

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

NOTICE OF AMENDED² AGENDA FOR HEARING OF MATTERS
SCHEDULED FOR APRIL 23, 2024 AT 9:00 A.M. (ET)

HEARING INSTRUCTIONS

This proceeding will be conducted in-person in Courtroom 6. All counsel and witnesses are expected to attend unless permitted to appear remotely via Zoom. Please refer to Judge Horan's Chambers Procedures and the Court's website (<http://www.deb.uscourts.gov/ecourt-appearances>) for information on who may participate remotely, the method of allowed participation (video or audio), Judge Horan's expectations of remote participants, and the advance registration requirements. Registration is required by April 22, 2024 at 4:00 p.m. (Eastern time), the business day before the hearing, unless otherwise noticed using the eCourt Appearances tool available on the Court's website.

YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR YOU WILL NOT BE ALLOWED INTO THE MEETING.

ADJOURNED MATTERS

1. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief [[D.I. 26, 3/21/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Official Committee of Unsecured Creditors (the "Committee") to April 19, 2024 at 12:00 p.m. (ET)*

¹ 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, whose cases are being jointly administered, 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 is available on a website of the Debtors' claims and noticing agent at <http://www.kccllc.net/Petersen>.

² **Amendments appear in bold. Please note that the time of the hearing has changed from 11:00 a.m. (ET) to 9:00 a.m. (ET) at the request of the Court.**



Related Documents:

- A. Interim Order (I) Authorizing the Debtors to Pay Prepetition Claims of Certain Critical Vendors and (II) Granting Related Relief [[D.I. 85, 3/22/24](#)]

Objections Filed:

- A. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176](#), 4/19/24]

Status: This matter is adjourned to May 13, 2024 at 10:00 a.m. (ET) in Courtroom No. 7. The deadline to object to this Motion has been extended to 4:00 p.m. (ET) on May 6, 2024.

- 2. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 38, 3/21/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and the Office of the United States Trustee to April 19, 2024 at 12:00 p.m. (ET), and for Lument Real Estate Capital, LLC, Grandbridge Real Estate Capital LLC, Berkadia Commercial Mortgage LLC, and Wells Fargo, N.A. to April 20, 2024*

Related Documents:

- A. Declaration of Luke Andrews in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 39, 3/21/24](#)]
- B. Declaration of David R. Campbell in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 40, 3/21/24](#)]

- C. Declaration of Jeff Deines in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 62, 3/21/24](#)]
- D. Exhibit G to Declaration of Jeff Dienes [[D.I. 63, 3/21/24](#)]
- E. Declaration of Paige B. Tinkham in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 64, 3/21/24](#)]
- F. Amended Declaration of Luke Andrews in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 68, 3/22/24](#)]
- G. Amended Interim Order (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 97, 3/26/24](#)]

- H. Debtors' Reply Regarding the Priming Dispute and in Support of the Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 129, 4/8/24](#)]

Objections:

- A. Objection of Lument Real Estate Capital, LLC to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 57, 3/21/24](#)]
- B. X-Caliber Funding LLC's Preliminary Objection to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 61, 3/21/24](#)]
- C. Objection of Grandbridge Real Estate Capital LLC and Berkadia Commercial Mortgage LLC to Debtors' DIP Motion and Joinder to Lument Real Estate Capital LLC's Objection to DIP Motion [[D.I. 73, 3/22/24](#)]
- D. Column Financial, Inc's Limited Objection to: Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 78, 3/22/24](#)]
- E. Objection and Reservation of Rights of GMF Petersen Note, LLC to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests

and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 163, 4/16/24](#)]

- F. United States Trustee's Objection and Reservation of Rights in Response to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 174, 4/19/24](#)]

Status: This matter is adjourned to May 13, 2024 at 10:00 a.m. (ET) in Courtroom No. 7. by agreement of the Debtors, the Committee, and the objecting parties. The deadline to object to this Motion has been extended to 4:00 p.m. (ET) on May 6, 2024.

3. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Use Their Bank Accounts, (B) Honor Prepetition Obligations Related Thereto, (C) Maintain the Refund Programs, (D) Perform Intercompany Transactions, (E) Maintain Existing Business Forms; and (II) Granting Related Relief [[D.I. 41, 3/21/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and the U.S. Trustee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to (A) Continue to Use Their Bank Accounts, (B) Honor Prepetition Obligations Related Thereto, (C) Maintain the Refund Programs, (D) Perform Intercompany Transactions, (E) Maintain Existing Business Forms; and (II) Granting Related Relief [[D.I. 87, 3/22/24](#)]

Objections Filed:

- A. Informal Response from Office of the United States Trustee
- B. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176, 4/19/24](#)]

Status: This matter is adjourned to May 13, 2024 at 10:00 a.m. (ET) in Courtroom No. 7. The deadline to object to this Motion has been extended to 4:00 p.m. (ET) on May 6, 2024. The Debtors intend to submit a second interim order in advance of the May 13, 2024 hearing.

MATTERS GOING FORWARD

4. Debtors' Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Companies from Discontinuing, Altering, or Refusing Service, (II) Deeming Utility Companies to Have Adequate Assurance of Future Payment, (III) Establishing Procedures for Resolving Requests for Additional Assurance, and (IV) Granting Related Relief [[D.I. 7, 3/20/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

- A. Interim Order (I) Prohibiting Utility Companies from Discontinuing, Altering, or Refusing Service, (II) Deeming Utility Companies to Have Adequate Assurance of Future Payment, (III) Establishing Procedures for Resolving Requests for Additional Assurance, and (IV) Granting Related Relief [[D.I. 82, 3/22/24](#)]

Objections Filed:

- A. Informal Response from Hartford Fire Insurance Company
- B. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176](#), 4/19/24]

Status: This matter will be going forward.

5. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (C) Honor the Terms of the Premium Financing Agreement and Pay Premiums Thereunder, (D) Enter Into New Premium Finance Agreements in the Ordinary Course of Business, and (E) Maintain the Surety Bonds; (II) Authorizing Banks to Honor and Process Check and Electronic Transfer Requests Related Thereto; and (III) Granting Related Relief [[D.I. 8, 3/20/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Amend, Supplement, Extend, or Purchase Insurance Policies, (C) Honor the Terms of the Premium Financing Agreement and Pay Premiums Thereunder, (D) Enter Into New Premium Finance Agreements in the Ordinary Course of Business, and (E) Maintain the Surety Bonds; (II) Authorizing Banks to Honor and Process Check and

Electronic Transfer Requests Related Thereto; and (III) Granting Related Relief [[D.I. 83, 3/22/24](#)]

Objections Filed:

- A. Informal Response from Hartford Fire Insurance Company
- B. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176, 4/19/24](#)]
- C. **Informal Response from the Office of the United States Trustee**

Status: This matter will be going forward.

- 6. Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Pay Prepetition Taxes and Fees in the Ordinary Course of Business, and (B) Granting Related Relief [[D.I.10, 3/21/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

- A. Interim Order (A) Authorizing the Debtors to Pay Prepetition Taxes and Fees in the Ordinary Course of Business, and (B) Granting Related Relief [[D.I. 84, 3/22/24](#)]

Objections Filed:

- A. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176, 4/19/24](#)]

Status: This matter will be going forward.

- 7. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs and (II) Granting Related Relief [[D.I. 27, 3/21/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

- A. Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs and (II) Granting Related Relief [[D.I. 86, 3/22/24](#)]

Objections Filed:

- A. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176](#), 4/19/24]

Status: This matter will be going forward.

- 8. Emergency Motion of X-Caliber Funding LLC to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 59](#), 3/21/24]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Receivership Debtors to April 17, 2024 at 4:00 p.m. (ET)*

Related Documents:

- A. Declaration of Jeff Deines in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 62](#), 3/21/24]
- B. Exhibit G to Declaration of Jeff Dienes [[D.I. 63](#), 3/21/24]
- C. Declaration of Paige B. Tinkham in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 64](#), 3/21/24]
- D. Order Approving Stipulation to Amend Briefing Schedule [[D.I. 139](#), 4/11/24]
- E. Declaration of David R. Campbell in Support of Debtors' Omnibus Objection to (A) the Emergency Motion for an Order (I) Dismissing the

Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 167, 4/17/24](#)]

