

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)

Obj. Deadline: Sept. 22, 2025 at 4:00 p.m. (ET)

Hearing Date: Oct. 8, 2025 at 11:00 a.m. (ET)

LIQUIDATING TRUSTEE'S MOTION FOR AN ORDER, PURSUANT TO
BANKRUPTCY RULES 9006 AND 9027, FURTHER EXTENDING
THE PERIOD WITHIN WHICH ACTIONS MAY BE
REMOVED PURSUANT TO 28 U.S.C. § 1452

Daniel F. Dooley, solely in his capacity as the liquidating trustee (the "Liquidating Trustee") hereby submits this motion (this "Motion") seeking entry of an order, substantially in the form attached hereto as Exhibit A (the "Proposed Order"), pursuant to Rules 9006 and 9027 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), further extending the period within which actions may be removed pursuant to 28 U.S.C. § 1452 by an additional 120 days, through and including January 6, 2026. In support of this Motion, the Liquidating Trustee respectfully represents as follows:

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the District of Delaware (the "Court") has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated as of

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February 29, 2012 (the “Amended Standing Order”). The Liquidating Trustee confirms consent, pursuant to Rule 9013-1(f) of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), to the entry of a final order by the Court with respect to this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper in the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory and legal predicates for the relief requested herein are section 1452 of title 28 of the United States Code and Bankruptcy Rules 9006 and 9027.

BACKGROUND

4. On March 20, 2024 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) each commenced with the Court a voluntary case (these “Chapter 11 Cases”) under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”).

5. The Chapter 11 Cases are being jointly administered pursuant to Bankruptcy Rule 1015(b) and the *Order, Pursuant to Bankruptcy Rule 1015 and Local Rule 1015-1, (I) Directing Jointing Administration of the Debtors’ Chapter 11 Cases, (II) Modifying the Requirements for Filing Monthly Operating Reports, and (III) Granting Related Relief* [Docket No. 79] entered by the Court on March 22, 2024 in each of the Chapter 11 Cases.

6. On April 9, 2024, the Office of the United States Trustee (the “U.S. Trustee”) appointed an official committee of unsecured creditors (the “Committee”) in the Chapter 11 Cases

pursuant to section 1102(a)(1) of the Bankruptcy Code. On the Effective Date (as defined below), the Committee was dissolved.

7. On June 11, 2025, the Court entered an order [Docket No. 1678] (the “Confirmation Order”) confirming the *Combined Disclosure Statement and Chapter 11 Plan of Liquidation* [Docket No. 1410] (including all exhibits thereto and as the same may be amended, modified, or supplemented from time to time, the “Combined Plan and Disclosure Statement”).

8. On August 7, 2025 (the “Effective Date”), the Combined Plan and Disclosure Statement became effective. In accordance with the Combined Plan and Disclosure Statement, Confirmation Order, and that certain *Liquidating Trust Agreement*, on the Effective Date, the Liquidating Trust Assets (as defined in the Combined Plan and Disclosure Statement) were transferred to and became vested in the Liquidating Trust, and Daniel F. Dooley was appointed as the Liquidating Trustee.

9. Similarly, in accordance with the Combined Plan and Disclosure Statement, Confirmation Order, and that certain *Plan Administrator Agreement*, on the Effective Date, David R. Campbell was appointed as the Plan Administrator.

10. The Debtors are a party to various prepetition proceedings currently pending in certain states and federal districts (collectively, the “Pending Litigation”) that may be subject to removal under 28 U.S.C. § 1452. The Debtors and their successors in interest may become aware of additional prepetition proceedings (each, an “Action” and, collectively with the Pending Litigation, the “Actions”), whether in connection with proofs of claim that have been filed in these Chapter 11 Cases, or otherwise, some of which may be subject to removal under 28 U.S.C. § 1452. The Liquidating Trustee and/or the Debtors’ other successors in interest may find it appropriate and beneficial to remove certain of the Actions to federal court but have not yet completed the

requisite analysis with respect to removal of such Actions. Therefore, the Liquidating Trustee requests additional time to complete this analysis and to make necessary determinations regarding removal of any Actions.

PRIOR EXTENSION REQUESTS

11. The Court has previously granted five extensions of the removal deadline [Docket Nos. 604, 860, 1115, 1339 & 1710] (collectively, the “Removal Orders”), thereby extending the removal deadline through and including September 8, 2025 (the “Current Removal Deadline”).

