forth below, the Debtors will produce responsive, non-privileged documents within their possession, custody, or control that are located after a good faith search of their corporate records and the custodial accounts described above.

5. The Debtors object to the definition of “Parent Debtor” as overbroad to the extent it includes “any members, managing members, employees, accountants, attorneys, or other agents of the Parent Debtor.” In responding to the Requests, the Debtors will interpret and apply the term “Parent Debtor” to mean LaVie Care Centers, LLC.

6. The Debtors object to the definition of “DivestCo Debtors” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, improperly and incorrectly asserting that the DivestCo Debtors “are presently de facto shell entities.” In responding to the Requests, the Debtors will interpret and apply the term “DivestCo Debtors” to mean the Divested Facility Debtors as defined in the *Declaration of M. Benjamin Jones in Support of Chapter 11 Petitions and First Day Pleadings*, dated June 2, 2024 (ECF No. 17) (the “Jones Declaration”) on page 16 and listed in footnote 12.

7. The Debtors object to the definition of “Florida DivestCo Debtors” as vague and ambiguous because it does not specify which “subset of DivestCo Debtors” it is referring to here. In responding to the Requests, the Debtors shall interpret and apply the term “Florida DivestCo Debtors” to mean the DivestCo Debtors listed in the “Florida DivestCo Debtors Schedule” attached as Exhibit A to the Conversion Motion.

8. The Debtors object to the definition of “Florida DivestCo Reorganizations” as vague and ambiguous because it does not specify what “subset of the Reorganizations” correspond to the Florida DivestCo Debtors or what it means for these Chapter 11 Cases to “correspond” with them.

9. The Debtors object to the definition of “Non-Debtor Related Entities” as vague and ambiguous because it does not define or specify what it means to be an “affiliate” of the Parent Debtor. In responding to the Requests, the Debtors will interpret and apply the term “affiliate” as

defined under 11 U.S.C. § 101(2). The Debtors further object to the definition of “Non-Debtor Related Entities” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, that Aspire Healthcare, LLC is affiliated with the Debtors or the Parent Debtor and that Florida SNF Transferees are owned or controlled by Non-Debtors affiliated with LaVie.

10. The Debtors object to the definition of “Florida SNF Transferees” as vague and ambiguous because the Requests do not specify the names of each individual Florida SNF Transferee, and also object to the Request’s use of the term “SNF Transferees”. In responding to the Requests, the Debtors will construe “SNF Transferees” to mean the Florida SNF Transferees and apply those interchangeably in their Responses, and will further construe those terms to mean the “New Owner/Licensee (Transferee)” listed in the Transfer Schedule attached as Exhibit A to the Requests (defined below).

11. The Debtors object to the definition of “Current Florida SNFs” on the grounds that it is vague and ambiguous, including because it refers to the “*potential* subset of SNFs in Florida and owned and/or operated by some of the OpCo Debtors as of the Petition Dates.” The Debtors further object to the definition of “Current Florida SNFs” to the extent it is predicated on incorrect assumptions of fact or law, including, without limitation, that the Debtors currently operate more than one SNF located in Florida. In responding to the Requests, the Debtors will interpret and apply the term “Current Florida SNFs” to the one SNF currently operated by the Debtors: Harts Harbor Health Care Center, as stated in paragraph 20 of the Jones Declaration.

12. The Debtors object to the definition of “Florida Landlords” as vague and ambiguous because the Requests do not specify or otherwise identify the name of each Florida Landlord, except for the “Omega Parties”, which the Debtors will construe as Omega Healthcare Investors, Inc. (including affiliates and subsidiaries, “Omega”) in responding to the Requests.

In addition to Omega, the Debtors will construe “Florida Landlords” to mean the entities listed as “Real Property Owner” in the Transfer Schedule attached as Exhibit A to the Requests (as defined below).

13. The Debtors object to the use of “Litigation Targets” as argumentative and improper in referring to these entities and individuals as “targets,” and further object to the definition of that term because it is predicated on incorrect assumptions of fact or law, including with respect to releases that are not currently provided for under the DIP Finance Motion, the Bidding Procedures Motion, or the Combined Plan.

14. The Debtors object to the use of the term “Fraudulent Transfer Schedule” as argumentative and improper, and further object to the definition of that term because it is predicated on incorrect assumptions of fact or law and implies that the transactions listed in Exhibit A to the Requests involved fraudulent transfers in violation of 11 U.S. Code § 548 and/or other applicable law. In responding to the Requests, the Debtors will refer to Exhibit A to the Requests as the “Transfer Schedule.”

