

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re:

MIDWEST CHRISTIAN VILLAGES, INC.  
*et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-42473-659

Joint Administration Requested

Re: Docket No. 4

**INTERIM ORDER (I) AUTHORIZING, BUT NOT DIRECTING, DEBTORS  
TO (A) PAY PREPETITION WAGES, SALARIES, EMPLOYEE  
BENEFITS, AND OTHER OBLIGATIONS, (B) MAINTAIN EMPLOYEE  
BENEFIT PROGRAMS, AND (C) PAY RELATED ADMINISTRATIVE  
OBLIGATIONS; AND (II) GRANTING RELATED RELIEF**

Upon the Motion<sup>2</sup> of the above-captioned debtors and debtors-in-possession (the “Debtors”), for entry of an order pursuant to sections 105(a), 363(b), and 507(a) of the Bankruptcy Code authorizing, but not directing the Debtors, in their discretion, to (a) pay Employee Compensation Obligations and Employee Benefit Obligations and (b) maintain, continue to honor, and pay amounts with respect to the Debtors’ business practices, programs, and policies for their employees as such were in effect as of the commencement of these chapter 11 cases and as such

<sup>1</sup> The address of the Debtors headquarters is 2 Cityplace Dr, Suite 200, Saint Louis, MO 63141-7390. The last four digits of the Debtors’ federal tax identification numbers are: (i) Midwest Christian Villages, Inc. [5009], (ii) Hickory Point Christian Village, Inc. [7659], (iii) Lewis Memorial Christian Village [3104], (iv) Senior Care Pharmacy Services, LLC [1176], (v) New Horizons PACE MO, LLC [4745], (vi) Risen Son Christian Village [9738], (vii) Spring River Christian Village, Inc. [1462], (viii) Christian Homes, Inc. [1562], (ix) Crown Point Christian Village, Inc. [4614], (x) Hoosier Christian Village, Inc. [3749], (xi) Johnson Christian Village Care Center, LLC [8262], (xii) River Birch Christian Village, LLC [7232], (xiii) Washington Village Estates, LLC [9088], (xiv) Christian Horizons Living, LLC [4871], (xv) Wabash Christian Therapy and Medical Clinic, LLC [2894], (xvi) Wabash Christian Village Apartments, LLC [8352], (xvii) Wabash Estates, LLC [8743], (xviii) Safe Haven Hospice, LLC [6886], (xix) Heartland Christian Village, LLC [0196], (xx) Midwest Senior Ministries, Inc. [3401] and (xxi) Shawnee Christian Nursing Center, LLC [0068].

<sup>2</sup> Capitalized terms not defined herein have the meanings ascribed to them in the Wage Motion.



may be modified or supplemented from time to time in the ordinary course of business (the “Wage Motion”); and this Court having jurisdiction to consider the Wage Motion pursuant to 28 U.S.C. §§ 157 and 1334; and venue of these chapter 11 cases and the Wage Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and the Debtors having represented that they have given proper and adequate notice and that no other or further notice is required; and a hearing having been held to consider the relief requested in the Wage Motion; and upon the record of the hearing and all of the proceedings had before the Court; and the Court having found and determined that the relief sought in the Wage Motion is in the best interests of the Debtors, their estates, their creditors, and all other parties in interest and that the legal and factual bases set forth in the Wage Motion establish just cause for the relief granted herein; and it appearing that the relief requested in the Wage Motion is necessary to avoid immediate and irreparable harm to the Debtors and their estates as contemplated by Bankruptcy Rule 6003 and is in the best interests of the Debtors and their respective estates and creditors; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED that the Wage Motion is GRANTED ON AN INTERIM BASIS in that:

1. The Debtors are authorized, but not directed, pursuant to §§ 105(a), 363(b), and 507(a) of the Bankruptcy Code to (i) pay, in their discretion, obligations incurred, directly or indirectly, under or relating to the Employee Obligations, related expenses, and all fees and costs incident to the foregoing, including amounts owed to third-party administrators and providers and tax authorities; and (ii) maintain and continue to honor and pay, in their discretion, amounts with respect to the Debtors’ business practices, programs, and policies for their employees as such were

in effect as of the commencement of these chapter 11 cases and as such may be modified or supplemented from time to time in the ordinary course of business.

2. Nothing in the Wage Motion or this Interim Order shall be deemed to authorize the Debtors to accelerate any payments not otherwise due prior to the date of the hearing to consider entry of an order granting the relief requested in the Motion on a final basis.

