

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

In re:

LaVie Care Centers LLC, *et al.*,

Debtors.

Chapter 11

Case No. 24-55507 (PMB)

Jointly Administered

Re: Docket Nos. 273, 316, 356, 385

**RESERVATION OF RIGHTS OF AFSCME TO DEBTORS' DISCLOSURE
STATEMENT AND RESERVATION OF RIGHTS WITH RESPECT TO
POTENTIALLY ASSUMED COLLECTIVE BARGAINING AGREEMENTS**

American Federation of State, County and Municipal Employees, AFL-CIO, on behalf of itself, its affiliated District Councils 86 and 87 (collectively, "AFSCME"), and the bargaining unit employees they represent, hereby reserve their right to object to approval of the Plan and disclosure statement contained in the *Debtors' Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* [Docket No. 461] (the disclosure statement portion thereof (the "Disclosure Statement") and the Chapter 11 plan portion thereof, (the "Plan") and *Notice of Filing of Plan Supplement with Respect to the Debtors' Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of reorganization* [Docket No. 593] (the Plan Supplement).

BACKGROUND

1. AFSCME and the above-captioned debtors (the "Debtors") are parties to three (3) collective bargaining agreements (collectively, the "AFSCME CBAs") in these consolidated cases.
2. AFSCME District Council 86 is party to one of the AFSCME CBAs, a collective bargaining agreement with Locust Grove Retirement Village Operations, LLC, d/b/a Locust Grove Retirement Village (the "Locust Grove CBA"). The term of the Locust Grove CBA is from July 1, 2023 to June 30, 2026. It was fully executed by the parties as of January 5, 2024. On July 11, 2024, the parties to the CBA agreed to a modification in writing to increase all bargaining unit employee



wages by 2% across the board.

3. AFSCME District Council 87 is party to two of the AFSCME CBAs, each of which is signed with both Manor at St. Luke Village Facility Operations, LLC, d/b/a The Manor at St. Luke Village (“Manor”) and Pavilion at St. Luke Village Facility Operations LLC, d/b/a the Pavilion at St. Luke Village (“Pavilion”) (collectively, the “St. Luke Village CBAs”). Each of the St. Luke Village CBAs was fully executed by the parties as of August 8, 2024. One of the St. Luke Village CBAs covers a bargaining unit including all full-time and regular part-time Licensed Practical Nurses and has a term of August 1, 2023 to July 31, 2026 (the “St. Luke Village LPN Unit CBA”). The other St. Luke Village CBA covers a bargaining unit including all full-time and regular part-time restorative aides, activity aides, beauticians and Certified Nursing Assistants and has a term of August 23, 2023 to August 22, 2027 (the “St. Luke Village CNA Unit CBA”).

4. The Debtors’ *Debtors’ Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* states that the Reorganized Debtors’ intend to assume the collective bargaining agreements. [Docket No. 461, p. 77]. The intent has been confirmed by representatives of the Debtors, who have met and conferred with AFSCME productively through the course of these cases. The Plan Supplement, however, contains a list of assumed contracts which does not include the AFSCME CBAs [Docket No. 593], and no proposed confirmation order has yet been filed. Based upon the provisions of the Plan, including the promise to assume the CBAs, and the representation of Debtors’ representatives, it is the understanding of AFSCME that assumption of the CBA remains the case and will be included in the confirmation order proposed to be entered at the November 14, 2024 hearing, and accordingly AFSCME supports the Plan, because it provides for assumption of the CBAs and should allow for the continued and successful operation of the AFSCME-represented facilities for the residents who rely upon them; however, AFSCME reserves the right to appear on November 14 to object to the Plan if the CBAs are not

assumed as part of the confirmation order to be entered that day.

Dated: November 4, 2024

Respectfully submitted,

/s/ Matthew Stark Blumin

Matthew Stark Blumin (admitted *pro hac vice*)

**American Federation of State, County & Municipal
Employees, AFL-CIO**

Office of General Counsel

1101 17th Street NW, Suite 900

Washington, DC 20036

Telephone: (202) 775-5900

Email: mblumin@afscme.org

Nicolas M. Stanojevich (Georgia Bar #173544)

Quinn, Connor, Weaver, Davies & Rouco, LLP

4100 Perimeter Park South

Atlanta, GA 30341

Telephone: (404) 299-1211

Email: nstanojevich@qcwdr.com

Counsel for AFSCME

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above and foregoing was filed with the Clerk of the Bankruptcy Court via the CM/ECF system on this 4th day of November, 2024, and that a duplicate copy was sent via the CM/ECF system to all persons registered on the ECF system in this case.

/s/ Nicolas M. Stanojevich
Nicolas M. Stanojevich