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COUNSEL TO LEIF M. CLARK,
LITIGATION TRUSTEE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	Chapter 11
Northwest Senior Housing Corporation, *et al.*,	Case No. 22-30659 (MVL)
Liquidating Debtors.	(Jointly Administered)

LITIGATION TRUSTEE'S MOTION TO
FURTHER EXTEND THE DEADLINE TO OBJECT TO CLAIMS

A HEARING WILL BE CONDUCTED ON THIS MATTER ON NOVEMBER 5, 2026 AT 10:30 AM (PREVAILING CENTRAL TIME) IN THE EARLE CABELL FEDERAL BUILDING, 1100 COMMERCE ST., 14TH FLOOR, DALLAS, TEXAS 75242

IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING, SPECIFICALLY ANSWERING EACH PARAGRAPH OF THIS PLEADING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY-FOUR (24) DAYS FROM THE DATE YOU WERE SERVED WITH THIS PLEADING. YOU MUST SERVE A COPY OF YOUR RESPONSE ON THE PERSON WHO SENT YOU THE NOTICE; OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

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Leif M. Clark, trustee (the "**Litigation Trustee**") of the litigation trust (the "**Litigation Trust**") hereby submits this *Motion to Further Extend the Deadline to Object to Claims* (the "**Motion**") for the entry of an order, substantially in the form attached hereto as Exhibit A (the "**Proposed Order**") pursuant to section 105 of title 11 of the United States Code (the "**Bankruptcy Code**") and Rule 9006 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), extending the deadline by which objections to claims must be filed. In support of this Motion, the Litigation Trustee, by and through undersigned counsel, respectfully represents:

JURISDICTION

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and the Litigation Trustee confirms his consent to the entry of a final order or judgment by the Court in connection with this Motion if it is 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. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory bases for the relief requested herein are Bankruptcy Code section 105(a) and Bankruptcy Rule 9006.

4. This Court has constitutional authority to enter a final order in this matter and has retained exclusive jurisdiction over all matters arising out of, or related to, the above-captioned chapter 11 cases (the "**Chapter 11 Cases**") under Section 11 of the Plan (as defined below).

BACKGROUND

A. Procedural Background

5. On April 14, 2022 (the "**Petition Date**"), each of the above-captioned liquidating debtors (the "**Liquidating Debtors**"), as debtors and debtors-in-possession, filed a voluntary

petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Texas (the "**Court**"), commencing the Chapter 11 Cases.

6. On April 20, 2022, the Court approved the retention of Kurtzman Carson Consultants, LLC ("**KCC**") as the Liquidating Debtors' claims, noticing, and administrative agent in these Chapter 11 Cases. See Docket No. 110.

7. On June 8, 2022, the Court entered an Order (I) Establishing Bar Dates, (II) Approving *Form and Manner of Notice Thereof, and (III) Approving Procedures for Filings Proofs of Claims* [Docket No. 386] (the "**Bar Date Order**"). Among other things, the Bar Date Order set July 21, 2022 at 4:00 p.m. (prevailing Central Time) as the general bar date for filing proofs of claim. Attached to the Bar Date Order was the notice of deadlines for filing proofs of claim (the "**Bar Date Notice**"). KCC served and published the Bar Date Notice in both the Dallas Morning News and the New York Times National Edition. *See* Docket Nos. 427, 431, and 437.

8. On April 7, 2023, the Court entered the Findings of Fact, Conclusions of Law, and Order Confirming Chapter 11 Plan of Plan Sponsors [Docket Nos 1393, 1394] (the "**Confirmation Order**"), confirming the Fourth Amended Chapter 11 Plan of the Plan Sponsors Dated February 17, 2023 [Docket No. 1241] (the "**Plan**"). The Plan did not establish a claims objection deadline.

9. On May 22, 2023, the Liquidating Debtors gave notice of the selection of the Residents Trustee and the Litigation Trustee, who will be responsible for, inter alia, reconciling and otherwise resolving certain of the proofs of claim (collectively, the "**Proofs of Claim**") that have been filed in these Chapter 11 Cases. *See* Docket Nos. 1504 and 1526. Those Proofs of Claim include at least 78 Proofs of Claim filed by current and former residents and patients.

10. The Claims Register maintained by KCC reflects that approximately 150 Proofs of Claim have been filed asserting General Unsecured Claims and approximately 463 General

Unsecured Claims have been scheduled in these jointly administered Chapter 11 Cases, in an aggregate amount in excess of $164,171,815.52 asserted against the estates.

B. The Pending Adversary Proceeding

11. On April 14, 2022, the Liquidating Debtors filed a *Complaint* against Intercity Investment Properties, Inc. and Kong Capital, LLC (together, the "**Defendants**"), initiating adversary proceeding number 22-03040 (the "**Adversary Proceeding**"). On September 7, 2022, Defendants filed their answer and counterclaims and on September 28, 2022, the Liquidating Debtors filed their answer to Defendants' counterclaims. *See* Adversary Proceeding Docket Nos. 130, 168. On July 27, 2023, The Litigation Trustee was substituted as the Plaintiff in the Adversary Proceeding. *See* Adversary Proceeding Docket No. 327.