RELIEF REQUESTED

12. By this Motion, pursuant to Bankruptcy Rules 9006(b) and 9027, the Liquidating Trustee requests entry of the Proposed Order, substantially in the form attached hereto as **Exhibit A**, further extending the period within which notices of removal may be filed pursuant to 28 U.S.C. § 1452 with respect to any Actions, from the Current Removal Deadline to January 6, 2026 (120 days later), without prejudice to the Liquidating Trustee’s right to seek further extensions of such deadline.²

BASIS FOR RELIEF REQUESTED

13. Bankruptcy Rule 9027 and 28 U.S.C. § 1452 govern the removal of pending civil actions. Specifically, 28 U.S.C. § 1452(a) provides that:

[a] party may remove any claim or cause of action in a civil action other than a proceeding before the United States Tax Court or a civil action by a governmental unit to enforce such governmental unit’s police or regulatory power, to the district court for the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under section 1334 of this title.

² Pursuant to Local Rule 9006-2, the filing of this Motion prior to the expiration of the Current Removal Deadline shall automatically extend the Current Removal Deadline until the Court acts on this Motion without the necessity for entry of a bridge order.

28 U.S.C. § 1452(a). Bankruptcy Rule 9027(a)(2) further provides, in pertinent part, that:

[i]f the claim or cause of action in a civil action is pending when a case under the [Bankruptcy] Code is commenced, a notice of removal may be filed in the bankruptcy court only within the longest of (A) 90 days after the order for relief in the case under the Code, (B) 30 days after entry of an order terminating a stay, if the claim or cause of action in a civil action has been stayed under § 362 of the Code, or (C) 30 days after a trustee qualifies in a chapter 11 reorganization case but not later than 180 days after the order for relief.

Fed. R. Bankr. P. 9027(a)(2).

14. Bankruptcy Rule 9006(b) provides that the Court may extend unexpired time periods, such as the removal period, without notice:

[W]hen an act is required or allowed to be done at or within a specified period by [the Bankruptcy Rules] or by a notice given thereunder or by order of court, the court for cause shown may at any time in its discretion ... with or without motion or notice order the period enlarged if the request therefor is made before the expiration of the period originally prescribed or as extended by a previous order.

Fed. R. Bankr. P. 9006(b)(1). Accordingly, the Court is authorized to grant the relief requested herein. *See Raff v. Gordon*, 58 B.R. 988, 991 (Bankr. E.D. Pa. 1986) (stating that the period in which to file a motion to remove may be expanded pursuant to Bankruptcy Rule 9006); *Jandous Elec. Constr. Corp. v. City of New York (In re Jandous Elec. Constr. Corp.)*, 106 B.R. 48, 50 (Bankr. S.D.N.Y. 1989) (same); *see also Doan v. Loomis (In re Fort Dodge Creamery Co.)*, 117 B.R. 438, 442–43 (Bankr. N.D. Iowa 1990) (implying that the time period in which a removal motion may be filed may be extended pursuant to Bankruptcy Rule 9006); *In re Boyer*, 108 B.R. 19, 26 (Bankr. N.D.N.Y. 1988) (same).

15. The extension is appropriate because since the occurrence of the Effective Date (roughly one month ago), the Liquidating Trustee has been focused on handling numerous issues, including, among others, conferring and coordinating with the Plan Administrator various

reporting obligations under the Combined Plan and Disclosure Statement and the future administrative needs of these cases.

16. At present, it is premature for the Plan Administrator or Liquidating Trustee to make a determination as to the benefits and burdens relating to the removal of any Actions. Accordingly, the Liquidating Trustee believes it is prudent to seek an extension of the Current Removal Deadline to protect the rights of the Debtors, Liquidating Trustee, or any of their successors to remove any Actions. The Liquidating Trustee submits that the relief requested herein is in the best interests of the Debtors, their successors in interest, their estates and creditors, and stakeholders. The extension sought will afford the Liquidating Trustee the opportunity to make fully informed decisions with respect to the removal of any Action and will ensure that the Liquidating Trustee does not forfeit valuable rights under 28 U.S.C. § 1452.

NOTICE

17. Notice of this Motion has been provided to the following parties or, in lieu thereof, to their counsel, if known: (a) the U.S. Trustee; (b) counsel to the Committee; (c) the office of the attorney general for each of the states in which the Debtors operate; (d) United States Attorney's Office for the District of Delaware; (e) Prepetition Lenders; (f) counsel to the Patient Care Ombudsman; and (g) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Liquidating Trustee submits that, in light of the nature of the relief requested, no other or further notice need be given.