15. The Debtors object to the definition of the term “identify” as overbroad and unduly burdensome because it purports to require the Debtors to state (a) “the full name, present address, present employer, and occupation” when used in reference to an individual person; (b) state the legal nature of that person...and to state its full name, address, and principal place of business” when used in reference to a corporate or legal entity; and (c) the author, signatory, addressee, title, date, and page length when used in reference to a document. The Debtors further object to the definition of the term “identify” to the extent the foregoing would impose an excessive discovery burden on the Debtors beyond what is required under the Rules. In responding to the Requests, the Debtors will interpret and apply the term “identify” in a manner consistent with their

obligations under the Rules, and will produce documents as they are kept in the ordinary course of business with appropriate Bates labeling.

16. The Debtors object to the definitions of the terms “Document” and “ESI” as overly broad and unduly burdensome to the extent they would each impose an excessive discovery burden on the Debtors beyond their obligations under the Rules. In responding to the Requests, the Debtors will construe their obligations in accordance with the Rules, including, as those terms are set forth and/or defined in Rule 34(a) of the Federal Rules of Civil Procedure.

17. The Debtors object to the definition of the term “related to” as overly broad and unduly burdensome to the extent it purports to extend to any documents that could “in any manner...implicate the subject matter” of the Requests, and further object to that definition because it is vague and ambiguous as to what “in any manner” means. In responding to the Requests, the Debtors will interpret and apply the term “related to” to mean reasonably or materially concerning or reflecting the relevant subject matter.

18. The Debtors object to the instruction that purports to require the Debtors to “set forth in detail the reasons” the Florida DivestCo Debtors are unable to respond to any of the Requests to the extent it would impose an excessive discovery burden on the Debtors beyond their obligations under the Rules. In responding to the Requests, the Debtors will construe their obligations in accordance with the Rules, including as set forth in Rule 34(b) of the Federal Rules of Civil Procedure.

GENERAL OBJECTIONS TO THE REQUESTS

These General Objections apply in common and are made specifically to each and every Request. They are incorporated into the Responses below as if fully and specifically set forth in Response to each and every Request, including the Responses that also set forth specific objections. To the extent any of these General Objections are not raised in Response to any particular Request, the Debtors do not waive any such objection.

1. The Debtors object to the Requests to the extent they seek documents and information protected from disclosure by the attorney-client privilege, the work-product doctrine, common-interest protection, the self-evaluation privilege, the business-strategy immunity, or any other privilege, immunity, rule of privacy or confidentiality, protection, or restriction that protects such information from involuntary disclosure or production. The Debtors will not produce documents or information covered by one or more such privileges, immunities or rules.

2. The Debtors object to the Requests to the extent they seek documents that are not within the Debtors' possession, custody, or control, including, without limitation, with respect to documents and communications that are in the exclusive possession, custody, and control of Synergy, Omega Healthcare Investors, Inc. (including affiliates and subsidiaries, "Omega"), Dias & Associates, and/or the Florida SNF Transferees.

3. The Debtors objects to the Requests to the extent they seek documents and information the Debtors have produced or disclosed in these Chapter 11 Cases, and/or that are otherwise reasonably available to Recovery Corp.

4. The Debtors object to the Requests to the extent they are duplicative or cumulative of requests served upon (or which should be served upon) other sources, including, without limitation, Synergy, Omega, Dias & Associates, and/or the Florida SNF Transferees, without any

attempt by Plaintiff to appropriately tailor the Requests to seek documents that would reasonably be in the Debtors' exclusive possession, custody, or control.

5. The Debtors object to the Requests to the extent they seek documents that “confirm” or “rebut” questions or issues relating to the subject matter of the Request as argumentative, vague and ambiguous, and otherwise improper. Any agreement by the Debtors to search for and produce documents responsive to any such Request, or to meet and confer with counsel regarding any such Request, shall not be construed as an admission or representation on the part of the Debtors as to whether such documents “confirm” or “rebut” the subject matter of the request.

6. The Debtors object to any Request seeking “all” documents or “all” communications because such Requests are overbroad, unduly burdensome, and disproportionate to the reasonable needs and purposes of these Chapter 11 Cases, including with respect to any claims and defenses that have been asserted or are currently being investigated. Subject to any and all applicable objections, the Debtors will respond to any Request seeking “all” documents or communications by producing responsive, non-privileged documents within its possession, custody or control that can be located after a reasonably diligent, good faith search of corporate and custodial records based on the parameters set forth above.

SPECIFIC RESPONSES AND OBJECTIONS TO THE REQUESTS

Document Request No. 1:

All documents that confirm, rebut, or otherwise relate to the question of whether each of the Florida DivestCo Debtors formerly operated a Florida SNF, as reflected in the Fraudulent Transfer Schedule.