12. On December 9, 2024, *Defendants' Unopposed Motion to Withdraw the Reference Under 28 U.S.C. § 157(d) and Fed. R. Bankr. P. 5011* was transmitted to the District Court for the Northern District of Texas. *See* Case No. 3:24-cv-03075-X, Docket No. 1. The motion was granted and a bench trial on the Complaint was held between May 26, 2026 and June 3, 2026 (the "**Initial Trial**"). *See id.,* at Docket Nos. 56-62. Following the conclusion of the Initial Trial, the parties submitted post-trial briefs and proposed findings of fact in accordance with the Court's *Order* directing the same. *See id.*, at Docket Nos. 55, 64-68. Following the conclusion of the Initial Trial and submission of post-trial briefs but prior to entry of a judgment, the judge recused herself and the case was reassigned. *See id.,* at Docket No. 69. After the case was reassigned, the Court entered an *Order* directing the parties to file a status report indicating whether they agreed the Court could rule on the record before it or whether the case should be retried. *See id.,* at Docket No. 70. On August 20, 2026, following the filing of the parties' joint status report requesting that the Court recall certain key witnesses, the Court entered the *Trial Recall Scheduling Order* setting a bench

trial for October 20, 2026 (the "**Trial**") to recall witnesses and supplement the existing record. *See id*., at Docket No. 72.

C. Prior Extensions of the Claims Objection Deadline

13. On July 25, 2023, the Court entered the Order Granting the Liquidating Debtors' Motion to Extend the Deadline to Object to Claims [Docket No. 1659], which established that objections to claims, if any, shall be filed and served on or before October 4, 2023.

14. On October 11, 2023, the Court entered the Order Granting Litigation Trustee's Motion to Extend the Deadline to Object to Claims [Docket No. 1728], which established that objections to claims, if any, shall be filed and served on or before October 4, 2024.

15. On October 3, 2024, the Court granted a further request for extension to October 6, 2025. *See* Docket No. 1777.

16. On September 8, 2025, granted a further request for an extension to October 9, 2026. *See* Docket No. 1788.

D. Status of the Claims Reconciliation Process

17. The Litigation Trustee has substantially completed his review of the Proofs of Claim but requires a short extension of the claims objection deadline to finalize certain objections related to the same. Additionally, completion of the Trial will give the Litigation Trustee clarity regarding potential recovery for the benefit of the estates that will be realized as a result of the Adversary Proceeding.

RELIEF REQUESTED

18. By this Motion, the Litigation Trustee seeks an extension of the claims objection deadline through and including December 31, 2026. The Litigation Trustee requests that the Court enter an order substantially in the form attached hereto extending the deadline to and through

December 31, 2026, without prejudice to the right of the Litigation Trustee to seek a further extension of the claims objection deadline, if necessary.

BASIS FOR RELIEF

19. Bankruptcy Rule 9006(b)(1) provides that "when an act is required or allowed to be done at or within a specified period . . . by order of the court, the court for cause shown may at any time in its discretion . . . order the period enlarged if the request therefor is made before the expiration of the period originally prescribed." As discussed herein, good and sufficient cause exists to extend the claims objection deadline and the request is being made prior to the expiration of the original deadline.

20. The Litigation Trustee and the Residents Trustee have the power and duty to resolve all disputed claims. The Litigation Trustee substantially completed his review and is in the process of finalizing objections to certain of the Proofs of Claim. Additionally, the Trial is set for October 20, 2026. Following the conclusion of the Trial, the Litigation Trustee will have additional clarity regarding whether and to what extent additional funds for the benefit of the estates will be recovered as a result of the Adversary Proceeding.

21. Accordingly, the Litigation Trustee believes that an extension of the claims objection deadline to and including December 31, 2026 is appropriate. The extension is not sought for the purpose of delay and will not prejudice any claimants. The Litigation Trustee reserves the right to seek further extensions of the claims objection deadline as necessary.

NOTICE

22. As set forth in the attached Certificate of Service, notice of the Motion will be given to all parties registered to receive ECF notice in these Chapter 11 Cases.

WHEREFORE, the Litigation Trustee respectfully requests that the Court grant: (i) the Motion, entering the Proposed Order in the form attached hereto as Exhibit A; and (ii) such other and further relief as this Court deems just and proper.

[*Signature on following page*]

Dated: October 6, 2026
Dallas, Texas

POLSINELLI PC

/s/ Trinitee G. Green

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– and –

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CERTIFICATE OF SERVICE

The undersigned certifies that on October 6, 2026 she caused a copy of the foregoing *Litigation Trustee's Motion to Further Extend the Deadline to Object to Claims* to be filed electronically using the CM/ECF system, which provides service of the objection on the parties registered to receive ECF notice.

/s/ Trinitee G. Green
Trinitee G. Green

EXHIBIT A

(Proposed Order)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	Chapter 11
Northwest Senior Housing Corporation, *et al.*,	Case No. 22-30659 (MVL)
Liquidating Debtors.	(Jointly Administered)

ORDER GRANTING LITIGATION TRUSTEE'S MOTION TO EXTEND THE DEADLINE TO OBJECT TO CLAIMS

Upon the motion (the "**Motion**")[1] of the Litigation Trustee for entry of an order extending the claims objection deadline; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334(b); and the Court having found that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and that the Litigation Trustee consents to entry of a final order under Article III of the United States Constitution; and the Court having found that venue of this

[1] Capitalized Terms used but not otherwise defined herein have the meanings ascribed to them in the Plan.

proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that the relief requested in the Motion is in the best interests of the Liquidating Debtors, their estates, their creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given, under the circumstances, and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefore, it is **HEREBY ORDERED** that:

1. The Motion is GRANTED as set forth herein.

2. The claims objection deadline is hereby extended to and through December 31, 2026, without prejudice to the right of the Litigation Trustee or other parties in interest, including the Residents Trustee, to seek further extensions of the claims objection deadline.

3. This Court shall retain jurisdiction over any and all matters arising from the interpretation, implementation, or enforcement of this Order.

4. The terms and conditions of this Order will be immediately effective and enforceable upon its entry.

END OF ORDER

Submitted by:

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