

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

(Jointly Administered)

**Re: Docket No. 637**

Proposed Hearing Date on Form of Notice:

March 26, 2025

Hearing Time: 10:00 a.m. (CT)

Location: Courtroom 7 North

**DEBTORS' MOTION FOR ENTRY OF AN ORDER SCHEDULING  
AN EXPEDITED HEARING TO APPROVE FORM OF NOTICE IDENTIFYING  
CERTAIN CLAIMS THAT HAVE BEEN FULLY SATISFIED**

The above-captioned debtors and debtors in possession (collectively, the "Debtors"), respectfully state as follows in support of this motion (the "Motion"):

**RELIEF REQUESTED**

1. By this Motion, and pursuant to § 105(a) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Rule 9013-2(A) of the Local Rules of Bankruptcy Procedure for the

<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]; (xxi) Shawnee Christian Nursing Center, LLC [0068]; and (xxii) Safe Haven Hospice, LLC [6886].



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United States Bankruptcy Court for the Eastern District of Missouri (the “Local Bankruptcy Rules”), the Debtors seek entry of an order expediting a hearing for March 26, 2025, at 10:00 a.m. (prevailing Central Time) (the “Hearing”) to consider approving the form of notice (“Notice”) to creditors identifying certain claims that have been fully satisfied (the “Satisfied Claims”) as further described in the *Debtors’ Motion for an Order (I) Approving The Form of Notice To Creditors Regarding (A) Satisfaction of Certain Scheduled Claims, and (B) Removal or Reduction, as Applicable, of Satisfied Claims From Debtors’ Schedules of Assets And Liabilities and Claims Register; and (II) Granting Related Relief* [Docket No. 637] (the “Expedited Motion”),<sup>2</sup> filed on March 17, 2025.

### **BACKGROUND**

2. On July 16, 2024 (the “Petition Date”), the Debtors filed voluntary petitions for relief pursuant to chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Missouri (the “Court”).

3. The Debtors continue in the operation and management of their business as debtors-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code. The U.S. Trustee appointed an official committee of unsecured creditors (the “Committee”) on August 8, 2024 [Docket No. 121].

4. The Debtors filed these chapter 11 cases to pursue one or more going concern sales and/or going concern affiliates for each of their facilities. As of the date of the filing of this Motion, the Debtors have closed the sales for nine out of twelve of their facilities.

5. The general bar date and the governmental bar date for all of the bankruptcy estates have passed. As of the date hereof, approximately 628 Proofs of Claim have been filed against

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<sup>2</sup> Capitalized terms used but not defined in this Motion have the meaning ascribed to them in the Expedited Motion.

the Debtors. The Debtors, with the assistance of their advisors, are in the process of reviewing these Proofs of Claim.

6. Through the Expedited Motion, the Debtors are seeking to identify certain claims or claimants, as defined by 101(5) of the Bankruptcy Code, that have been fully satisfied and to remove, expunge, or reduce such Satisfied Claims from the Debtors' Schedules and official claims registers for each of the Debtors.

7. Many of these are employee claims paid pursuant a *Final 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* [Docket No. 155] and resident obligations assumed by the buyer for the applicable facility.

#### **JURISDICTION AND VENUE**

8. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Rule 9.01(B) of the Local Rules of the United States District Court for the Eastern District of Missouri. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. §157(b).

9. The statutory and legal predicates for the relief requested herein are § 105(a) of the Bankruptcy Code, Rule 9006(c) of the Bankruptcy Rules, and Local Bankruptcy Rule 9013-2(A).

#### **BASIS FOR RELIEF**

10. Pursuant to the Local Bankruptcy Rules, the Debtors are seeking an expedited hearing because the Expedited Motion will be filed and served less than twenty-one (21) days prior to the Hearing. Section 105(a) of the Bankruptcy Code authorizes this Court to "issue any order,

process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” Further, Bankruptcy Rule 9006(c) provides that the Court, for cause shown, may in its discretion reduce the notice period normally required for motions. Finally, Local Bankruptcy Rule 9013-2(A) allows a hearing to be scheduled on an expedited basis “by written motion, setting forth the reason the matter should be considered on an expedited . . . basis.”

11. The Debtors request that the Court shorten the notice period otherwise required by the Local Rules and consider the form of Notice attached to the Expedited Motion on an expedited basis. As further described in the Expedited Motion, the Debtors are seeking to serve the Notice to certain claimants whose claims have been fully satisfied and to remove, expunge, or reduce such Satisfied Claims from the Debtors’ Schedules and official claims registers for each of the Debtors. The Debtors will seek approval of the form of Notice at the March 26, 2025 hearing. The Debtors will require adequate time upon approval of the Notice to serve the applicable claimants with the Notice and also to provide claimants with an opportunity to file Responses in advance of an April 22, 2025 hearing to consider the Motion.

12. Having these claims addressed of record by the end of April would greatly assist with any structured dismissal and/or liquidating plan which will be determined on an estate by estate basis and is the subject of ongoing dialogue with the Official Committee of Unsecured Creditors and UMB Bank N.A. as bond trustee.

13. Courts in this district have granted similar relief concerning expedited consideration in other large chapter 11 cases. *See, e.g., Myers v. Martin (In re Martin)*, 91 F.3d 389, 395 (3d Cir. 1996) (“[U]nder normal circumstances the court would defer to the trustee’s judgment so long as there is a legitimate business justification.” (citing *In re Schipper*, 933 F.2d 513, 515 (7th Cir. 1991))); *In re Tower Air, Inc.*, 416 F.3d 229, 238 (3d Cir. 2005) (stating that “[o]vercoming the

presumptions of the business judgment rule on the merits is a near-Herculean task”); *see also In re Food Barn Stores, Inc.*, 107 F.3d 558, 564–65 (8th Cir. 1997) (recognizing that paramount goal of any proposed sale of property of estate is to maximize value); *Crystalin, LLC v. Selma Props. Inc. (In re Crystalin, LLC)*, 293 B.R. 455, 463-64 (B.A.P. 8th Cir. 2003).

### **NOTICE**

14. This Motion and notice of this Motion will be served respectively on Master Service List and Master Notice List. Notice of this Motion and any order entered hereon will be served in accordance with Local Rule 9013-3(A)(1). The Debtors submit that, under the circumstances, no other or further notice is required.

**WHEREFORE**, the Debtors respectfully request entry of an order expediting a hearing to approve the form of Notice, together with such other and further relief as the Court deems just and proper.

Dated: March 17, 2025  
St. Louis, Missouri

Respectfully submitted,

**DENTONS US LLP**

/s/ Stephen O'Brien

Stephen O'Brien  
MoBar # 43977  
**DENTONS US LLP**  
211 N Broadway Ste 3000  
St. Louis, MO 63102  
Telephone: (314) 241-1800  
stephen.obrien@dentons.com

Robert E. Richards (admitted *pro hac vice*)  
Samantha Ruben (admitted *pro hac vice*)  
**DENTONS US LLP**  
233 S. Wacker Drive, Suite 5900  
Chicago, Illinois 60606-6404  
Telephone: (312) 876-8000  
robert.richards@dentons.com  
samantha.ruben@dentons.com

– and –

David A. Sosne  
MoBar # 28365  
**SUMMERS COMPTON WELLS  
LLC**  
903 South Lindbergh Blvd., Suite 200  
St. Louis, Missouri 63131  
Telephone: (314) 991-4999  
dsosne@scw.law

*Co-Counsel to the Debtors and  
Debtors-in-Possession*