

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

SC HEALTHCARE HOLDING, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-10443 (TMH)

(Jointly Administered)

**Related to Docket No. 1410**

**NOTICE OF DEPOSITION OF OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS IN CONNECTION WITH THE CONFIRMATION OF  
DEBTORS' CHAPTER 11 PLAN OF LIQUIDATION**

**PLEASE TAKE NOTICE** that, pursuant to Rules 26 and 30(b)(6) of the Federal Rules of Civil Procedure, made applicable hereto by Rules 7026, 7030, and 9014(c) of the Federal Rules of Bankruptcy Procedure, Mark B. Petersen, by and through his undersigned counsel, will take the deposition upon oral examination of the Official Committee of Unsecured Creditors (the "Committee") with respect to the Topics set forth on Schedule 1 attached hereto.

**PLEASE TAKE FURTHER NOTICE** that the deposition will commence on May 28, 2025, at 2:00 p.m. (Eastern Time) at the offices of Saul Ewing LLP, 1201 N. Market Street, Suite 2300, Wilmington, Delaware 19801, or such other place, date and time as the parties may mutually agree. The deposition will proceed before an officer authorized by law to administer oaths, will be recorded by audio, video, and/or stenographic means, and will continue from day to day until completed. The deposition will be taken for purposes permitted by the Federal Rules of Civil

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<sup>1</sup> 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 [ww.kccllc.net/Petersen](http://ww.kccllc.net/Petersen).



Procedure, Federal Rules of Bankruptcy Procedure, and Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, the Committee is required to designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf, to testify as to information known or reasonably available to the Committee with respect to the Topics set forth on Schedule

1. Mr. Petersen reserves the right to take additional depositions of the Committee and any other parties regarding the above-captioned cases and any other matters.

Date: May 16, 2025

**SAUL EWING LLP**

By: /s/ Paige N. Topper  
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*Counsel for Mark B. Petersen*

## **SCHEDULE 1**

### **DEFINITIONS**

1. “Administrative Expense Bar Date” means (i) for Administrative Expense Claims arising on or before the date on which the Interim Approval and Procedures Order is entered, the date that is 30 calendar days after the entry of the Interim Approval and Procedures Order and (ii) for Administrative Expense Claims arising after the date on which the Interim Approval and Procedures Order is entered but on or before the Effective Date, the date that is 30 calendar days after the Effective Date. Professional Fee Claims shall be subject to the Professional Fee Claim Bar Date and Claims brought under section 503(b)(9) of the Bankruptcy Code shall be subject to the General Bar Date.

2. “Administrative Expense Claim” means any right to payment constituting actual and necessary costs and expenses of preserving the Estates under sections 503(b) and 507(a)(2) of the Bankruptcy Code including, without limitation: (a) Professional Fee Claims, (b) any fees or charges assessed against the Estates under section 1930 of title 28 of the United States Code, and (c) all Claims arising under section 503(b)(9) of the Bankruptcy Code.

3. “Allowed” means, with reference to any Claim, proof of which was properly filed or, if no Proof of Claim was filed, that has been or hereafter is listed by the Debtors on its Schedules as liquidated in amount and not Disputed or contingent and, in each case, as to which: (a) no objection to allowance has been interposed within the applicable period fixed by the Combined Plan and Disclosure Statement, the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, or the Bankruptcy Court; or (b) an objection has been interposed and such Claim has been allowed, in whole or in part, by a Final Order.

4. “Bankruptcy Code” means title 11 of the United States Code, 11 U.S.C. §§ 101–1532.

5. “Bankruptcy Court” means the United States Bankruptcy Court for the District of Delaware, having jurisdiction over the Chapter 11 Cases or, if such Court ceases to exercise jurisdiction over the Chapter 11 Case, such court or adjunct thereof that exercises jurisdiction over the Chapter 11 Cases in lieu of the United States Bankruptcy Court for the District of Delaware.

