

Georgia (the “Local Rules”) for the *Debtors’ (I) Memorandum of Law in Support of Confirmation and Final Approval of the Debtors’ Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization and (II) Omnibus Reply to Objections to Confirmation* [Docket No. 659] (the “Confirmation Brief”).

JURISDICTION AND VENUE

2. The United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division (the “Court”) has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of this case and the Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409.

3. The legal predicates for the relief requested herein are section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”), and Local Rules 7007-1 and 9013-1.

BACKGROUND

I. The Chapter 11 Cases

4. On June 2, 2024 (the “Petition Date”), each Debtor commenced a case by filing a petition for relief under chapter 11 of the Bankruptcy Code (collectively, the “Chapter 11 Cases”) in the United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division (the “Court”). The Debtors are operating their businesses and managing their property as debtors in possession pursuant to Bankruptcy Code sections 1107(a) and 1108.

5. On June 13, 2024, the Office of the United States Trustee for Region 21 (the “U.S. Trustee”) appointed an official committee in the Chapter 11 Cases (the “Committee”). *See Appointment and Notice of Appointment of Committee of Creditors Holding Unsecured Claims* [Docket No. 112]. To date, no trustee or examiner has been appointed in the Chapter 11 Cases.

6. On October 1, 2024, the Court entered the *Order (I) Conditionally Approving Disclosure Statement, (II) Scheduling Combined Hearing for November 14, 2024 at 9:30 A.M. (Prevailing Eastern Time), (III) Establishing Procedures for Solicitation and Tabulation of Votes on Plan, (IV) Approving Certain Forms and Notices, and (V) Granting Related Relief* [Docket No. 480] (the “Solicitation Procedures Order”). The Solicitation Procedures Order set November 4, 2024, at 4:00 p.m. (prevailing Eastern Time) as the deadline to file and serve objections to confirmation of the *Debtors’ Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* [Docket No. 481] (as amended, modified, or supplemented, the “Combined Disclosure Statement and Plan”).

7. Contemporaneously herewith, the Debtors filed the Confirmation Brief, which is the subject of the relief requested in this Motion. The Confirmation Brief is approximately 80 pages.

BASIS FOR RELIEF REQUESTED AND APPLICABLE AUTHORITY

8. Local Rule 9013-1 provides, in relevant part, that “[u]nless the Bankruptcy Court directs otherwise, the form of such briefs and memoranda of law must conform with BLR 7007-1.” N.D. Ga. Bankr. L.R. 9013-1. Local Rule 7007-1 provides that the Local Rules “[a]bsent prior permission of the Bankruptcy Court, briefs filed in support of a motion or in response to a motion are limited in length to twenty-five pages.” N.D. Ga. Bankr. L.R. 9013-1. Accordingly, a brief such as the Confirmation Brief may exceed the page limit with leave of the Court.

9. The Debtors respectfully submit that cause exists to grant leave to exceed the page limit for the Confirmation Brief, as it will aid the Court in its consideration of the issues with regard to final approval and confirmation of the Combined Disclosure Statement and Plan and will allow the hearing on final approval and confirmation of the Combined Disclosure Statement and

Plan (the “Combined Hearing”) to proceed more efficiently. To date, more than ten objections have been filed to final approval and confirmation of the Combined Disclosure Statement and Plan (collectively, the “Objections”), nearly all of which are lengthy. In advance of the Combined Hearing, the Debtors must adequately and thoroughly address all of the arguments raised in the Objections, in addition to discussing the elements necessary for the Court to make an informed decision regarding whether final approval and confirmation of the Combined Disclosure Statement and Plan is appropriate. Although the Debtors have endeavored to make the Confirmation Brief as succinct as possible, the Debtors submit that the complexity of the issues raised in the Objections and the requisite showings that must be made in support of Combined Disclosure Statement and Plan approval and confirmation collectively require briefing in excess of the page limit set forth in the Local Rules in order to provide for a full and fair explanation and adjudication of the matters presented. Additionally, the parties that have objected to the Combined Disclosure Statement and Plan will not be prejudiced by the filing of the Confirmation Brief, as it provides the parties the opportunity to review the Debtors’ arguments addressing their Objections and thus better prepare to discuss the arguments during the Combined Hearing. Accordingly, the Debtors submit that, under the circumstances, there is cause to grant leave to exceed the page limit established by Local Rules 7007-1 and 9013-1 with respect to the Confirmation Brief.

NOTICE

10. The Debtors will provide notice of this Motion to the following parties and/or their respective counsel, as applicable: (a) the U.S. Trustee; (b) the Internal Revenue Service; (c) the United States Attorney for the Northern District of Georgia; (d) the Attorney General for the State of Georgia; (e) the Georgia Department of Revenue; (f) the Centers for Medicare and Medicaid Services; (g) the states attorneys general for states in which the Debtors conduct business;

(h) counsel to the Committee; (i) counsel to the Debtors' prepetition lenders; (j) counsel to the DIP Lenders; and (k) all parties entitled to notice pursuant to Bankruptcy Rule 2002. The Debtors submit that no other or further notice is required.

NO PRIOR REQUEST

11. No previous request for the relief sought herein has been made to this or any other court.

WHEREFORE, the Debtors respectfully request that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as may be just and proper.

Dated: Atlanta, Georgia
November 12, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2024, all ECF participants registered in this case were served electronically with the foregoing document through the Court’s ECF system at their respective email addresses registered with this Court. The Debtors’ claims and noticing agent will be filing a supplemental certificate of service on the docket to reflect any additional service of the foregoing document, including on the Limited Service List.

Dated: Atlanta, Georgia
November 12, 2024

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EXHIBIT A

Proposed Order

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

)	
In re:)	Chapter 11
)	
LAVIE CARE CENTERS, LLC, ¹)	Case No. 24-55507 (PMB)
)	
Debtors.)	(Jointly Administered)
)	
)	Related to Docket No. 659

**ORDER GRANTING DEBTORS’ MOTION FOR LEAVE TO
EXCEED PAGE LIMIT WITH RESPECT TO DEBTORS’ (I) MEMORANDUM
OF LAW IN SUPPORT OF CONFIRMATION AND FINAL APPROVAL
OF THE DEBTORS’ SECOND AMENDED COMBINED DISCLOSURE
STATEMENT AND JOINT CHAPTER 11 PLAN OF REORGANIZATION
AND (II) OMNIBUS REPLY TO OBJECTIONS TO CONFIRMATION**

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.

Upon the motion (the “Motion”)² of the Debtors filed at Docket No. [] on November 12, 2024 for entry of an order (this “Order”) granting the Debtors leave to exceed the page limit requirement established by Rules 7007-1 and 9013-1 of the Local Rules of the United States Bankruptcy Court for the Northern District of Georgia (the “Local Rules”) for the *Debtors’ (I) Memorandum of Law in Support of Confirmation and Final Approval of the Debtors’ Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization and (II) Omnibus Reply to Objections to Confirmation* [Docket No. 659] (the “Confirmation Brief”), all as more fully set forth in the Motion; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article III of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice is necessary; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. The Motion is granted as set forth herein.
2. The Debtors are authorized to file the Confirmation Brief in excess of the page limitations prescribed by Local Rules 7007-1 and 9013-1.
3. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

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

Prepared and presented by:

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