Response to Document Request No. 1:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have produced or disclosed in these Chapter 11 Cases, including, without limitation, on pages 14-16 of the Jones Declaration, and that are reasonably available Recovery, including as reflected by the information set forth in the Transfer Schedule attached as Exhibit A to the Requests.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show whether each of the Florida DivestCo Debtors formerly operated a Florida SNF, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 2:

All documents that confirm, rebut, or otherwise relate to the question of whether each of the Florida Claimants is a former resident of a Florida SNF, or the legal representative of such a resident, or such resident's probate estate.

Response to Document Request No. 2:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are already in the possession, custody, or control of Recovery Corp. and/or the Florida Claimants. This Request would thus impose an unnecessary and unduly burdensome discovery obligation on the Debtors

that is inconsistent with the Rules and exceeds their requirements. The Debtors further object to this Request to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, including, without limitation, in calling for the Debtors to provide information about the Florida Claimants, the legal representatives of those individuals, and/or their probate estate. To the extent this Request seeks documents that are in the Debtors' possession, custody, or control, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce documents sufficient to show whether each of the Florida Claimants is a former resident of a Florida SNF, or the legal representative of such a resident, or such resident's probate estate, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 3:

All documents that confirm, rebut, or otherwise relate to the question of whether each of the Florida Claimants asserted a nursing home negligence claim arising under chapter 400 Florida Statutes against a corresponding Florida DivestCo Debtor, as reflected in the Fraudulent Transfer Schedule, while said Florida DivestCo Debtor operated its Florida SNF.

Response to Document Request No. 3:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are already in the possession, custody, or control of other parties, including without limitation Recovery Corp. and the Florida Claimants. This Request would thus impose an unnecessary and unduly burdensome discovery obligation on the Debtors that is inconsistent with the Rules and exceeds their requirements. The Debtors further object to this Request to the extent it seeks documents and

information that are not within the Debtors' possession, custody, or control, including, without limitation, information about the Florida Claimants and the nature of their claims against the Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, the Debtors conduct a reasonable search of their records and will produce documents sufficient to show whether each of the Florida Claimants asserted a nursing home negligence claim under Florida law against a Florida DivestCo Debtor that was operating a Florida SNF, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 4:

All documents that confirm, rebut, or otherwise relate to question of whether each of the Florida Claimants retained counsel in Florida and produced a settlement with the corresponding Florida DivestCo Debtor for settlement of the nursing home negligence claim at issue, with the Dias Firm representing the Florida DivestCo Debtor.

Response to Document Request No. 4:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are already in the possession, custody, or control of other parties, including without limitation Recovery Corp. and the Florida Claimants, including information about the Florida Claimants, their legal counsel, and the settlement agreements certain Florida Claimants entered into with certain Florida DivestCo Debtors. This Request would thus impose an unnecessary and unduly burdensome discovery obligation on the Debtors that is inconsistent with the Rules and exceeds their requirements. The Debtors further object to this Request to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, including, without limitation, information relating to whether the Florida Claimants retained counsel in Florida to assert claims against certain Florida DivestCo Debtors. The Debtors further object to this Request to the extent

that it refers to the “nursing home negligence claim at issue” as vague and ambiguous, as that term is not defined in the Requests. To the extent this Request seeks documents that are in the Debtors’ possession, custody, or control, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, including Schedule E/F to the Schedule of Assets and Liabilities filed for each of the Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, the Debtors conduct a reasonable search of their records and will produce documents sufficient to show whether each of the Florida Claimants asserted and/or settled a nursing home negligence claim against a Florida DivestCo Debtor, to the extent such documents exist and are in the Debtors’ possession, custody, and control, and have not already been produced.

Document Request No. 5:

All documents that confirm, rebut, or otherwise relate to question of whether each of the Florida DivestCo Debtors relinquished operational control of its Florida SNF to one of the SNF Transferees, following the date that each such Florida Claimant asserted a claim against the corresponding Florida DivestCo Debtor, as reflected in the Fraudulent Transfer Schedule.

Response to Document Request No. 5:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are already in Recovery Corp.’s possession, custody, or control, including as reflected in the Transfer Schedule attached as Exhibit A to the Requests, and/or as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including Schedule E/F to the Schedule of Assets and Liabilities filed for each of the Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents

sufficient to show whether and when each of the Florida DivestCo Debtors transferred operational control of its Florida SNF to one of the SNF Transferees, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 6:

All documents that confirm, rebut, or otherwise relate to question of whether when each of the Florida DivestCo Debtors relinquished operational control of its Florida SNF to one of the SNF Transferees, as reflected in the Fraudulent Transfer Schedule, sums were due from each such Florida DivestCo Debtor to each such Florida Claimant under the settlements previously reached with the Dias Firm and its clients.