6. “Bar Date” means, with respect to any particular Claim, the specific date established by the Bankruptcy Court as the last day for filing Proofs of Claim against the Debtors or requests in the Chapter 11 Cases for that specific Claim.

7. “Bar Date Order” means the *Order Establishing Bar Dates for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof* [Docket No. 339].

8. “Cash” means legal tender of the United States of America or equivalents thereof, including, without limitation, payment in such tender by check, wire transfer, or any other customary payment method.

9. “Cause of Action” means any Claim (including any Claim on contracts or for breaches of duties imposed by law or in equity), cause of action, controversy, right of setoff, cross claim, counterclaim, recoupment, demand, right, action, Lien, indemnity, guaranty, suit, obligation, liability, damage, judgment, account, defense, power, privilege, license, or franchise of any kind or character whatsoever, known, unknown, fixed or contingent, matured or unmatured, suspected or unsuspected, liquidated or unliquidated, Disputed or undisputed, secured or unsecured, assertable directly or derivatively, whether arising before, on, or after the Petition Date, in contract or in tort, in law or in equity, or pursuant to any other theory of law.

10. “Chapter 11 Cases” means the jointly administered bankruptcy cases, styled *In re: SC Healthcare Holding, LLC, et al.*, Case No. 24-10443 (TMH), pending in the United States Bankruptcy Court for the District of Delaware.

11. “Claim” shall have the meaning set forth in section 101(5) of the Bankruptcy Code.

12. “CMS” shall mean the Centers for Medicare & Medicaid Services, a U.S. federal agency within the U.S. Department of Health and Human Services.

13. “Combined Plan and Disclosure Statement” means the combined disclosure statement and Chapter 11 plan of liquidation, as amended, including, without limitation, all exhibits, supplements, appendices, and schedules hereto, either in their present form or as the same may be altered, amended, or modified from time to time [D.I. 1410].

14. “Committee” means the Official Committee of Unsecured Creditors appointed in the captioned bankruptcy cases, including each of the Committee members, its professionals and advisors.

15. “Confirmation” means confirmation of the Combined Plan and Disclosure Statement pursuant to section 1129 of the Bankruptcy Code. “Confirmation Date” means the date on which the Confirmation Order is entered by the Bankruptcy Court.

16. “Confirmation Hearing” means the hearing held by the Bankruptcy Court to consider (a) approval of the Combined Plan and Disclosure Statement as providing adequate information pursuant to section 1125 of the Bankruptcy Code, and (b) Confirmation of the Combined Plan and Disclosure Statement pursuant to section 1129 of the Bankruptcy Code, as such hearing may be adjourned or continued from time to time.

17. “Creditor” means any Person that is the Holder of a Claim against the Debtors.

18. “Debtors” shall mean, collectively, the entities identified in the caption of this Notice.

19. “General Bar Date” means July 15, 2024, the date established by the Bankruptcy Court pursuant to the Bar Date Order for the submission of Proofs of Claim against the Debtors.

20. “K&P” means Knoxville & Pennsylvania, LLC.

21. “Liquidation Analysis” shall mean the Debtors’ Liquidation Analysis attached as Exhibit C to the Plan.

22. “Plan” shall mean the Debtors’ Combined Disclosure Statement and Chapter 11 Plan of Liquidation and Liquidation Analysis [D.I. 1410].

23. “Plan Administrator” means David R. Campbell (designated by the Debtor), or his successor(s) appointed pursuant to the Plan Administrator Agreement, as the Person to carry out the terms of the Combined Plan and Disclosure Statement.

24. “Professional” means any professional Person retained in the Chapter 11 Cases pursuant to section 327, 328, 363, or 1103 of the Bankruptcy Code pursuant to an order of the Bankruptcy Court who is to be compensated for services rendered pursuant to sections 327, 328, 329, 330, 331, or 363 of the Bankruptcy Code.

