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22 **IN THE UNITED STATES BANKRUPTCY COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

<p>24 In re:</p> <p>25 MARINER HEALTH CENTRAL, INC., <i>et al.</i>,¹</p> <p>26 Debtors.</p>	<p>24 Chapter 11</p> <p>25 Case No. 4:22-bk-41079-WJL</p> <p>26 (Jointly Administered)</p>
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27 **NOTICE OF DEADLINES AND PROCEDURES**
28 **FOR FILING PROOFS OF CLAIM**

29 **PLEASE TAKE NOTICE THAT** on September 19, 2022 (the “**Petition Date**”),
30 Mariner Health Central, Inc., Parkview Holding Company GP, LLC and Parkview Operating
31 Company, LP d/b/a Parkview Healthcare Center (collectively, the “**Debtors**”) filed voluntary
32 petitions for relief and commenced the above-captioned cases under chapter 11 of title 11 of
33 the United States Code (the “**Bankruptcy Code**”).

34 ¹ The Debtors, along with the last four digits of each Debtors’ tax identification number, are: Mariner
35 Health Central, Inc. (6203), Parkview Holding Company GP, LLC (1536), and Parkview Operating
36 Company, LP (7273). The Debtors' headquarters are located at 3060 Mercer University Drive, Suite
37 200, Atlanta, GA 30341.



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2 PLEASE TAKE FURTHER NOTICE THAT the United States Bankruptcy Court
3 for the Northern District of California (the “**Bankruptcy Court**”) has entered an order (the
4 “**Bar Date Order**”) [Docket No. 272] establishing deadlines and procedures for filing claims
5 against any of the Debtors as follows:²

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17 **1. BAR DATES**

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A. **GENERAL BAR DATE. January 23, 2023 at 5:00 p.m. (Pacific Time)** (the
“**General Bar Date**”) is the deadline for all persons and entities (other than
governmental units) to file proofs of claim against any of the Debtors for any
claims that arose prior to the Petition Date.

B. **GOVERNMENTAL UNIT BAR DATE. March 20, 2023 at 5:00 p.m. (Pacific Time)** (the
“**Government Bar Date**”) is the deadline for all
governmental units to file proofs of claim against any of the Debtors for any
claims that arose prior to the Petition Date.

C. **AMENDED SCHEDULES BAR DATE.** All persons or entities asserting
claims against any Debtor that are affected by an amendment to the schedules
of assets and liabilities filed by any Debtor in its bankruptcy case (the
“**Schedules**”) are required to file proofs of claim by the later of (i) the General
Bar Date or (ii) 11:59 p.m. (Pacific Time) on the date that is 35 days after service
of a notice on such affected claimant of the amendment to the Schedules.

D. **REJECTION DAMAGES BAR DATE.** All persons or entities asserting
claims against any Debtor arising from the Debtors’ rejection of an executory
contract or unexpired lease must file a proof of claim by the later of (i) the
General Bar Date, (ii) 35 days after entry of any order authorizing the rejection
of an executory contract or unexpired lease, or (iii) the date set forth in an order
authorizing rejection of an executory contract or unexpired lease.

17 **2. WHO MUST FILE**

18 **Claim and Interest Holders.** If you have a **claim** that arose or is deemed to
19 have arisen prior to the Petition Date, you **MUST** file a proof of claim by the
20 applicable Bar Date to share in distributions from the estates and vote on any
21 plan, unless one of the exceptions described in Section 3 below applies.

22 A “**claim**” is: (a) a right to payment, whether or not such right is
23 reduced to judgment, liquidated, fixed, contingent, matured,
24 unmatured, disputed, undisputed, legal, equitable, secured or
25 unsecured; or (b) a right to an equitable remedy for breach of
26 performance if such breach gives rise to a right to payment,
27 whether or not such right to an equitable remedy is reduced to
28 judgment, fixed, contingent, matured, unmatured, disputed,
undisputed, secured or unsecured.

² As used herein: (a) the term “claim” has the meaning given to it in section 101(5) of the Bankruptcy Code; (b) the term “entity” has the meaning given to it in section 101(15) of the Bankruptcy Code; (c) the term “governmental unit” has the meaning given to it in section 101(27) of the Bankruptcy Code; and (d) the term “person” has the meaning given to it in section 101(41) of the Bankruptcy Code.

