

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

\_\_\_\_\_)  
In re: ) Chapter 11  
)  
LAVIE CARE CENTERS, LLC, *et al.*<sup>1</sup> ) Case No. 24-55507 (PMB)  
)  
Debtors. ) (Jointly Administered)  
)  
) Related to Docket Nos. 480, 481  
\_\_\_\_\_)

**NOTICE OF (I) COMBINED HEARING WITH RESPECT TO THE DEBTORS’  
SECOND AMENDED COMBINED DISCLOSURE STATEMENT  
AND JOINT CHAPTER 11 PLAN OF REORGANIZATION  
AND (II) RELATED OBJECTION DEADLINE**

**PLEASE TAKE NOTICE THAT** on October 1, 2024, the above-captioned debtors and debtors-in-possession (the “Debtors”) filed the *Debtors’ Second Amended Combined Disclosure Statement and Joint Chapter 11 Plan of Reorganization* [Docket No. 481] (the disclosure statement portion thereof, the “Disclosure Statement” and the chapter 11 plan portion thereof, the “Plan”, including all exhibits thereto and as amended, supplemented or otherwise modified from time to time, and collectively, as may be amended, supplemented, or otherwise modified, the “Combined Disclosure Statement and Plan”)² with the United States Bankruptcy Court for the Northern District of Georgia (the “Court”).

**PLEASE TAKE FURTHER NOTICE THAT** on October 1, 2024, the Court entered an order [Docket No. 480] (the “Solicitation Procedures Order”) that, among other things: (a) conditionally approved the Disclosure Statement as containing “adequate information” pursuant to section 1125(a) of title 11 of the United States Bankruptcy Code (the “Bankruptcy Code”) subject to final approval at the Combined Hearing (as defined below) and (b) authorized the Debtors to solicit acceptances for the Combined Disclosure Statement and Plan.

**PLEASE TAKE FURTHER NOTICE THAT** the hearing at which the Court will consider final approval of the Disclosure Statement and confirmation of the Plan (the “Combined Hearing”) will commence on **November 14, 2024, at 9:30 a.m. (prevailing Eastern Time)** before

<sup>1</sup> 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.

<sup>2</sup> Capitalized terms not otherwise defined herein have the meanings set forth in the Combined Disclosure Statement and Plan or the Solicitation Procedures Order, as applicable.



the Honorable Paul M. Baisier, in the United States Bankruptcy Court for the Northern District of Georgia. Parties may attend the Combined Hearing in **Courtroom 1202 in the Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303** or virtually via **Judge Baisier's Virtual Hearing Room**. The link for the Virtual Hearing Room can be found on Judge Baisier's webpage at <https://www.ganb.uscourts.gov/content/honorable-paul-m-baisier> and is best used on a desktop or laptop computer but may be used on a phone or tablet. Participants' devices must have a camera and audio. You may also join the Virtual Hearing Room through the "Dial-In and Virtual Bankruptcy Hearing Information" link at the top of the homepage of the Court's website, [www.ganb.uscourts.gov](http://www.ganb.uscourts.gov). Please review "Instructions for Appearing by Telephone and Video Conference" located under the "Hearing Information" tab on the judge's webpage prior to the hearing. You should be prepared to appear at the hearing via video, but you may leave your camera in the off position unless you are speaking or until the Court instructs otherwise. Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge's webpage. The Combined Hearing may be continued from time to time without further notice other than by an announcement in open Court or a notice filed on the Court's docket and served on all parties entitled to the notice.

