

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

SC HEALTHCARE HOLDING, LLC *et al.*,

Debtors.¹

Chapter 11

Case No. 24-10443 (TMH)

(Joint Administration Requested)

NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND RELATED DOCUMENTS AND (II) AMENDED² AGENDA FOR HYBRID HEARING ON FIRST DAY MOTIONS SCHEDULED FOR MARCH 22, 2024, 2024 AT 2:00 P.M. (ET) BEFORE THE HONORABLE THOMAS M. HORAN OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE³
3RD FLOOR, COURTROOM 7

This proceeding will be conducted in-person and via Zoom. All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom. Please refer to Judge Horan's Chambers Procedures and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Horan's expectations of remote participants, and the advance registration requirements. Registration is required by March 21, 2024 at 4:00 p.m. (Eastern time) the business day before the hearing unless otherwise noticed using the eCourt Appearances tool available on the Court's website.

YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR YOU WILL NOT BE ALLOWED INTO THE MEETING

PLEASE TAKE NOTICE that, on March 20, 2024, the above-captioned debtors and debtors in possession (collectively, the "Debtors") filed voluntary petitions (the "Petitions") for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the "Bankruptcy Code"), and related pleadings with the Clerk of the United States Bankruptcy Court for the District of Delaware. The Debtors continue to operate their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

¹ The last four digits of SC Healthcare Holding, LLC's tax identification number are 2584. The mailing address for SC Healthcare Holding, LLC is c/o Petersen Health Care Management, LLC 830 West Trailcreek Dr., Peoria, IL 61614. Due to the large number of debtors in these Chapter 11 Cases, for which the Debtors have requested joint administration, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information will be made available on a website of the Debtors' proposed claims and noticing agent at <https://www.kccllc.net/Petersen>.

² **Amendments appear in bold.**

³ All motions and other pleadings referenced herein are available online at <https://www.kccllc.net/Petersen> or by request to the Debtors' proposed counsel, Young Conaway Stargatt & Taylor, LLP, Attn: Debbie Laskin, paralegal, 302-571-6710, or dlaskin@ycst.com.



PETITION AND RELATED PLEADINGS

1. Voluntary Petitions
 - A. See **Schedule 1**, attached hereto
2. Declaration of David R. Campbell in Support of Chapter 11 Petitions and First Day Pleadings [[D.I. 44, 3/21/24](#)]⁴

PLEASE TAKE FURTHER NOTICE that a hearing with respect to the following first day motions (collectively, the “First Day Motions”) is scheduled for **March 22, 2024 at 2:00 p.m. (ET)** (the “First Day Hearing”) before The Honorable Thomas M. Horan, United States Bankruptcy Judge for the District of Delaware.

FIRST DAY MOTIONS GOING FORWARD

3. Debtors’ Motion for Entry of an Order, Pursuant to Bankruptcy Rule 1015 and Local Rule 1015-1, (I) Directing Joint Administration of Their Related Chapter 11 Cases (II) Modifying the Requirements for Filing Monthly Operating Reports, and (III) Granting Related Relief [[D.I. 2, 3/20/24](#)]

Status: This matter will be going forward.

4. Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to File (A) A Consolidated Master List of Creditors and (B) A Consolidated List of the Debtors’ 40 Largest General Unsecured Creditors, (II) Authorizing the Debtors to Redact Personally Identifiable Information for Certain Individual Creditors and Parties in Interest, (III) Authorizing Procedures to Maintain and Protect Confidential Resident Information, and (IV) Granting Related Relief [[D.I. 3, 3/20/24](#)]

Status: This matter will be going forward.

5. Debtors’ Application for Entry of an Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Claims and Noticing Agent Effective as of the Petition Date Pursuant to 28 U.S.C § 156(c), 11 U.S.C. § 105(a) and Local Rule 2002-1(f) [[D.I. 6, 3/20/24](#)]

Status: This matter will be going forward.

