

IT IS ORDERED as set forth below:

Date: November 1, 2024

Paul Baisier
U.S. Bankruptcy Court Judge

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

) Related to Docket Nos. 405 and 429
Debtors.) (Jointly Administered)
LAVIE CARE CENTERS, LLC, et al. 1) Case No. 24-55507 (PMB)
In re:) Chapter 11

ORDER DENYING MOTION TO COMPEL DISCOVERY RESPONSES

This matter is before the Court on *Recovery Corp.'s Motion to Compel Discovery Responses* (the "Original Motion"), filed by Healthcare Negligence Settlement Recovery Corp. ("Recovery Corp.") on September 6, 2024 at Docket No. 405, as supplemented by its *Supplement to Motion to Compel Discovery Responses*, filed September 13, 2024 at Docket No. 429 (the

¹The 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.

"Supplement"; collectively, with the Original Motion, the "Motion"). In the Original Motion, Recovery Corp. requests that the Court (1) order the Florida DivestCo Debtors³ to respond to interrogatories and production requests by a date certain, and (2) deem any objections to the interrogatories and production requests waived. Recovery Corp. makes this request pursuant to Federal Rule of Civil Procedure ("FRCP") 37(a)(1), made applicable herein by Federal Rule of Bankruptcy Procedure ("FRBP") 7037, FRBP 9014, and Bankruptcy Local Rule ("BLR") 7037-1. In the Supplement, Recovery Corp. acknowledges that the responses were provided within hours of the filing of the Original Motion, and thus no longer seeks a deadline for them. The Court held a hearing on October 28, 2024, to consider the Motion (the "Hearing").

The Court, having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article III of the United States Constitution; for the reasons stated on the record at the Hearing; pursuant to FRCP 37, FRBP 7037 and 9014, and BLR 7037-1, it is hereby

ORDERED, **ADJUDGED**, **AND DECREED** that the Motion is **DENIED**.

END OF ORDER

² In its Order Granting In Part Debtors' (I) Motion to Strike and Denying (II) Cross-Motion to Compel Discovery Responses (Docket No. 541) (the "Strike Order"), this Court found that Recovery Corp. does not have standing to file pleadings or otherwise participate in this case. The Court allowed certain other parties twenty (20) days to seek to intervene in the various matters filed by Recovery Corp. A motion seeking to do that was filed (Docket No. 566) and was granted by the Court at the Hearing on October 28, 2024. The Order memorializing that ruling is being entered contemporaneously with the entry of this Order.

³ As defined by Recovery Corp in the Motion., the Florida DivestCo Debtors are a set of non-operating Florida-based entities that divested their business operations prior to the initiation of these Jointly Administered Reorganizations.

Distribution List

LaVie Care Centers, LLC c/o Ankura Consulting Group, LLC, 485 Lexington Avenue, 10th Floor, New York, NY 10017 Attn: M. Benjamin Jones

Daniel M. Simon McDermott Will & Emery LLP 1180 Peachtree Street NE, Suite 3350A Atlanta, GA 30309

Emily C. Keil McDermott Will & Emery LLP 444 West Lake Street, Suite 4000 Chicago, IL 60606

Kurtzman Carson Consultants LLC d/b/a Verita Global 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245

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

Health Negligence Settlement Recovery Corp. c/o John Anthony Anthony & Partners, LLC 100 S. Ashley Drive, Suite 1600 Tampa, Florida 33602