Response to Document Request No. 6:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are already in Recovery Corp.'s possession, custody, or control, including as reflected in the Transfer Schedule attached as Exhibit A to the Requests, and/or as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including Schedule E/F to the Schedule of Assets and Liabilities filed for each of the Florida DivestCo Debtors.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show whether there were outstanding settlement payments due and owing at the time that Florida DivestCo Debtors transferred operational control of its Florida SNF to one of the SNF Transferees, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 7:

All documents that confirm, rebut, or otherwise relate to question of whether the Parent Debtor is the direct or indirect parent of each of the Florida DivestCo Debtors, as reflected in the Fraudulent Transfer Schedule.

Response to Document Request No. 7:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including, without limitation, Exhibit A to the Jones Declaration, or that the Debtors have already produced to Recovery Corp. in these Chapter 11 Cases.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show whether the Parent Debtor is the direct or indirect parent of each of the Florida DivestCo Debtors referenced in the Transfer Schedule attached as Exhibit A to the Requests, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 8:

All documents that confirm, rebut, or otherwise relate to the question of whether Synergy/Consulate is and has been the direct or indirect parent of the Parent Debtor and the Parent Debtor Affiliates since at least January 1, 2021.

Response to Document Request No. 8:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as vague and ambiguous in referring to "Synergy/Consulate" without defining or otherwise specifying what "Consulate" means, and for lack of foundation in failing to explain the reason or basis to conflate and combine Synergy with an unspecified "Consulate" entity. The Debtors also object to this Request on the same grounds to the extent the

Requests do not define the term “Parent Debtor Affiliates” or otherwise specify what that phrase means. In responding to this Request, the Debtors will construe “Synergy/Consulate” to refer separately to Synergy and Debtor Consulate Management III, LLC (“CMC III”), and will interpret and apply the term “affiliate” as defined under 11 U.S.C. § 101(2). To the extent this Request seeks documents relating to Synergy, the Debtors further object to this Request because it seeks documents and information that are not within the Debtors’ possession, custody, or control, and that could and should be obtained from other parties, including Synergy. The Debtors further object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including, without limitation, Exhibit A to the Jones Declaration, or that the Debtors have already produced to Recovery Corp. in these Chapter 11 Cases.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show whether CMC III or Synergy has had directly or indirectly ownership of LaVie at any time since January 1, 2021, to the extent such documents exist and are in the Debtors’ possession, custody, and control, and have not already been produced.

Document Request No. 9:

All documents that confirm, rebut, or otherwise relate to the question of whether one of the Parent Debtor Affiliates is and has been a direct or indirect parent of each of the SNF Transferees since at least January 1, 2021.

Response to Document Request No. 9:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as vague and ambiguous in failing to define the term “Parent Debtor Affiliates” or otherwise specify what that term means. In responding to this Request, the Debtors will interpret and apply the term “affiliate” as defined under 11 U.S.C. § 101(2). Debtors

further object to this Request to the extent it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show whether any entity affiliated with LaVie has directly or indirectly owned any of the SNF Transferees since at least January 1, 2021, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 10:

All documents that confirm, rebut, or otherwise relate to question of whether when each of the Florida DivestCo Debtors relinquished operational control of its Florida SNF to one of the SNF Transferees, as reflected in the Fraudulent Transfer Schedule, neither the corresponding SNF Transferee nor the corresponding Parent Debtor Affiliate directly received any value on account of the relinquishment of operational control, or in connection with any other concurrent transaction or occurrence.

Response to Document Request No. 10:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request to the extent that it is argumentative and predicated on the incorrect factual assumption that the Florida DivestCo Debtors (or any other Debtor) received no value or benefit in exchange for the sale or transfer of the Florida SNFs. The Debtors further object to this Request as vague and ambiguous with respect to the phrase “in connection with any other concurrent transaction or occurrence,” and because it does not define or specify what it means to be an “affiliate” of the Parent Debtor. In responding to the Requests, the Debtors will interpret and apply the term “affiliate” as defined under 11 U.S.C. § 101(2). The Debtors further object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including, without limitation, on pages 35-38 of the

Jones Declaration, that the Debtors have already produced to Recovery Corp. in these Chapter 11 Cases—including the OTAs produced to date—or that the Debtors have agreed to produce in response to the preceding Requests.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show the consideration that each Florida DivestCo Debtor (and/or any other Debtor) received in connection with the transfer of operational control of its Florida SNF to a SNF Transferee, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 11:

All documents that confirm, rebut, or otherwise relate to question of whether when each of the Florida DivestCo Debtors relinquished operational control of its Florida SNF to one of the SNF Transferees, as reflected in the Fraudulent Transfer Schedule, neither the corresponding SNF Transferee nor the corresponding Parent Debtor Affiliate indirectly received any value on account of the relinquishment of operational control, or in connection with any other concurrent transaction or occurrence, such as payment of any debt owed by each such Florida DivestCo Debtor.