6. Debtors’ Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Companies from Discontinuing, Altering, or Refusing Service, (II) Deeming Utility Companies to Have Adequate Assurance of Future Payment, (III) Establishing Procedures for Resolving Requests for Additional Assurance, and (IV) Granting Related Relief [[D.I. 7, 3/20/24](#)]

Status: This matter will be going forward.

7. Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related

⁴ The physical location of the declarant is Peoria, Illinois.

There to, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (C) Honor the Terms of the Premium Financing Agreement and Pay Premiums Thereunder, (D) Enter Into New Premium Finance Agreements in the Ordinary Course of Business, and (E) Maintain the Surety Bonds; (II) Authorizing Banks to Honor and Process Check and Electronic Transfer Requests Related Thereto; and (III) Granting Related Relief [[D.I. 8, 3/20/24](#)]

Status: This matter will be going forward.

8. Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Pay Prepetition Taxes and Fees in the Ordinary Course of Business, and (B) Granting Related Relief [[D.I.10, 3/21/24](#)]

Status: This matter will be going forward.

9. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief [[D.I. 26, 3/21/24](#)]

Status: This matter will be going forward.

10. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs and (II) Granting Related Relief [[D.I. 27, 3/21/24](#)]

Status: This matter will be going forward.

11. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 38, 3/21/24](#)]

Related Documents:

- A. Declaration of Luke Andrews in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 39, 3/21/24](#)]
- B. Declaration of David R. Campbell in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative

Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 40, 3/21/24](#)]

- C. Declaration of Jeff Deines in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. Section 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 62, 3/21/24](#)]**
- D. Exhibit G to Declaration of Jeff Dienes [[D.I. 63, 3/21/24](#)]**
- E. Declaration of Paige B. Tinkham in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. Section 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 64, 3/21/24](#)]**
- F. Amended Declaration of Luke Andrews in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 68, 3/22/24](#)]**
- G. Notice of Filing of Revised Proposed Interim Order (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With**

JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 76 , 3/22/24](#)]

Objections:

- A. Objection of Lument Real Estate Capital, LLC to Debtors' Motion for Entry of Interim and Final Order (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 57, 3/21/24](#)]**
- B. X-Caliber Funding LLC's Preliminary Objection to Debtors' Motion for Entry of Interim and Final Order (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 61, 3/21/24](#)]**
- C. Objection of Grandbridge Real Estate Capital LLC and Berkadia Commercial Mortgage LLC to Debtors' DIP motion and Joinder to Lument Real Estate Capital LLC's Objection to DIP Motion [[D.I. 73, 3/22/24](#)]**

Status: This matter will be going forward. The Debtors continue to work with the Prepetition Secured Parties towards a consensual form of order.

12. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Use Their Bank Accounts, (B) Honor Prepetition Obligations Related Thereto, (C) Maintain the Refund Programs, (D) Perform Intercompany Transactions, (E) Maintain Existing Business Forms; and (II) Granting Related Relief [[D.I. 41, 3/21/24](#)]

Related Document:

- A. Notice of Filing of (I) Authorizing the Debtors to (A) Continue to Use Their Bank Accounts, (B) Honor Prepetition Obligations Related Thereto, (C) Maintain the Refund Programs, (D) Perform Intercompany Transactions, (E) Maintain Existing Business Forms; and (II) Granting Related Relief; and (2) Amended Schedule 1 to the Debtors' Motion for Entry of interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Use Their Bank Accounts, (B) Honor Prepetition Obligations Related Thereto, (C) Maintain the Refund Programs, (D) Perform Intercompany Transactions, (E) Maintaining Existing Business Forms; and (II) Granting Related Relief [[D.I. 75, 3/22/24](#)]**

Status: This matter will be going forward.

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PLEASE TAKE FURTHER NOTICE that objections, if any, to the First Day Motions may be made at the First Day Hearing.

Dated: March 22, 2024
Wilmington, Delaware

Respectfully submitted,

**YOUNG CONAWAY STARGATT &
TAYLOR, LLP**

/s/ Carol E. Cox

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