3. Nothing in the Wage Motion or this Interim Order, pending entry of a final order, shall be deemed to authorize the Debtors to make any payment to, or on behalf of, any Employee on account of wages, bonus, and other compensation obligations in excess of \$15,150.00 per individual with respect to the prepetition period or permit a violation of section 503(c) of the Bankruptcy Code; provided however, that the Debtors will not make any payments on account of Vacation Leave, except as may be required by applicable non-bankruptcy law, until entry of a Final Order.

4. The Banks are authorized to receive, process, honor, and pay any and all checks issued, or to be issued, and electronic funds transfers requested, or to be requested, by the Debtors relating to such obligations, to the extent that sufficient funds are on deposit in available funds in the applicable bank accounts to cover such payments. The Banks are authorized to accept and rely on all representations made by the Debtors with respect to which checks, drafts, wires, or automated clearing house transfers should be honored or dishonored in accordance with this or any other order of this Court, whether such checks, drafts, wires, or transfers are dated prior to, on, or subsequent to the Petition Date, without any duty to inquire otherwise.

5. The Debtors are authorized, but not directed, to issue new postpetition checks, or effect new electronic funds transfers, and to replace any prepetition checks or electronic fund transfer requests that may be lost or dishonored or rejected as a result of the commencement of the

Debtors' chapter 11 cases with respect to any prepetition amounts that are authorized to be paid pursuant to this Interim Order.

6. Notwithstanding anything contained in the Motion or this Interim Order, any payment made, and any authorization of the Debtors contained herein shall be subject to the terms and conditions contained in any orders entered by this Court authorizing the Debtors to obtain debtor-in-possession financing and/or authorizing the use of cash collateral (each such order, a "DIP Order"), the documentation in respect of any such debtor-in-possession financing or use of cash collateral, and any budget in connection with any such debtor-in-possession financing and/or use of cash collateral. To the extent there is any inconsistency between the terms of any DIP Order and any action taken or proposed to be taken by the Debtors hereunder, the terms of the DIP Order shall control.

7. Nothing contained in the Motion or this Interim Order or any payment made pursuant to the authority granted by this Interim Order is intended to be or shall be deemed as (i) an admission as to the validity of any claim against the Debtors, (ii) a waiver of the Debtors' or any party in interest's rights to dispute the amount of, basis for, or validity of any claim, (iii) a waiver of the Debtors' rights under the Bankruptcy Code or any other applicable nonbankruptcy law, (iv) an agreement or obligation to pay any claims, (v) a waiver of any claims or causes of action which may exist against any creditor or interest holder, or (vi) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy under section 365 of the Bankruptcy Code.

8. The requirements of Bankruptcy Rule 6003(b) have been satisfied.


9. Notice of the Motion is adequate under Bankruptcy Rule 6004(a).

10. Notwithstanding the provisions of Bankruptcy Rule 6004(h), this Interim Order shall be immediately effective and enforceable upon its entry.

11. The Debtors are authorized to take all actions necessary or appropriate to carry out the relief granted in this Interim Order.

12. A final hearing (the “Final Hearing”) to consider the relief requested in the Motion shall be held on **August 14, 2024 at 10:00 am (Prevailing Central Time)**, in the United States Bankruptcy Court, Eastern District of Missouri, United States Courthouse, Thomas F. Eagleton Federal Building, 7th Floor, North Courtroom, 111 S. 10th Street, St. Louis, Missouri, 63102, and any objections or responses to the Motion shall be filed on or prior to **August 7, 2024 at 4:00 p.m. (Prevailing Central Time)** and shall be served on: (i) proposed counsel to the Debtors (a) Dentons US LLP, 233 S. Wacker Drive, Suite 5900, Chicago, Illinois 60606 (Attn: Robert E. Richards, Esq.) and (b) Summers Compton Wells LLC, 903 South Lindbergh Blvd., Suite 200, St. Louis, Missouri 63131 (Attn: David A. Sosne, Esq.); and (ii) the Notice Parties (as defined in the Motion). If no objection or response is timely filed and served, the Court may enter the Final Order without need for the Final Hearing.

13. Not later than two (2) business days after the date of this Interim Order, the Debtors shall serve a copy of the Interim Order and shall file a certificate of service no later than twenty-four (24) hours after service.

  
KATHY A. SURRATT-STATES  
U.S. Bankruptcy Judge

DATED: July 17, 2024  
St. Louis, Missouri  
jjh

**Order Prepared By:**

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