

**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)

(Jointly Administered)

Ref. Docket No. 521

**CERTIFICATION OF COUNSEL REQUESTING ENTRY OF ORDER GRANTING
THE MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS
FOR DISCOVERY AND EXAMINATION OF THE PETERSEN NON-DEBTOR
ENTITIES PURSUANT TO BANKRUPTCY RULE 2004**

1. The undersigned counsel for the Official Committee of Unsecured Creditors (the “Committee”) in the cases of the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”), hereby certify that:

2. On June 13, 2024, the Committee filed the *Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of The Petersen Non-Debtor Entities Pursuant to Bankruptcy Rule 2004* [Docket No. 521] (the “Motion”) with the United States Bankruptcy Court for the District of Delaware (the “Court”). A proposed form of order was attached to the Application as Exhibit A (the “Proposed Order”).

3. Pursuant to the Notice for Motion [Docket No. 521-3], the deadline to file objections or otherwise respond to the Application was June 27, 2024 at 4:00 p.m. (ET) (as may have been extended by the Committee for any party, the “Objection Deadline”).

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, whose cases are being jointly administered, 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 is available on a website of the Debtors’ claims and noticing agent at www.kccllc.net/Petersen.



4. On June 20, 2024, the Petersen Entities filed the *Reservation of Rights in Response to Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of the Petersen Non-Debtor Entities Pursuant to Bankruptcy Rule 2004* [Docket No. 541]. On June 20, 2024, the Debtors also filed the *Reservation of Rights in Response to Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of the Petersen Non-Debtor Entities Pursuant to Bankruptcy Rule 2004* [Docket No. 543], which was later withdrawn at D.I. 553. No other formal or informal responses or objections to the Motion were received.

5. The Committee and the Petersen Entities subsequently engaged in discussions and agreed to certain revisions to a proposed order granting the Motion..

6. Attached hereto as **Exhibit A** is the revised Proposed Order (the “**Revised Proposed Order**”) which reflects the parties’ agreement. For the convenience of the Court and other interested parties, a redline comparing the Revised Proposed Order against the Proposed Order is attached hereto as **Exhibit B**.

7. The Committee therefore requests that the Court enter the Revised Proposed Order at its earliest convenience. Counsel is available at the request of the Court.

[Remainder of page intentionally left blank.]

Dated: June 25, 2024

GREENBERG TRAURIG, LLP

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*Counsel for the Official
Committee of Unsecured Creditors*

Exhibit A

**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)

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Ref. Docket No. 521

**ORDER GRANTING THE MOTION OF THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR DISCOVERY AND EXAMINATION OF THE
PETERSEN NON-DEBTOR ENTITIES PURSUANT TO BANKRUPTCY RULE 2004**

Upon consideration of the *Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of The Petersen Non-Debtor Entities Pursuant to Bankruptcy Rule 2004* (the “Motion”);² the *Reservation of Rights in Response to Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of the Petersen No-Debtor Entities Pursuant to Bankruptcy Rule 2004* (the “Reservation of Rights”) [Doc. No. 541]; and the record of these cases; and the Court having determined that the relief requested in the Motion is appropriate; and adequate and sufficient notice of the Motion having been given; and good cause having been shown;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Committee is authorized to issue discovery to, and conduct a Rule 2004 examination of Petersen, the Petersen Non-Debtor Entities, and/or other persons in possession,

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² Capitalized terms used herein but not defined shall have the meaning given to them in the Motion.

custody or control of documents and information relating to the Debtors and the Petersen Non-Debtor Entities (including to, but not limited to Marikay Snyder).

3. Mark Petersen and each of the Petersen Non-Debtor Entities or other recipients are hereby ordered and directed to produce to the Committee all documents within their respective possession, custody, or control that are responsive to the categories set forth in the Document Requests on a rolling basis following the entry of this Order; and shall use their reasonable, best efforts to complete such production by July 18, 2024 at 4:00 p.m. (Prevailing Eastern Time).

4. The Committee is authorized to issue subpoenas for deposition testimony and/or documents.

5. This Order is without prejudice to the rights of the Committee or other parties in interest to seek further discovery, including but not limited to additional documents and communications.

6. Notwithstanding the foregoing provisions of this Order, the Petersen Entities (as defined in the Reservation of Rights and including Mark Petersen) retain all rights and remedies with respect to the discovery sought by the Committee and nothing in this Order precludes the Petersen Entities either from objecting to the Discovery Requests and to any depositions sought by the Committee and/or seeking protective orders with respect to such Discovery Requests and to any depositions sought by the Committee. Any objections to discovery and/or requests for protective orders if not resolved by the Petersen Entities and the Committee may be submitted to the Court for resolution in accordance with applicable procedural and substantive law.

7. This Order shall become effective immediately upon its entry notwithstanding anything in the Federal Rules of Bankruptcy Procedure or otherwise to the contrary.

8. This Court shall retain jurisdiction over any matter related to the Motion and this Order.

Exhibit B

**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)

(Jointly Administered)

Ref. Docket No. ~~---~~521

**ORDER GRANTING THE MOTION OF THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR DISCOVERY AND EXAMINATION OF THE
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Upon consideration of the *Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of The Petersen Non-Debtor Entities Pursuant to Bankruptcy Rule 2004* (the “Motion”);² [the Reservation of Rights in Response to Motion of the Official Committee of Unsecured Creditors for Discovery and Examination of the Petersen No-Debtor Entities Pursuant to Bankruptcy Rule 2004 \(the “Reservation of Rights”\) \[Doc. No. 541\]](#); and the record of these cases; and the Court having determined that the relief requested in the Motion is appropriate; and adequate and sufficient notice of the Motion having been given; and good cause having been shown;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

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custody or control of documents and information relating to the Debtors and the Petersen Non-Debtor Entities (including to, but not limited to Marikay Snyder).

3. Mark Petersen and each of the Petersen Non-Debtor Entities or other recipients are hereby ordered and directed to produce to the Committee all documents within their respective possession, custody, or control that are responsive to the categories set forth in the Document Requests on a rolling basis following the entry of this Order ~~so as to be; and shall use their reasonable, best efforts to~~ completed ~~no later than~~ such production by July 18, 2024 at 4:00 p.m. (Prevailing Eastern Time).

4. The Committee is authorized to issue subpoenas for deposition testimony and/or documents.

5. This Order is without prejudice to the rights of the Committee or other parties in interest to seek further discovery, including but not limited to additional documents and communications.

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Summary report:	
Litera Compare for Word 11.8.0.56 Document comparison done on 6/25/2024 12:11:00 PM	
Style name: GT-1 (Default)	
Intelligent Table Comparison: Active	
Original DMS: iw://dmsamericas.gtlaw.com/ACTIVE/699560552/1	
Modified DMS: iw://dmsamericas.gtlaw.com/ACTIVE/699560552/2	
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<u>Add</u>	12
Delete	6
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
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Embedded Excel	0
Format changes	0
Total Changes:	18