Response to Document Request No. 11:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request to the extent it is predicated on the incorrect factual assumption that the Florida DivestCo Debtors (or any other Debtor) received no value or benefit in exchange for the sale or transfer of the Florida SNFs they previously operated. The Debtors further object to this Request as vague and ambiguous with respect to the phrase “in connection with any other concurrent transaction or occurrence,” and because it does not define or specify what it means to be an “affiliate” of the Parent Debtor. In responding to the Requests, the Debtors will interpret and apply the term “affiliate” as defined under 11 U.S.C. § 101(2). The Debtors further object to this Request because it is duplicative and unreasonably cumulative of documents and information

the Debtors have disclosed in public filings, including, without limitation, on pages 35-38 of the Jones Declaration, or that the Debtors have already produced to Recovery Corp. in these Chapter 11 Cases—including the OTAs produced to date.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show the consideration, concessions, and/or equivalent or reasonable value or benefit that each Florida DivestCo Debtor (and/or any other Debtor) received directly or indirectly in connection with the transfer of operational control of its Florida SNF to a SNF Transferee, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced, including, without limitation, any OTAs that have not already been provided.

Document Request No. 12:

All documents that confirm, rebut, or otherwise relate to question of whether the transfer of operational control of the Florida SNFs from the Florida DivestCo Debtors to the SNF Transferees conferred a valuable benefit upon each of the SNF Transferees, and therefore to the corresponding Parent Debtor Affiliates.

Response to Document Request No. 12:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, the SNF Transferees. The Debtor further object to this Request as vague and ambiguous to the extent it relies on the phrase "conferred a valuable benefit upon each of the SNF Transferees," because it is unclear what would constitute a "valuable benefit" in that respect, and also to the extent and this Request does not define or specify what it means to be an "affiliate" of the Parent Debtor. In responding to the Requests, the Debtors will interpret and apply the term

“affiliate” as defined under 11 U.S.C. § 101(2). The Debtors also object to this Request because it is predicated on the incorrect factual assumption that a benefit conferred to the SNF Transferees may somehow also be conferred to certain Debtors. The Debtors further object to this Request to the extent it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents that reflect any consideration or consideration the SNF Transferees received through the transfer of operational control of the SNFs formerly operated by the Florida DivestCo Debtors, to the extent such documents exist and are in the Debtors’ possession, custody, and control, and have not already been produced, including, without limitation, any OTAs that have not already been provided.

Document Request No. 13:

All documents that reasonably relate to or reflect communications between the Dias Defendants and the Claimant Firms at any point in time from January 1, 2021, through the Petition Dates regarding the Florida Claims, the Florida Claimants, the Florida Lawsuits, the settlement of any or all the foregoing, and/or the business, financial, or legal affairs of any of the Florida DivestCo Debtors or their corresponding Divested Florida SNFs.

Response to Document Request No. 13:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are not within the Debtors’ possession, custody, or control, and that could and should be obtained from other parties, including, Mr. Dias, Dias & Associates, and/or the Florida Claimants..

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce, responsive, non-privileged documents to the extent such documents exist and are in the Debtors’ possession, custody, and control, and have not already been produced.

Document Request No. 14:

All documents that reasonably relate to or reflect the ownership, management, and/or control of each of the Florida DivestCo Debtors at any time from January 1, 2021, through the present.

Response to Document Request No. 14:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request, as vague and ambiguous because it is unclear what may or may not “reasonably relate to or reflect the ownership, management, and/or control of each of the Florida DivestCo Debtors.” The Debtors further object to this Request as duplicative and unreasonably cumulative to the extent it calls for documents and information the Debtors have disclosed in public filings and orders, including in Exhibit A of the Jones Declaration.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show the ownership of each of the Florida DivestCo Debtors from January 1, 2021, through the present, to the extent such documents exist and are in the Debtors’ possession, custody, and control, and have not already been produced.

Document Request No. 15:

All documents that reasonably relate to or reflect the ownership, management, and/or control of each of the Florida SNF Transferees at any time from January 1, 2021, through the present.

Response to Document Request No. 15:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are not within the Debtors’ possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the SNF Transferees.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 16:

All documents that reasonably relate to or reflect any ownership, management, or control of any of the Florida DivestCo Debtors by Synergy.

Response to Document Request No. 16:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including Synergy. The Debtors further object to this Request because it is predicated on the incorrect factual assumption that the Florida DivestCo Debtors are owned or controlled by Synergy. The Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including in Exhibit A of the Jones Declaration.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show the services Synergy provides or has provided to the Debtors, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced, including under (i) the Administrative Services Agreement, dated as of December 1, 2021 (as subsequently amended or modified from time to time); (ii) the Asset Management Agreement, dated December 1, 2021, (as subsequently amended or modified from time to time); and (iii) the Transition Services Agreement, dated May 31, 2024.