1 Without limiting the foregoing, the following persons or entities **MUST** file a
2 proof of claim on or before the applicable Bar Date:

- 3 a. any person or entity whose claim against a Debtor is not listed in
4 the applicable Schedules or is listed in such Schedules as
5 “contingent,” “unliquidated,” or “disputed,” if such person or
6 entity desires to share in any distribution in any of these chapter
7 11 cases;
- 8 b. any person or entity who believes that its claim is improperly
9 classified in the Schedules or is listed in an incorrect amount and
10 who desires to have its claim allowed in a different classification
11 or amount other than that identified in the Schedules;
- 12 c. any person or entity who believes that its prepetition claims as
13 listed in the Schedules is not an obligation of the specific Debtor
14 against which the claim is listed and that desires to have its claim
15 allowed against a Debtor other than that identified in the
16 Schedules; and
- 17 d. any person or entity who believes that its claim against a Debtor
18 is or may be entitled to priority under section 503(b)(9) of the
19 Bankruptcy Code.

20 **3. WHO IS NOT REQUIRED TO FILE**

21 The following persons or entities are not required to file proofs of claim, in
22 each case solely with respect to the claim described below:

- 23 i. any person or entity whose claim is listed on the schedules and (a) whose
24 claim is not described thereon as disputed, contingent, or unliquidated;
25 (b) who does not dispute the amount or priority of the claim set forth in
26 the schedules, and (c) who does not dispute that the claim is an obligation
27 of the Debtors;
- 28 ii. any person or entity whose claim has been paid in full, including, but not
limited to any claim of an employee of the Debtors for ordinary course
wages or benefits to the extent already paid;
- iii. any person or entity that holds an interest in the Debtors, which interest
is based exclusively upon ownership of common or preferred stock,
membership interest, partnership interest, or warrants or rights to
purchase, sell, or subscribe to such a security or interest; provided,
however, that interest holders that wish to assert claims (as opposed to
ownership interest) against the Debtors that arise out of or relate to the
ownership or purchase of an interest, including claims arising out of or
relating to the sale issuance or distribution of the interest, must file
Proofs of Claim on or before the Bar Date, unless another exception
identified herein applies;
- iv. any holder of a claim allowable under Sections 503(b) or 507(a) of the
Bankruptcy Code as an administrative expense of these chapter 11 cases

1 provided, however, that any person or entity wishing to assert that any
2 claim against any Debtor is entitled to priority under section 503(b)(9)
3 of the Bankruptcy Code shall be required to file a Proof of Claim for
4 such claim subject to the applicable Bar Date;

- 5 v. any person or entity who holds a claim that has been allowed by an order
6 of this Court entered on or before the applicable bar date;
- 7 vi. any holder of a claim for which a separate deadline is fixed by this Court;
8 and
- 9 vii. any holder of a claim who has already properly filed a Proof of Claim
10 against the Debtors with the Clerk of this Court or the Debtors' claims
11 agent, either electronically through the claims agent's website, or using
12 a claim form which substantially conforms to Official Form 410.

13 **4. WHAT TO FILE**

14 **Proof of Claim Form.** If you have or may have a claim against the Debtors,
15 you should receive a proof of claim form (the "**Proof of Claim Form**") with
16 this notice. The Proof of Claim Form may be customized to specify the
17 amount of your claims as scheduled by the Debtors. If your Proof of Claim
18 Form is blank, or if you disagree with the information provided on the
19 customized Proof of Claim Form, you should follow the directions on such
20 form, and as set forth below, to assert the amount and classification of the
21 claim that you believe you hold against or in any Debtor. You may also assert
22 your claim by completing the Proof of Claim Form attached to the Bar Date
23 Order or downloading a proof of claim form from
24 <http://www.uscourts.gov/forms/bankruptcy-forms> or from the claims agent
25 website at <http://www.kccllc.net/MarinerHealthCentral>. You must use a proof
26 of claim form that conforms substantially to Official Form 410.