**PLEASE TAKE FURTHER NOTICE THAT** the deadline for filing objections to final approval of the Disclosure Statement and Confirmation of the Plan is **November 4, 2024, at 4:00 p.m. (prevailing Eastern Time)** (the "**Objection Deadline**"). Any objection to the final approval of the Disclosure Statement and Confirmation of the Plan **must**: (a) be in writing, (b) conform to the Bankruptcy Code, Bankruptcy Rules, the Local Rules, and any orders of the Court, (c) set forth the name and address of the objecting party, (d) state, with particularity, the legal and factual basis for the objection and, if practicable, a proposed modification to the Disclosure Statement and/or Plan (or related materials) that would resolve such objections, and (e) be filed with the Court and served on the following parties (collectively, the "**Notice Parties**") **so as to be received on or before the Objection Deadline**: (i) LaVie Care Centers, LLC, c/o Ankura Consulting Group, LLC, 485 Lexington Avenue, 10th Floor, New York, NY 10017 (Attn: M. Benjamin Jones); (ii) counsel to the Debtors, McDermott Will & Emery LLP, 1180 Peachtree St. NE, Suite 3350, Atlanta, Georgia 30309 (Attn: Daniel M. Simon) and 444 West Lake Street, Suite 4000, Chicago, IL 60606 (Attn: Emily C. Keil); (iii) counsel to the Committee, Troutman Pepper Hamilton Sanders LLP, 3000 Two Logan Square, Eighteenth and Arch St., Philadelphia, PA 19103 (Attn: Francis J. Lawall) and 875 Third Avenue, New York, NY 10022 (Attn: Deborah Kovsky-Apap); and (iv) the United States Trustee of the Northern District of Georgia, 362 Richard B. Russell Building, 75 Ted Turner Drive, S.W., Atlanta, GA 30303 (Attn: Jonathan S. Adams). Objections that are not timely filed shall not be considered by the Court and shall be overruled.

**PLEASE TAKE FURTHER NOTICE THAT** pursuant to Article VII of the Combined Disclosure Statement and Plan, on the Effective Date, all Executory Contracts not assumed before the Effective Date or subject to a pending motion to assume as of the Effective Date, will be deemed automatically rejected, and the order confirming the Combined Disclosure Statement and Plan shall constitute an order approving such rejection as of the Effective Date.

**CAUTION - IF YOU DO NOTHING, YOUR RIGHTS MAY BE COMPROMISED. PLEASE PAY CAREFUL ATTENTION TO THE BELOW DISCLOSURE, AND IF YOU DO NOT UNDERSTAND OR HAVE FURTHER QUESTIONS, PLEASE CONSULT WITH YOUR ATTORNEY.**

THE SECOND AMENDED COMBINED DISCLOSURE STATEMENT AND JOINT PLAN CONTAINS A DEBTOR RELEASE AND A THIRD-PARTY RELEASE. ADDITIONAL INFORMATION REGARDING THE DIFFERENCE BETWEEN A DEBTOR RELEASE AND A THIRD-PARTY RELEASE IS FOUND IN ARTICLE III.E OF THE PLAN.

A THIRD-PARTY RELEASE LIMITS OR RELEASES THE LIABILITY OF CERTAIN RELEASED PARTIES THAT ARE NON-DEBTOR PARTIES AND MAY PREVENT RELEASING PARTIES FROM SUING THE RELEASED PARTIES FOR THEIR ACTIONS. A THIRD-PARTY RELEASE MAY ONLY BE GRANTED CONSENSUALLY WITH EACH OF THE AFFECTED CREDITORS, BUT CONSENT MAY BE SHOWN BY A CREDITORS' FAILURE TO ACT.

**YOU HAVE THE CHOICE AS TO WHETHER YOU WILL BE BOUND BY THE THIRD-PARTY RELEASE, AND THE CHOICE IS YOURS ALONE.** YOU WILL BE A RELEASING PARTY AND YOUR RIGHTS MAY BE COMPROMISED UNLESS YOU TAKE CERTAIN ACTIONS. IF YOU HOLD A CLAIM AGAINST THE DEBTORS AND WOULD LIKE TO OPT OUT OF THE THIRD-PARTY RELEASE, YOU MUST ELECT TO OPT OUT OF THE THIRD-PARTY RELEASE BY CHECKING THE OPT-OUT BOX ON THE BALLOT OR THE OPT-OUT NOTICE FORM THAT YOU RECEIVE. YOU MUST ALSO VOTE TO REJECT THE PLAN OR ABSTAIN FROM VOTING. IF YOU VOTE TO ACCEPT THE PLAN YOU WILL BE A RELEASING PARTY. IF YOU DO NOT RECEIVE EITHER A BALLOT OR OPT OUT NOTICE FORM YOU MUST OBJECT TO THE THIRD-PARTY RELEASE OR YOU WILL BE A RELEASING PARTY. OPTING OUT OF THE THIRD-PARTY RELEASE WILL NOT OTHERWISE MODIFY YOUR TREATMENT OR RECOVERY UNDER THE PLAN.