25. “Professional Fee Claims” means all Claims for compensation and reimbursement of expenses by Professionals to the extent Allowed by the Bankruptcy Court.

26. “Proof of Claim” means a proof of Claim filed against any Debtor in accordance with the order establishing the Bar Date or any other order by the Bankruptcy Court requiring for the fixing of Claims.

27. “Secured Claims” means Claims which are: (a) secured by a valid and perfected Lien in collateral which is enforceable pursuant to applicable law, the amount of which is equal to

or less than the value of such collateral (i) as set forth in this Combined Plan and Disclosure Statement, (ii) as agreed to by the Holder of such Claim and the Debtors, or (iii) as determined by a Final Order in accordance with section 506(a) of the Bankruptcy Code; or (b) subject to a valid right of setoff under section 553 of the Bankruptcy Code.

28. “WAR Drive” means WAR Drive, LLC.

#### **TOPICS ON WHICH EXAMINATION IS REQUESTED**

1. The respective assets and liabilities of the Debtors, and their business affairs and operations, including as reflected on the Debtors’ schedules of assets and liabilities.

2. Debtors’ request for substantive consolidation of the assets and liabilities of the Debtors as described in Section VIII(B)(1) of the Plan (“Substantive Consolidation”).

3. Debtors’ request for Substantive Consolidation of the assets and liabilities of WAR Drive and K&P with the other Debtors.

4. Debtors’ Liquidation Analysis.

5. The amount of any and all Secured Claims against Debtors as of April 30, 2025.

6. The amount of any and all projected Secured Claims against Debtors as of May 30, 2025.

7. The amount of Cash held by the Debtors that is not subject to distribution to secured Creditors as of April 30, 2025.

8. The amount of Cash that Debtors project they will hold as of May 30, 2025 that is not subject to distribution to secured Creditors.

9. The amount of Debtors’ total accounts receivable as of April 30, 2025.

10. The amount of Debtors’ projected total accounts receivable as of May 30, 2025.

11. Debtors' planned or projected sale of accounts receivable as identified on the Liquidation Analysis.

12. Excluding (1) the value of the Causes of Action at issue in this case, (2) Cash, and (3) accounts receivable, the value and nature of any remaining assets of the Debtors.

13. The amount of all Professional Fee Claims both (i) incurred and (ii) Allowed, but not yet paid, by Debtors as of April 30, 2025.

14. The amount of all projected Professional Fee Claims both (i) incurred and (ii) Allowed, but not yet paid, by Debtors as of May 30, 2025.

15. The total amount of Administrative Expense Claims, not including Professional Fee Claims, asserted against the Debtors as of the initial Administrative Expense Bar Date (May 21, 2025).

16. The projected total amount of Administrative Expense Claims, not including Professional Fee Claims, to be asserted against the Debtors between the initial Administrative Expense Bar Date (May 21, 2025) and the second Administrative Expense Bar Date (*i.e.*, 30 days after the Plan Effective Date).

17. All Claims, including any rights of setoff and/or recoupment, asserted by CMS including, without limitation, the amount and nature of CMS' Claim(s) against the Debtors.

18. Whether the Professional Fee Claims exceed any carve-out for Professional Fee Claims in any debtor-in-possession financing agreement or order.

19. The projected Cash flows as set forth in Exhibit D to the Plan and the actual Cash flows with respect to the Plan Administrator's activities since April 10, 2025 and/or commencement of the time period applicable to Exhibit D.



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In re:

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Debtors.

Chapter 11

Case No. 24-10443 (TMH)

(Jointly Administered)

**CERTIFICATE OF SERVICE**

I, Paige N. Topper, hereby certify that on May 16, 2025, a true and correct copy of the *Notice of Deposition of Official Committee of Unsecured Creditors in Connection with the Confirmation of Debtors' Chapter 11 Plan of Liquidation* was served via Electronic Mail on the below parties.

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Date: May 16, 2025