Document Request No. 17:

All documents that reasonably relate to or reflect any ownership, management, or control of any of the Florida SNF Transferees by Synergy, NSPIRE, Aspire, Raydiant, or any other subsidiary or affiliate of Synergy.

Response to Document Request No. 17:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it is predicated on the incorrect factual assumption that Synergy has or has had any direct or indirect ownership or control over the Debtors. Accordingly, the Debtors object to this Request because it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the SNF Transferees, Synergy, NSPIRE, Aspire, and Raydiant.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 18:

All documents that reasonably relate to or reflect the business, financial, and legal relationship of the Florida DivestCo Debtors to any of the other Debtors, including any instances in which any of them (a) funded losses of one or more of the Florida DivestCo Debtors, (b) lent money to one or more of the Florida DivestCo Debtors, (c) combined business functions, assets, or personnel with any of the Florida DivestCo Debtors, or (d) engaged in any other relations apart from common ownership under the Parent Debtor.

Response to Document Request No. 18:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce. To the extent otherwise, the Debtors further object

to this Request as vague, ambiguous, and overly burdensome and disproportionate to the needs of the case, as responding to this Request without any reasonable limitation would seemingly require the Debtors to produce hundreds of thousands of documents that have little to no material relevance to the claims and defenses at issue.

Subject to and without waiving the foregoing objections, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding this Request.

Document Request No. 19:

All documents that reasonably relate to or reflect a substantial identity between the Florida DivestCo Debtors and any other Debtors in business, financial, or legal terms.

Response to Document Request No. 19:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as improper—including, specifically, because it is premised upon an incorrect conclusion of law relating to the “substantial identity” of certain Debtors, which is also vague and ambiguous itself. To the extent otherwise, the Debtors object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding the basis for its demand.

Document Request No. 20:

All documents that reasonably relate to or reflect the existence of some harm to be avoided or some benefit to be achieved by disregarding the separate corporate existence of each of the Florida DivestCo Debtors vis-à-vis the other Debtors.

Response to Document Request No. 20:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as improper—including, specifically, because it is predicated on the incorrect legal and factual assumption that the Debtors are improperly “disregarding the separate corporate existence of each of the Florida DivestCo Debtors.” This Request is not only improper, the Debtors further object to this Request because the phrase “separate corporate existence” is vague and ambiguous. To the extent otherwise, the Debtors object to this Request because it is duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.’s counsel regarding the basis for its demand.

Document Request No. 21:

All documents that reasonably relate to or reflect the proposition that any of the Florida Claimants ever relied on the consolidated credit of one or more of the Debtors, in addition to a single specific Florida DivestCo Debtor expressly tied to a specific nursing home negligence claim at a specific Divested Florida SNF that gave rise to a specific corresponding Florida Claim.

Response to Document Request No. 21:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as entirely improper for a number of reasons. For one, this Request appears to improperly assert or rely on conclusions of fact and law—including regarding

the nature of the settlement agreements and related negotiations between the Florida DivestCo Debtors and the Florida Claimants. This Request also improperly seeks documents and information that are not within the Debtors' possession, custody, or control, and calls for documents and information that could, if anything, be obtained from the Florida Claimants themselves. Moreover, the Debtors object to this Request as vague, ambiguous, and poorly-worded to such extent that it is entirely unclear what documents, if any, the Debtors could possibly have in their possession, custody, or control that would be responsive to this Request.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding the basis for its demand.

Document Request No. 22:

All documents that reasonably relate to or reflect the contractual relations between each Florida DivestCo Debtors and its corresponding Florida Landlord, including leases, lease amendments, master lease agreements, payments schedules, invoices, collection letters, eviction notices and related materials, work-out agreements, and any transactional documents requiring participation, approval, or consent from such Florida Landlord.

Response to Document Request No. 22:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce. The Debtors further object to this Request to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida Landlords listed as "Real Property Owner LLC" in the Transfer Schedule attached as Exhibit A to the Requests.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 23:

All documents that reasonably relate to or reflect the existence of operations transfer agreements (“OTA”), change of ownership filings (“CHOW”), change of operator filings (“CHOP”), and other filings, applications, and submissions to the Florida Agency for Health Care Administration (“AHCA”), filed by or on or behalf of any of the Florida DivestCo Debtors or Florida SNF Transferees in connection with any transaction or occurrence in which any of the Florida DivestCo Debtors relinquished control of operation of any Divested Florida SNF.

