



IT IS ORDERED as set forth below:

Date: April 4, 2025

Paul Baisier

**Paul Baisier
 U.S. Bankruptcy Court Judge**

UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF GEORGIA
 ATLANTA DIVISION

IN RE:)	CHAPTER 11
)	
LAVIE CARE CENTERS, LLC, <i>et al.</i> , ¹)	CASE NO. 24-55507-pmb
)	
Debtors.)	JOINTLY ADMINISTERED
_____)	
)	
FC ENCORE ST. CLOUD, LLC,)	
)	
Plaintiff,)	
v.)	Adv. Pro. No. 25-05008-pmb
)	
WILLIAM BURNHAM,)	
)	
Defendant)	
_____)	

¹ The last four digits of LaVie Care Centers, LLC’s federal tax identification number are 5592. There are 282 debtors (the “**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.kccellc.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.



CONSENT ORDER AND JUDGMENT

FC Encore St. Cloud, LLC (“FCE”), a Released Party² under the Plan (as defined herein) in the above-captioned Chapter 11 cases and the plaintiff in the above-captioned adversary proceeding (the “**Adversary Proceeding**”), and William Burnham, the defendant in the Adversary Proceeding (“**Burnham**”), having agreed to this Consent Order and Judgment which will fully resolve this Adversary Proceeding, as evidenced by their respective counsels’ signatures below, and the Court having considered the matter, it is ORDERED and ADJUDGED as follows:

1. With regard to the state court action styled as *William Burnham v. FC Encore St. Cloud, LLC and 4641 Old Canoe Creek Road Operations, LLC*, Case No. 23-CA-004407, pending in the Circuit Court of the Ninth Judicial Circuit in and for Osceola County, Florida (the “**State Court Action**”), William Burnham (the “**Defendant**”) is hereby preliminarily enjoined from pursuing the State Court Action, or prosecuting any of the claims asserted, or which could have been asserted, therein until the earlier to occur of (a) the Effective Date of the Plan, or (b) July 1, 2025.

2. Should the Effective Date of the Plan occur on or prior to July 1, 2025, the preliminary injunction granted above shall automatically become a permanent injunction without further order of this Court.

3. Upon the occurrence of the Effective Date, FCE is hereby released from any and all claims or causes of action asserted, or which could have been asserted, against it by the Defendant in the State Court Action.

The Clerk is directed to close this matter as soon as administratively practicable.

END OF ORDER AND JUDGMENT

² All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in *Debtors’ Modified Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization*, filed on December 4, 2024 [Dkt. No. 730] (the “**Plan**”), filed on 24-55507-pmb; LaVie Care Centers, LLC, et al.

Prepared and presented by:

SCROGGINS, WILLIAMSON & RAY, P.C.

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Consented to by:

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c/o Alicia Smith, Esq.
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Suite 1600
Orlando, FL 32801

FC Encore St. Cloud, LLC,
 Plaintiff
 Burnham,
 Defendant

Adv. Proc. No. 25-05008-pmb

CERTIFICATE OF NOTICE

District/off: 113E-9

User: bncadmin

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Date Rcvd: Apr 07, 2025

Form ID: pdf496

Total Noticed: 10

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 09, 2025:

Recip ID	Recipient Name and Address
+	Daniel M. Simon, McDermott Will & Emery LLP, 1180 Peachtree St. NE, Ste 3350, Atlanta, GA 30309-7516
+	David A. Geiger, Morgan & Morgan Atlanta, PLLC, 191 Peachtree Street NE, Suite 4200, Atlanta, GA 30303-1748
+	FC Encore St. Cloud, LLC, 303 International Circle, Suite 200, Hunt Valley, MD 21030-1359
+	Justin M. Luna, Latham, Luna, Eden & Beaudine, 201 S. Orange Ave., Suite 1400, Orlando, FL 32801-3483
+	LaVie Care Centers, LLC, 1040 Crown Pointe Pkwy, Suite 600, Atlanta, GA 30338-4741
+	Matthew W. Levin, Scroggins, Williamson & Ray, 4401 Northside Parkway, Suite 230, Atlanta, GA 30327-3065
	William Burnham, c/o Alicia Smith, Esq., 20 North Avenue, Suite 1600, Orlando, FL 32801
dft	William Burnham, c/o Alicia Smith, Esq., Morgan & Morgan, 20 North Avenue, Suite 1600 Orlando, FL 32801

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustpreregion21.at.ecf@usdoj.gov	Apr 07 2025 20:21:00	Office of the United States Trustee, 362 Richard Russell Building, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3315
	+ Email/Text: ustpreregion21.at.ecf@usdoj.gov	Apr 07 2025 20:21:00	U.S. Trustee, Office of the United States Tr, 362 Richard Russell Building, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3315

TOTAL: 2

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
*+		Daniel M. Simon, McDermott Will & Emery LLP, 1180 Peachtree St. NE, Ste 3350, Atlanta, GA 30309-7516
*+		David A. Geiger, Morgan & Morgan Atlanta, PLLC, 191 Peachtree Street NE, Suite 4200, Atlanta, GA 30303-1748
*+		FC Encore St. Cloud, LLC, 303 International Circle, Suite 200, Hunt Valley, MD 21030-1359
*+		Justin M. Luna, Latham, Luna, Eden & Beaudine, 201 S. Orange Ave., Suite 1400, Orlando, FL 32801-3483
*+		LaVie Care Centers, LLC, 1040 Crown Pointe Pkwy, Suite 600, Atlanta, GA 30338-4741
*+		Matthew W. Levin, Scroggins, Williamson & Ray, 4401 Northside Parkway, Suite 230, Atlanta, GA 30327-3065
*+		U.S. Trustee, Office of the United States Tr, 362 Richard Russell Building, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3315
*		William Burnham, c/o Alicia Smith, Esq., 20 North Avenue, Suite 1600, Orlando, FL 32801

TOTAL: 0 Undeliverable, 8 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 113E-9
Date Rcvd: Apr 07, 2025

User: bncadmin
Form ID: pdf496

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Total Noticed: 10

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 09, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 7, 2025 at the address(es) listed below:

Name	Email Address
Matthew W. Levin	on behalf of Plaintiff FC Encore St. Cloud LLC mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com;aray@swlawfirm.com;hkepner@swlawfirm.com

TOTAL: 1