

(ii) granting the Debtor Defendant such other and further relief as is just and proper. In support thereof, the Debtor Defendant respectfully submits, and incorporates herein by reference, its *Memorandum of Law in Support of Debtor Defendant's Motion to Dismiss Adversary Complaint* (the "Memorandum"), filed contemporaneously herewith. Pursuant to Bankruptcy Rule 7012(b), the Debtor Defendant consents to the entry of a final order or judgment on the Motion if it is determined that the Court, absent consent of the parties, cannot enter a final order or judgment consistent with Article III of the United States Constitution.

WHEREFORE, for the reasons set forth in the Memorandum, the Debtor Defendant respectfully requests that the Court enter the proposed order, substantially in the form attached hereto as **Exhibit A**, (i) dismissing the Complaint with prejudice and (ii) granting the Debtor Defendant such other and further relief as is just and proper.

Dated: April 21, 2025
Atlanta, Georgia

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CERTIFICATE OF SERVICE

I hereby certify that on this date a true and correct copy of the foregoing Memorandum was served by the Court's CM/ECF system on all counsel of record registered in the above-captioned adversary proceeding through CM/ECF and on Ms. Julien via first-class mail at the below address set forth in the Complaint. 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.

Ms. Euclide Julien
6421 N. Florida Avenue
Tampa, FL 33604

Dated: April 21, 2025
Atlanta, Georgia

MCDERMOTT WILL & EMERY LLP

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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, <i>et al.</i> , ¹)	
)	Case No. 24-55507 (JMB)
Debtors.)	(Jointly Administered)
)	
EUCLIDE JULIEN,)	Chapter 11
)	
Plaintiff,)	Adv. Case No. 25-05053 (JMB)
)	
v.)	Related to Docket Nos. 1, 2, 3, __
)	
LAVIE CARE CENTERS, LLC,)	
)	
Defendant.)	

ORDER DISMISSING ADVERSARY COMPLAINT

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 consideration of the *Debtor Defendant's Motion to Dismiss Adversary Complaint* (the "Motion") filed on April 21, 2025 at Adv. Docket No. 4 and the *Memorandum of Law in Support of Debtor Defendant's Motion to Dismiss Adversary Complaint* (the "Memorandum")² filed on April 21, 2025 at Adv. Docket No. 5, and any opposition thereto and replies in support thereof; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor Defendant, its creditors, and other parties in interest; and the Court having found that the Debtor Defendant's notice of the Motion and Memorandum and opportunity for a hearing on the Motion and Memorandum were appropriate under the circumstances and no other notice need be provided; and the Court having reviewed the Motion and the Memorandum and having heard the statements in support of the relief requested therein at a hearing before the Court (the "Hearing"); and the Court having determined that the legal and factual bases set forth in the Motion and the Memorandum and at the Hearing establish just cause to grant the relief requested therein; 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 to the extent set forth herein.
2. The Complaint is hereby dismissed in its entirety with prejudice and without leave to replead.
3. The Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Prepared and presented by:

/s/ Daniel M. Simon

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