

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

MIDWEST CHRISTIAN VILLAGES, INC.
et al.,

Debtors.

Chapter 11

Case No. 24-42473-659

Jointly Administered

Related Docket No. 620

ORDER AUTHORIZING DEBTORS TO: (1) IMPLEMENT A RECORDS RETENTION POLICY THAT INCLUDES DISPOSAL OF CERTAIN BUSINESS AND OTHER RECORDS, INCLUDING CERTAIN PATIENT AND NON-PATIENT RECORDS; AND (2) OBTAIN RELATED RELIEF

Upon the motion [Docket No. 620] (the "Motion") of the above-captioned debtors and debtors in possession (collectively, the "Debtors"), pursuant to §§ 105, 351, 363, 554, 1107, and 1108 of title 11 of the United States Code (the "Bankruptcy Code")¹ and Bankruptcy Rule 6011 for entry of an order (i) authorizing the Debtors to implement the Alternative Records Retention Policy,² and (ii) granting other related relief; and this Court being fully advised in the premises; it appearing that proper notice of the Motion had been provided; and it appearing good and sufficient cause having been shown; based upon the arguments, testimony and evidence presented to the Court, and after due deliberation and sufficient cause appearing therefore,

IT IS HEREBY ORDERED:

1. The Motion is **GRANTED** as set forth herein.

¹ All references to § herein are to sections of the Bankruptcy Code. All references to "Bankruptcy Rules" are to provisions of the Federal Rules of Bankruptcy Procedure. All references to "LBR" are to provisions of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Missouri.

² All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.




2. All objections to the relief sought in the Motion that have not been previously resolved or withdrawn are hereby overruled on their merits and with prejudice;

3. The Debtors (or any successor thereto including any liquidating trust or post-effective date management) are authorized, pursuant to 11 U.S.C. §§ 105, 351, 363, and 554, to comply with all requirements of 11 U.S.C. § 351 with respect to the retention and destruction of records identified in **Exhibit 1**, including:

- i. Publication of the Notice on the proposed disposal of patient records in newspapers of general circulation, to include the *USA Today*, the *Chicago Tribune*, the *St. Louis Post-Dispatch*, and the *Indianapolis Star* (i.e., the Published Notice);
- ii. Prompt notification of all patients discharged within the last ten (10) years whose patient records may be at issue, applicable insurance carriers, and the Attorneys General for any states where the healthcare facility is located, including but not limited to Illinois, Missouri, and Indiana, within 180 days of the Published Notice regarding the claiming and disposing of the relevant records, consistent with § 351(1)(B);
- iii. Notification of the DHHS to request permission to deposit any patient records with DHHS, to the extent such patient records have not been claimed during the Waiting Period by patients or the appropriate insurance carrier; and
- iv. Destruction of the records in the manner specified in § 351(3) if the records have not been retrieved during the Waiting Period, unless DHHS has notified the Debtors of its intent to accept deposit of such records.

No later than two (2) business days after the entry of this order, the Debtors shall serve a copy of this order on the notice parties and shall file a certificate of service.


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

DATED: April 1, 2025
St. Louis, Missouri
jjh

Proposed Order submitted by:

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EXHIBIT 1

Records with Retention and Disposal Designation

Current Records Location	Relevant Debtor or Affiliate	Type of Record	Non-Patient or Patient	Additional Details	Current Nonbankruptcy Record Retention Policy	Alternative Record Retention Policy
Lincoln, Illinois - Iron Mountain	Safe Haven Hospice, LLC	Medical and Employment Records	May include PHI data and Confidential Information.	Various boxes.	Shred in 10 years.	Shred in 365 days.
Lincoln, Illinois - Iron Mountain	Safe Haven Hospice, LLC; MCV Carelink, LLC	Medical and Employment Records	May include PHI data and Confidential Information.	40-60 boxes: obtained from Springfield, IL storage in Summer 2024.	Shred in 10 years.	Shred in 365 days.
Lincoln, Illinois - Warehouse	Christian Homes, Inc. d/b/a Washington Christian Village	Medical and Employment Records	May include PHI data and Confidential Information.	Various boxes.	Shred in 10 years.	Shred in 365 days.
Lincoln, Illinois - Iron Mountain	Home Office	Accounting / Financial Records; Employment Records	Non-Patient, Confidential Information	Various boxes: billing records; payroll records; cash receipts; bank statements; cost reports; audits, tax returns; fixed assets; accounts payable invoices; P-card reports;	Shred in 4 years.	Shred in 365 days.
Lincoln, Illinois - Iron Mountain	Home Office	Incorporation Records and Board Minutes for Formerly Owned Corporations	Non-Patient	Articles of Incorporation; Minute Books	Shred in 10 years.	Shred in 365 days.
Lincoln, Illinois - Walk-In Safe	Unknown	Accounting / Financial Records; Employment Records	Non-Patient	Various boxes: bond information; previous audits; appraisals; W2s; various tax documents; garnishments; payroll; annuity information.	Shred in 6 years.	Shred in 365 days.
St. Louis, Missouri - Iron Mountain	Assorted	Accounting Records; Business Records	Non-Patient	Various boxes: Home Office associate records prior to 2020; accounting permanent storage; permanent storage marketing files; community architect's files; New Horizons PACE associate records; organizational documents for all locations.	Shred in 7 years.	Shred in 365 days.

Current Records Location	Relevant Debtor or Affiliate	Type of Record	Non-Patient or Patient	Additional Details	Current Nonbankruptcy Record Retention Policy	Alternative Record Retention Policy
Lincoln, Illinois - Iron Mountain	Pleasant Meadows Christian Village	Unknown	Unknown	Divested in 2013.	Shred Immediately	Shred Immediately.
East Peoria, Illinois - Iron Mountain	Fair Havens Christian Village	Unknown	Unknown	Divested in 2019.	Shred in 2029.	Shred in 365 days.
Lincoln, Illinois - Iron Mountain	Bridgeway Christian Village	Unknown	Unknown	Divested in 2014.	Shred Immediately	Shred Immediately.
Louisville, KY - Iron Mountain	Christian Homes, Inc. d/b/a Wabash Christian Village	Medical and Employment Records	May include PHI data and Confidential Information.	Unknown.	Shred in 10 years.	Shred in 365 days.
Hazelwood, Missouri - Iron Mountain	Heartland Christian Village, LLC	Medical and Employment Records	May include PHI data and Confidential Information.	Divested in 2019.	Shred in 2029.	Shred in 365 days.
Hazelwood, Missouri - Iron Mountain	Shawnee Christian Nursing Center, LLC	Unknown	Unknown	Divested in 2019.	Shred in 2029.	Shred in 365 days.
Brownstown, Indiana - Hoosier Christian Village (Will be moved to Louisville, KY - Iron Mountain)	Johnson Christian Village	Unknown	Unknown	25 boxes.	Shred in 7 years.	Shred in 365 days.
Carmi, Illinois - Wabash Christian Supportive Living (Will be moved to Lincoln, Illinois - Iron Mountain)	Wabash Christian Therapy & Medical Clinic	Unknown	Unknown	Various boxes.	Shred in 10 years.	Shred in 365 days.
Electronic Records	Midwest Christian Villages, Inc.	Electronic Business Records	Confidential Information	Multiple drives.	Destroy in 10 years.	Destroy in 365 days.
Electronic Records	Christian Horizons Living, LLC	Electronic Employment Records	Confidential Information	Separate server for pre-2023 records & UKG Pro	Destroy in 7 years.	Destroy in 365 days.