THE RELEASED PARTIES ARE IDENTIFIED IN THE DEFINITION OF RELEASED PARTIES IN SECTION 1.243 OF THE PLAN. THE RELEASED PARTIES INCLUDE, AMONG OTHERS, THE DEBTORS, REORGANIZED DEBTORS, AND THEIR DIRECTORS AND OFFICERS. THE RELEASED PARTIES ALSO INCLUDE OMEGA, ABL SECURED PARTIES, AND THE DIP LENDERS.

**PLEASE READ THE FULL TEXT OF THE CONSENSUAL THIRD-PARTY RELEASES AND RELATED DISCLOSURES IN ARTICLES III.E AND X.D.2 OF THE PLAN FOR FURTHER DETAIL REGARDING THE THIRD-PARTY RELEASE.** ANY HOLDER OF CLAIMS THAT (i) VOTES IN FAVOR OF THE PLAN, (ii) VOTES TO REJECT THE PLAN OR ABSTAINS FROM VOTING BUT THAT FAILS TO ELECT TO OPT OUT OF THE THIRD-PARTY RELEASE ON HIS OR HER BALLOT OR OPT-OUT NOTICE FORM, OR (iii) THAT DOES NOT OBJECT TO THE THIRD-PARTY RELEASE IF SUCH HOLDER DID NOT RECEIVE A BALLOT OR OPT OUT NOTICE FORM WILL BE DEEMED TO HAVE EXPRESSLY, UNCONDITIONALLY RELEASED AND DISCHARGED THE THIRD-PARTY RELEASED PARTIES PURSUANT TO THE THIRD-PARTY RELEASE SET FORTH IN ARTICLE X.D.2 OF THE PLAN.

**PLEASE TAKE FURTHER NOTICE THAT** the Plan may be modified, if necessary, pursuant to Bankruptcy Code section 1127, before, during or as a result of the Combined Hearing, without further notice to interested parties.

**PLEASE TAKE FURTHER NOTICE THAT** additional copies of the Combined Disclosure Statement and Plan, and any solicitation materials (except for Ballots), are available free of charge on the Debtors' case information website (<https://www.veritaglobal.net/lavie>) or may be obtained from the Claims and Noticing Agent by calling (877) 709-4750 (United States/Canada toll-free) or +1 (424) 236-7230 (International) or by clicking the "Submit an Inquiry" option at <https://www.veritaglobal.net/lavie/Inquiry>. Please be advised that the Claims and Noticing Agent is authorized to answer questions about, and provide additional copies of, solicitation materials, but may not advise you as to whether you should vote to accept or reject the Plan.

**If you have any questions related to this notice, please call (877) 709-4750 (U.S./Canada) or +1 (424) 236-7230 (International) or visit <https://www.veritaglobal.net/lavie>.**

Dated: Atlanta, Georgia  
October 1, 2024

**MCDERMOTT WILL & EMERY LLP**

/s/ Daniel M. Simon

Daniel M. Simon (Georgia Bar No. 690075)  
1180 Peachtree St. NE, Suite 3350  
Atlanta, Georgia 30309  
Telephone: (404) 260-8535  
Facsimile: (404) 393-5260  
Email: [dsimon@mwe.com](mailto:dsimon@mwe.com)

- and -

Emily C. Keil (admitted *pro hac vice*)  
Jake Jumbeck (admitted *pro hac vice*)  
Catherine Lee (admitted *pro hac vice*)  
444 West Lake Street, Suite 4000  
Chicago, Illinois 60606  
Telephone: (312) 372-2000  
Facsimile: (312) 984-7700  
Email: [ekeil@mwe.com](mailto:ekeil@mwe.com)  
[jjumbeck@mwe.com](mailto:jjumbeck@mwe.com)  
[clee@mwe.com](mailto:clee@mwe.com)

*Counsel for the Debtors and Debtors-in-Possession*