[Remainder of page intentionally left blank.]

CONCLUSION

WHEREFORE, the Liquidating Trustee respectfully requests entry of the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as the Court deems just and proper.

Dated: September 8, 2025

GREENBERG TRAURIG, LLP

/s/ Dennis A. Meloro

Dennis A. Meloro (DE Bar No. 4435)
222 Delaware Avenue, Ste. 1600
Wilmington, DE 19801
Telephone: (302) 661-7000
Facsimile: (302) 661-7360
Email: Melorod@gtlaw.com

-and-

Nancy A. Peterman (admitted *pro hac vice*)
Danny Duerdoth (admitted *pro hac vice*)
Greenberg Traurig, LLP
360 North Green Street, Ste 1300
Chicago, Illinois 60607
Telephone: (312) 456-8400
Facsimile: (312) 456-8435
Emails: PetermanN@gtlaw.com
DuerdothD@gtlaw.com

COUNSEL FOR THE LIQUIDATING TRUSTEE

EXHIBIT A

Proposed Order

**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. _____

**ORDER, PURSUANT TO BANKRUPTCY RULES 9006 AND 9027,
FURTHER EXTENDING THE PERIOD WITHIN WHICH ACTIONS
MAY BE REMOVED PURSUANT TO 28 U.S.C. § 1452**

Upon the motion (the “Motion”)² of the Liquidating Trustee for the entry of an order (this “Order”), pursuant to Bankruptcy Rules 9006 and 9027, extending the period within which actions may be removed pursuant to 28 U.S.C. § 1452 through and including January 6, 2026; and this Court having reviewed the Motion; and upon the record of these Chapter 11 Cases; and due and proper notice of the Motion having been given; and it appearing that no other or further notice of the Motion is required; and it appearing that this Court has jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue of this proceeding and the Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having determined that it may enter a final order consistent with Article III of the United States Constitution; and this Court having reviewed the Motion and having heard the statements in

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² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

support of the relief requested in the Motion at a hearing before this Court, if any; and it appearing that the relief requested in the Motion and provided for herein is in the best interest of the Debtors, their estates, and their creditors; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The time period provided by Bankruptcy Rule 9027 within which notices of removal of claims and causes of action may be filed is hereby enlarged and extended through and including January 6, 2026 (the “Removal Deadline”).
3. This Order shall be without prejudice to the rights of the Liquidating Trustee to seek further extensions of the Removal Deadline.
4. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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FOR THE DISTRICT OF DELAWARE**

In re:

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WITHIN WHICH ACTIONS MAY BE REMOVED PURSUANT TO 28 U.S.C. § 1452**

PLEASE TAKE NOTICE OF THE FOLLOWING:

On September 8, 2025, the Liquidating Trustee filed the *Liquidating Trustee's Motion for an Order, Pursuant to Bankruptcy Rules 9006 and 9027, Further Extending the Period within which Actions may be Removed Pursuant to 28 U.S.C. § 1452* (the "Motion")

Objections, if any, to the Motion must be filed on the docket and served on the undersigned counsel by **September 22, 2025 at 4:00 p.m. (Prevailing Eastern Time)**.

A HEARING TO CONSIDER THE MOTION WILL BE HELD BEFORE THE HONORABLE THOMAS M. HORAN, UNITED STATES BANKRUPTCY JUDGE, AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 3RD FLOOR, COURTROOM #7, 824 NORTH MARKET STREET, WILMINGTON, DELAWARE 19801, ON OCTOBER 8, 2025 AT 11:00 A.M. (PREVAILING EASTERN TIME).

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

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Dated: September 8, 2025

GREENBERG TRAURIG, LLP

/s/ Dennis A. Meloro

Dennis A. Meloro (DE Bar No. 4435)
222 Delaware Avenue, Ste. 1600
Wilmington, DE 19801
Telephone: (302) 661-7000
Facsimile: (302) 661-7360
Email: Melorod@gtlaw.com

-and-

Nancy A. Peterman (admitted *pro hac vice*)
Danny Duerdoth (admitted *pro hac vice*)
Greenberg Traurig, LLP
360 North Green Street, Ste 1300
Chicago, Illinois 60607
Telephone: (312) 456-8400
Facsimile: (312) 456-8435
Emails: PetermanN@gtlaw.com
DuerdothD@gtlaw.com

COUNSEL FOR THE LIQUIDATING TRUSTEE