Response to Document Request No. 23:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request to the extent it seeks documents and information that are publicly available online or upon request to AHCA. To the extent it seeks documents and information that the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce, the Debtors further object to this Request as duplicative and unreasonably cumulative. The Debtors also further object to this Request to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida SNF Transferees.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 24:

All documents reflecting lay or expert opinions as to the value transferred by each of the Florida DivestCo Debtors when divested of each of its corresponding Divested Florida SNFs, including appraisals, balance sheets, opinion letters, closing statements, or any other documents that would explain why the corresponding Florida SNF Transferees found it beneficial to take title.

Response to Document Request No. 24:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request to the extent it is predicated on the incorrect factual assumption that the Florida DivestCo Debtors (or any other Debtor) received no value or benefit in exchange for the sale or transfer of the Florida SNFs they previously operated. The Debtors further object to this Request to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida SNF Transferees. To the extent otherwise, the Debtors further object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 25:

All documents that reasonably relate to or reflect notification given to any Florida Claimants in connection with any OTA, CHOW, CHOP, or other filing relating to any transaction or occurrence in which any of the Florida DivestCo Debtors relinquished control of operation of any Divested Florida SNF.

Response to Document Request No. 25:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it is predicated on the erroneously legal conclusion that the Florida DivestCo Debtors were obligated to provide such notice to the Florida Claimants in the first place. The Debtors further object to this Request to the extent it seeks documents and communications that would have been provided to the Florida Claimants, and are therefore already in Recovery Corp.'s possession, custody, or control, or could easily be obtained from the Florida Claimants. This Request would thus impose an unnecessary and unduly burdensome discovery obligation on the Debtors that is inconsistent with the Rules and exceeds their requirements. The Debtors object to this Request on the same or similar grounds to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida Claimants or Dias & Associates.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 26:

All documents that reasonably relate to or reflect communications between any of the Florida DivestCo Debtors, or on their behalf, with AHCA, regarding any aspect or operation of the Divested Florida SNF.

Response to Document Request No. 26:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request to the extent it seeks documents and information that are publicly available online or upon request to AHCA. To the extent it seeks documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce, the Debtors further object to this Request as duplicative and unreasonably cumulative. The Debtors also further object to this Request to the extent it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, Dias & Associates.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 27:

All documents that reasonably relate to or reflect communications between any of the Florida SNF Transferees, or on their behalf, with AHCA, regarding any aspect or operation of the Divested Florida SNF.

Response to Document Request No. 27:

The Debtors object to this Request because it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, specifically, the Florida SNF Transferees and/or AHCA.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding the basis for its demand.

Document Request No. 28:

All documents that reasonably relate to or reflect the business, financial, or legal terms under which any of the Florida DivestCo Debtors relinquished control of operation of any Divested Florida SNF.

Response to Document Request No. 28:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative to the extent it seeks documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show the terms under which the Florida DivestCo Debtors transferred operational control of their SNFs to the Florida SNF Transferees, to the extent such documents exist and are in the Debtors' possession, custody, and control, including, without limitation, the OTAs, to the extent such documents have not already been produced. To the extent this Request seeks email communications, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding that part of this Request.

Document Request No. 29:

All documents that reasonably relate to or reflect the existence of assets, liabilities, income, expenses, business operations, business plans, or any other accoutrements of the going concern for any of the Florida DivestCo Debtors at any time from January 1, 2021, through the present.

Response to Document Request No. 29:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as vague, ambiguous, and overly burdensome and disproportionate to the needs of the case, as responding to this Request without any reasonable limitation would seemingly require the Debtors to produce hundreds of thousands of documents that have little to no material relevance to the claims and defenses at issue. To the extent otherwise, the Debtors further object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including Schedule E/F to the Schedule of Assets and Liabilities filed for each of the Florida DivestCo Debtors, or that the Debtors have produced or agreed to produce.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 30:

All documents that reasonably relate to or reflect the receipt by any of the Florida DivestCo Debtors of any value derived from any loan funded or to be funded pursuant to any order entered or to be entered upon consideration of the DIP Finance Motion.

Response to Document Request No. 30:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and

information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases, including, specifically, as reflected in the *Final Order (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, and (IV) Granting Related Relief* (ECF No. 189).

Subject to and without waiving the foregoing objections, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding this Request.

Document Request No. 31:

All documents that reasonably relate to or reflect the existence of any asset of any of the Florida DivestCo Debtors to be included in any bidding procedures, marketing, or sale of any property pursuant to any order that the Debtors would seek to obtain from the Court upon consideration of the Bidding Procedures Motion.

Response to Document Request No. 31:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings, including, specifically, Schedule E/F to the Schedule of Assets and Liabilities, and the Statement of Financial Affairs, filed for each of the Florida DivestCo Debtors in these Chapter 11 Cases.

Subject to and without waiving the foregoing objections, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding this Request.

Document Request No. 32:

All documents that reasonably relate to or reflect which specific individuals or entities the Debtors seek to release as part of the relief they request in the DIP Finance Motion.

