



IT IS ORDERED as set forth below:

Date: March 11, 2025

Paul Baisier

**Paul Baisier
U.S. Bankruptcy Court Judge
Signed as Revised by the Court**

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

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

**AGREED ORDER GRANTING FLORIDEAN SNF OPERATIONS
LLC'S AND BAYA POINTE SNF OPERATIONS LLC'S MOTION
FOR ENTRY OF AN ORDER APPROVING THE STIPULATION WITH
THE DEBTORS AND THE COMMITTEE MODIFYING THE AUTOMATIC STAY**

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, *see* Case Nos. 24-55504 through 24-55787, which the Court ordered jointly administered under the above caption (Docket No. 20) at the Debtors' request (Docket No. 3). A complete list of the jointly administered Debtors and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://www.kccllc.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.



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Upon the motion (the “Motion”)² of Floridean SNF Operations LLC (“Floridean SNF”) and Baya Pointe SNF Operations LLC (“Baya Pointe SNF” and together with Floridean SNF, the “Purchasers”), filed on February 4, 2025 at Docket No. 855 and scheduled for hearing on March 11, 2025, for entry of an order approving the stipulation (the “Stipulation”) attached hereto as **Exhibit 1** granting the Purchasers limited relief from the automatic stay as further described in the Motion; and this Court having jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding under 28 U.S.C. § 157(b)(2); and venue being proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that it is able to enter a final order consistent with Article III of the United States Constitution; and that the Purchasers provided due and proper notice of the Motion and opportunity to object and be heard thereon and that no other or further notice or hearing is required; and the Court having reviewed the Motion and all other matters of record, including the lack of objection thereto; and this Court having determined that the legal and factual bases set forth in the Motion establish good cause for the relief granted herein; 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 and sufficient cause appearing therefor, it is

ORDERED, ADJUDGED, AND DECREED that:

1. The Motion is granted as set forth herein.
2. The Stipulation attached to this Order as Exhibit 1 is hereby approved in its entirety.
3. The Court grants limited relief from the automatic stay to permit the Purchasers to take any and all actions necessary or appropriate to effectuate the transfer of the Licenses.

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

4. The Debtors are authorized to take any and all actions necessary or appropriate to implement the relief granted in this Order or, if applicable, effectuate the transfer of the Licenses.

5. The Court grants relief from the automatic stay to permit the Licenses to be issued by the Florida Agency for Health Care Administration.

6. Notice of the Motion as provided herein shall be deemed good and sufficient notice and the requirements of rule 6004(a) of the Federal Rules of Bankruptcy Procedure (the “Rules”) are satisfied by such notice.

7. This Order shall be effective and enforceable immediately upon its entry notwithstanding Rule 6004(h).

8. The Court shall retain jurisdiction to hear and determine any and all matters arising from or related to this Order.

END OF ORDER

Prepared and presented by:

/s/ Ronald B. Gaither, Jr.

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EXHIBIT 1

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.)	
)	(Jointly Administered)
)	
)	

JOINT STIPULATION FOR RELIEF FROM THE AUTOMATIC STAY

WHEREAS, debtor Floridian Facility Operations, LLC (“Floridian Facility Operations”)³ operated a ninety (90) bed skilled nursing facility located at 47 NW 32nd Place, Miami, Florida (the “Miami Facilities”) prior to the Petition Date (defined below) pursuant to a license (the “Floridean License”) issued by the Florida Agency of Health Care Administration (“AHCA”);

WHEREAS, on March 29, 2024, Floridean SNF Operations LLC (“Floridean SNF”) and Floridian Facility Operations entered into an Operations Transfer Agreement (the “Floridean Agreement”);

WHEREAS, debtor Baya Nursing and Rehabilitation, LLC (“Baya Nursing and Rehabilitation”) and together with Floridian Facility Operations, the “Seller Debtors”) ⁴ operated a ninety (90) bed skilled nursing facility located at 587 SE Ermine Avenue, Lake City, Florida (the “Lake City Facilities”) and together with the Miami Facilities, the “Facilities”) prior to the Petition Date pursuant to a license issued by AHCA (the “Baya License” and together with the Floridean License, the “Licenses”);

³ Floridian Facility Operations’ case number is 24-55714-PMB.

