

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

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In re : Chapter 11
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NEIGHBORS LEGACY HOLDINGS, INC., : Case No. 18-33836 (MI)
et al., :
: (Jointly Administered)
:

Debtors.¹ :
:

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WITNESS AND EXHIBIT LIST FOR HEARING ON
DEBTORS’ NOTICE OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES
SUBJECT TO POSSIBLE ASSUMPTION AND ASSIGNMENT AND PROPOSED CURE
CLAIMS AND (II) PROPOSED SALE OF ASSETS INCLUDING THE HARLINGEN
LEASE SET FOR AUGUST 28, 2018 AT 3:15 P.M.
(Relates to Docket Nos. 20, 235)

TO THE HONORABLE MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE:

Phoenix HAR Investments LLC (the “Landlord”), by and through the undersigned counsel hereby designates the following witnesses and exhibits for the hearing on (i) Debtors’ Notice of Executory Contracts and Unexpired Leases Subject to Possible Assumption and Assignment and Proposed Cure Claims and (ii) Proposed Sale of Assets Including the Harlingen Lease before the Honorable Marvin Isgur, United States Bankruptcy Court, Southern District of Texas, Houston Division, United States Courthouse, 515 Rusk Street, Courtroom 404, Houston TX 77002.

A. WITNESSES

1. Mike Panek, the Landlord’s business representative to identify business records and amounts due for cure under the Lease;
2. Patrick L. Hughes, Haynes and Boone, LLP, on the issue of attorney’s fees incurred by the Landlord.

¹ Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtors and the last four digits of their tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ proposed claims and noticing agent at www.kccllc.net/neighbors. The location of Debtors’ principal place of business and the Debtors’ service address is: 10800 Richmond Avenue, Houston, Texas 77042.



3. Any representative of the prevailing bidder for the assets to the extent including the Harlingen lease; and
4. Any witness named by the Debtors or any other party, or as needed for rebuttal or cross examination.

B. EXHIBITS

| | | M | O | O | A | D | DISPOSITION |
|---|---|----------|----------|----------|----------|----------|--------------------|
| | DESCRIPTION | A | F | B | D | D | AFTER TRIAL |
| | | R | F | J | A | A | |
| | | K | E | E | M | E | |
| | | E | E | C | I | T | |
| | | D | D | T | T | E | |
| 1 | Lease Agreement between RKMS Harlingen LLC and NEC Harlingen Emergency Center, LP dated April 21, 2015 | | | | | | |
| 2 | Amendment of Lease Agreement dated March 30, 2016 | | | | | | |
| 3 | Confirmation of Commencement Date dated August 4, 2016 | | | | | | |
| 4 | Special Warranty Deed dated January 13, 2017 | | | | | | |
| 5 | General Assignment and Assumption dated January 17, 2017 | | | | | | |
| 6 | Debtors' Notice of Stalking Horse Bidder for Their Non-Houston Locations [Dkt. No. 89] | | | | | | |
| 7 | Intentionally omitted | | | | | | |
| 8 | Order (A) Authorizing and Scheduling an Auction for the Sale of Debtors' Assets and (B) Approving Auction and bid Procedures, Including Payment of Bid Protections [Dkt. No. 203] | | | | | | |

| | DESCRIPTION | M A R K E D | O F F E R E D | O B J E C T | A D M I T | D A T E | DISPOSITION AFTER TRIAL |
|----|---|--|--|--|----------------------------------|----------------------------|------------------------------------|
| 9 | Order (i) Extending the Time to File Schedules and Statements of Financial Affairs, (ii) Authorizing the Debtors to File a Consolidated List of Their 50 Largest Unsecured Creditors, and (iii) Waiving the Requirement that Each Debtor File a List of Creditors [Dkt. No. 40] | | | | | | |
| 10 | Notice of Filing of Disclosure Schedules to Asset Purchase Agreement with Fostre, Inc. [Dkt. No. 206] | | | | | | |
| 11 | Notice of filing of Amendments to Asset Purchase Agreements [Dkt. No. 235] | | | | | | |
| 12 | Notice of Executory Contracts and Unexpired Leases Subject to Possible Assumption and Assignment and Proposed Cure Amounts [Dkt. No. 236] | | | | | | |
| 13 | Amended Notice of Executory Contracts and Unexpired Leases Subject to Possible Assumption and Assignment and Proposed Cure Amounts [Dkt. No. 255] | | | | | | |
| 14 | Notice of Filing of Revised Schedules of Desired contracts for Asset Purchase Agreements [Dkt. No. 266] | | | | | | |
| 15 | Any other notices or documents filed in the case that touch or concern the Lease and rights arising therein in connection with the proposed sale. | | | | | | |

DATED: August 24, 2018

Respectfully submitted,

HAYNES AND BOONE, LLP

By: /s/ Patrick L. Hughes

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**COUNSEL FOR PHOENIX HAR
INVESTMENTS LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by (i) electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case and (ii) along with copies of the exhibits via email to the parties appearing on the attached Service List on August 24, 2018.

/s/ Patrick L. Hughes
PATRICK L. HUGHES

SERVICE LIST

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