Response to Document Request No. 32:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and

information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases, including, specifically, as reflected in the *Final Order (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, and (IV) Granting Related Relief* (ECF No. 189). To the extent otherwise, the Debtors object to this Request as premature and improper.

Subject to and without waiving the foregoing objections, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding this Request.

Document Request No. 33:

All documents that reasonably relate to or reflect which specific individuals or entities the Debtors seek to release as part of the relief they request in the Bidding Procedures Motion.

Response to Document Request No. 33:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases, including, specifically, as reflected in the *Order (I) Approving Bidding Procedures and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (V) Authorizing the Assumption and Assignment of Assumed Contracts, and (VI) Authorizing the Sale of Assets* (ECF No. 177). To the extent otherwise, the Debtors object to this Request as premature and improper.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp.

believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding the basis for its demand.

Document Request No. 34:

All documents that reasonably relate to or reflect which specific individuals or entities the Debtors seek to release as part of the relief they request in seeking confirmation of the Combined Plan.

Response to Document Request No. 34:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as duplicative and unreasonably cumulative of documents and information the Debtors have disclosed in public filings and orders in these Chapter 11 Cases, including, specifically, as reflected in the *Debtors' Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* (ECF No. 273). To the extent otherwise, the Debtors object to this Request as premature and improper.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding the basis for its demand.

Document Request No. 35:

All documents that reasonably relate to or reflect director and officer insurance, legal malpractice insurance, errors and omissions insurance, tail coverages, and any other insurance coverages that potentially cover any claims asserted against the Miami Defendants, and/or any claims that might be asserted in connection with any transaction or occurrence leading to a Florida DivestCo Debtor no longer owning or operating a business tied to a specific Divested Florida SNF.

Response to Document Request No. 35:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request because it is duplicative and unreasonably cumulative of

documents and information the Debtors have disclosed in public filings and orders, or that the Debtors have produced or agreed to produce. To the extent otherwise, the Debtors further object to this Request as vague, ambiguous, and overly burdensome and disproportionate to the needs of the case, as responding to this Request without any reasonable limitation would seemingly require the Debtors to produce thousands of documents that have little to no material relevance to the claims and defenses at issue.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged sufficient to show any applicable insurance policies covering directors' & officers' liability, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced. Otherwise, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding this Request.

Document Request No. 36:

All documents that reasonably relate to or reflect the receipt of any consideration by any Florida Landlords contemporaneously with or pursuant to any transaction leading to a Florida DivestCo Debtor no longer owning or operating a business tied to a specific Divested Florida SNF.

Response to Document Request No. 36:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as vague, ambiguous, and poorly-worded to such extent that it is entirely unclear what documents, if any, the Debtors could possibly have in their possession, custody, or control that would be responsive to this Request. The Debtors further object to this Request on the same or similar grounds because it appears to seek documents that are not within the Debtors' possession, custody, or control, and that could and should be obtained from the Florida Landlords.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 37:

All documents that reasonably relate to or reflect positions held by Dan Dias, Esquire, as an officer, director, or counsel for any of the Debtors, the Non-Debtor Related Entities, the Florida SNF Transferees, or any other Litigation Targets, from January 1, 2021, through the present.

Response to Document Request No. 37:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request to the extent that it seeks documents and information that are not within the Debtors' possession, custody, or control, and that could and should be obtained from other parties, including, Dias & Associates, Synergy, the Florida SNF Transferees, and any other entity or individual named or referenced in this Request who is not a Debtor in these Chapter 11 Cases.

Subject to and without waiving the foregoing objections, the Debtors will conduct a reasonable search of their records and will produce responsive, non-privileged documents sufficient to show the positions, if any, held by Dan Dias, Esquire, as an officer, director, or counsel for any of the Debtors from January 1, 2021, through the present, to the extent such documents exist and are in the Debtors' possession, custody, and control, and have not already been produced.

Document Request No. 38:

All documents that reasonably relate to or reflect the accuracy or inaccuracy of the data set forth in the Fraudulent Transfer Schedule.

Response to Document Request No. 38:

In addition to the General Objections and the Objections to the Definitions and Instructions, the Debtors object to this Request as entirely improper, inappropriate and inconsistent with the Rules, including, without limitation, because it is argumentative, vague and ambiguous, unduly burdensome, and disproportionate to the needs of the case, and predicated on incorrect legal or factual assumptions.

Based on the foregoing objections, the Debtors will not produce documents in response to this Request as written, as none is warranted or required under the Rules. If Recovery Corp. believes it is entitled to any additional response, counsel for the Debtors will meet and confer with Recovery Corp.'s counsel regarding the basis for its demand.

Dated: Miami, Florida
September 5, 2024

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