⁴ Baya Nursing and Rehabilitation’s case number is 24-55551-PMB.

WHEREAS, on March 29, 2024, Baya Pointe SNF Operations LLC (“Baya Pointe SNF” and together with Floridean SNF, the “Purchasers”) and Baya Nursing and Rehabilitation entered into an Operations Transfer Agreement (the “Baya Pointe Agreement” and together with the Floridean Agreement, the “Agreements”);

WHEREAS, both Agreements require the applicable parties to cooperate with each other to complete the transfer of operations of the respective Facilities;

WHEREAS, each of the Seller Debtors agreed to take any actions and provide any information required by government entities in connection with the transfers of the Facilities;

WHEREAS, each of the Seller Debtors also agreed to take any actions that are necessary to carry out the provisions of the Agreements, including the execution of documents;

WHEREAS, AHCA must approve a transfer of the Licenses to the Purchasers in order for the Purchasers to continue to operate the Facilities and receive reimbursement from Medicare and Medicaid for services provided to the Facilities’ residents;

WHEREAS, Floridean SNF filed an application to transfer the Floridean License on February 29, 2024;

WHEREAS, Baya Pointe SNF filed an application to transfer the Baya Pointe License on April 2, 2024;

WHEREAS, on June 2, 2024 (the “Petition Date”), Lavie Care Centers LLC and 281 of its affiliates (the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division (the “Bankruptcy Court”) and are continuing to operate their businesses and manage their property as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

WHEREAS, on December 5, 2024, the Court entered the *Findings of Fact, Conclusions of Law, and Order Approving on a Final Basis and Confirming Debtors' Modified Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* (the "Plan") [Docket No. 735];

WHEREAS, although the Seller Debtors no longer operate the Facilities, the Licenses remain in their names;

WHEREAS, AHCA is not willing to transfer the Licenses while the automatic stay is in effect even though the Purchasers purchased the Facilities and filed the applications to transfer the Licenses prior to the Petition Date; and

WHEREAS, counsel for the Purchasers, counsel for the Debtors and counsel for the Official Committee of Unsecured Creditors (the "Committee") have conferred and the parties agree that it is appropriate to enter into and seek the Bankruptcy Court's approval of this Stipulation, so that the Purchasers will be granted relief from the automatic stay to the extent necessary for the Purchasers and AHCA to complete the license transfer process, subject to the terms and conditions hereof.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, among the Purchasers and Debtors, subject to Bankruptcy Court approval, as follows:

1. The recitals set forth above are an integral part of the Stipulation and are incorporated herein and made a part hereof as if fully set forth herein.
2. The Purchasers will file a motion with the Bankruptcy Court seeking approval of this Stipulation and modification of the automatic stay for the limited purpose of permitting the Purchasers and AHCA to complete the license transfer process and have the Licenses transferred from the Seller Debtors to the Purchasers.

3. The Purchasers will be responsible to pay any and all amounts required to be paid to complete the license transfer process. For the avoidance of doubt, neither the Debtors nor their estates shall be responsible for payment of any amounts related to the license transfer process unless otherwise provided for in the Plan, the Bankruptcy Code or order of the Bankruptcy Court.

4. Except for the limited purpose of modifying the automatic stay as set forth in this Stipulation, the automatic stay shall otherwise remain in effect.

5. Nothing herein will be construed in any way as, or deemed evidence of, an admission on behalf of the Purchasers or the Debtors regarding any right or claim that such party may have against any other party.

6. Notwithstanding anything herein to the contrary: (a) the Debtors and the Committee reserve any and all claims that may exist against Purchasers or their affiliates, arising from or related to the sale of the Facilities, until the occurrence of the Effective Date (as defined in the Plan); (b) upon the occurrence of such Effective Date, the Purchasers waive any claim they may have against the Debtors to the extent not already waived; and (c) claims or causes of action not otherwise released under the Plan are not released under the terms of this Stipulation or as a result of the transfer of the Licenses to the Purchasers.

[Signature Page Follows]

STIPULATED AND AGREED TO BY:

Dated: February 4, 2025

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Dated: February 4, 2025

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