27 **5. WHEN AND WHERE TO FILE**

- 28 1. The following requirements shall apply with respect to each Proof of Claim:
- a. **Contents.** Each Proof of Claim must (i) be written in English;
(ii) include a claim amount denominated in United States dollars;
(iii) conform substantially with the Proof of Claim Form
provided by the Debtors or Official Form 410; and (iv) be signed
by the claimant or by an authorized agent or legal representative
of the claimant.
- b. **Timely Filing.** Each Proof of Claim must be **actually received**
by the Debtors' claims agent on or before the applicable Bar
Date, either (i) through the "Submit Electronic Proof of Claim"
interface at <http://www.kccllc.net/MarinerHealthCentral>, or (ii)
by first-class mail, overnight courier, or hand-delivery to the
following address:

1 Mariner Health Central, Inc., et al.,
2 Claims Processing Center
3 c/o Kurtzman Carson Consultants, LLC
4 222 N. Pacific Coast Highway, Suite 300
5 El Segundo, CA 90245

- 6 c. **No Alternative Filing. Any Proof of Claim sent or submitted by facsimile or electronic mail, or in any other manner not expressly authorized above, will not be accepted.**
- 7 d. **Supporting Documentation.** Each Proof of Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d). If, however, such documentation is voluminous, upon prior written consent of the Debtors' counsel, such Proof of Claim may include a summary of such documentation or an explanation as to why such documentation is not available; provided, however, that any creditor that received such written consent shall be required to transmit such writings to the Debtors' counsel upon request no later than ten (10) calendar days from the date of such request.
- 13 e. **Section 503(b)(9) Claims.** Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the 20 days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which such claim is being asserted; and (iii) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- 18 f. **Identification of the Debtor.** Each Proof of Claim must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A Proof of Claim filed under the joint administration case number or otherwise without identifying a specific Debtor, will be deemed as filed only against Mariner Health Central, Inc. Unless otherwise ordered by this Court, each Proof of Claim must state a claim against only one Debtor and clearly indicate the Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the Proof of Claim, such claim may be treated as if filed only against the first-listed Debtor.
- 25 g. **Original Signatures Required.** Only original Proofs of Claim, or claims submitted online through the "Submit Electronic Proof of Claim" interface at <http://www.kcellc.net/MarinerHealthCentral>, will be deemed acceptable for purposes of claims administration.

- 1 h. Receipt of Service. Claimants wishing to receive
2 acknowledgment that their Proof of Claim Forms were received
3 by the Debtors' claims agent must submit (i) a copy of the Proof
4 of Claim Form and (ii) a self-addressed, stamped envelope (in
5 addition to the original Proof of Claim sent to the claims agent).

6 **6. CONSEQUENCES OF FAILURE TO TIMELY FILE A PROOF OF CLAIM**

7 Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule
8 3003(c)(2), if you are required, but fail, to file a Proof of Claim in accordance
9 with the Bar Date Order on or before the applicable Bar Date:

- 10 a. **YOU WILL BE FOREVER BARRED, ESTOPPED, AND**
11 **ENJOINED FROM ASSERTING SUCH CLAIM AGAINST**
12 **THE DEBTORS (OR FILING A PROOF OF CLAIM WITH**
13 **RESPECT THERETO);**
- 14 b. **YOU WILL NOT RECEIVE ANY DISTRIBUTION IN**
15 **THESE CHAPTER 11 CASES ON ACCOUNT OF THAT**
16 **CLAIM; AND**
- 17 c. **YOU WILL NOT BE PERMITTED TO VOTE ON ANY**
18 **CHAPTER 11 PLAN OR PLANS FOR THE DEBTORS ON**
19 **ACCOUNT OF THESE BARRED CLAIMS.**

20 **7. ADDITIONAL INFORMATION**

21 Copies of the Schedules and the Bar Date Order, and of other filings in these
22 chapter 11 cases, can be viewed and downloaded free of charge at
23 <http://www.kccllc.net/MarinerHealthCentral>. In addition, copies of the
24 Debtors' Schedules and the Bar Date Order may be viewed on the Internet at the
25 Bankruptcy Court's website (<http://www.deb.uscourts.gov/>) by following the
26 directions for accessing the ECF system on such website.

27 **8. CONTACT**

28 Questions concerning submitting proofs of claim and requests for Proof of
Claim Forms should be directed to the Debtors' claims agent at (866) 967-1783
or <http://www.kccllc.net/marinerhealthcentral/inquiry>. Please note that the
claims agent cannot provide legal advice or advise you whether to file a Proof
of Claim. You should consult your own attorney for assistance regarding any
other inquiries, such as questions concerning the completion or filing of a proof
of claim.

Dated: December 6, 2022

RAINES FELDMAN LLP

/s/ Hamid R. Rafatjoo

Hamid R. Rafatjoo

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