- F. Declaration of Carrie V. Hardman in Support of Debtors' Omnibus Objection to (A) the Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 168, 4/17/24](#)]
- G. Debtors' Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Omnibus Objection to the (A) Emergency Motion of X-Caliber Funding LLC to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b); and (B) Emergency Motion of X-Caliber Funding LLC for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) For Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) [[D.I. 169, 4/17/24](#)]
- H. Order Granting Debtors' Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Omnibus Objection to the (A) Emergency Motion of X-Caliber Funding LLC to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b); and (B) Emergency Motion of X-Caliber Funding LLC for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) For Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee [[D.I. 175, 4/19/24](#)]**
- I. Debtors' Witness and Exhibit List [[D.I. 182, 4/19/24](#)]
- J. Official Committee of Unsecured Creditor's Witness and Exhibit List [[D.I. 185, 4/19/24](#)]
- K. X-Caliber Funding LLC's Witness and Exhibit List for Hearing on April 23, 2024 at 9:00 a.m. (ET) [[D.I. 187, 4/21/24](#)]
- L. X-Caliber Funding LLC's Omnibus Reply in Support of its (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 188, 4/21/24](#)]
- M. [SEALED] Declaration of Michael F. Flanagan in Support of (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 189, 4/21/24](#)]**

- N. **[REDACTED] Declaration of Michael F. Flanagan in Support of (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [\[D.I. 191, 4/21/24\]](#)**
- O. **X-Caliber Funding LLC's Motion to Seal Portions of Declaration of Michael F. Flanagan in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases (II) For Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; and (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. §543(a) & (b) [\[D.I. 190, 4/21/24\]](#)**
- P. **Motion for an Order Authorizing X-Caliber Funding LLC to Exceed the Page Limitation on X-Caliber Funding LLC's Omnibus Reply in Support of its (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [\[D.I. 192, 4/21/24\]](#)**

Objections Filed:

- A. Debtors' Omnibus Objection (A) the Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b) [\[D.I. 166, 4/17/24\]](#)
- B. Objection and Reservation of Rights of the United States Trustee in Response to the Emergency Motion of X-Caliber Funding LLC to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b) [\[D.I. 171, 4/18/24\]](#)
- C. Omnibus Objection of the Official Committee of Unsecured Creditors to the: (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b) [\[D.I. 172, 4/19/24\]](#)

Status: This matter is going forward.

- 9. Emergency Motion of X-Caliber Funding LLC for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee [\[D.I. 60, 3/21/24\]](#)

Objection Deadline: April 16, 2024 at 4:00 p.m., *extended for the Receivership Debtors to April 17, 2024 at 4:00 p.m. (ET)*

Related Documents:

- A. Declaration of Jeff Deines in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 62, 3/21/24](#)]
- B. Exhibit G to Declaration of Jeff Dienes [[D.I. 63, 3/21/24](#)]
- C. Declaration of Paige B. Tinkham in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b); and (C) Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying the Automatic Stay, (V) Authorizing the Debtors to Enter Into Agreements With JMB Capital Partners Lending, LLC, (VI) Authorizing Non-Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting Related Relief [[D.I. 64, 3/21/24](#)]
- D. Order Approving Stipulation to Amend Briefing Schedule [[D.I. 139, 4/11/24](#)]
- E. Declaration of David R. Campbell in Support of Debtors' Omnibus Objection to (A) the Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 167, 4/17/24](#)]
- F. Declaration of Carrie V. Hardman in Support of Debtors' Omnibus Objection to (A) the Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 168, 4/17/24](#)]
- G. Debtors' Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Omnibus Objection to (A) the

Emergency Motion of X-Caliber Funding LLC to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b); and (B) the Emergency Motion of X-Caliber Funding LLC for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) For Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee [[D.I. 169, 4/17/24](#)]

- H. **Order Granting Debtors' Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Omnibus Objection to (A) the Emergency Motion of X-Caliber Funding LLC to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b); and (B) the Emergency Motion of X-Caliber Funding LLC for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) For Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee** [[D.I. 175, 4/19/24](#)]
- I. **Debtors' Witness and Exhibit List** [[D.I. 182, 4/19/24](#)]
- J. **Official Committee of Unsecured Creditor's Witness and Exhibit List** [[D.I. 185, 4/19/24](#)]
- K. **X-Caliber Funding LLC's Witness and Exhibit List for Hearing on April 23, 2024 at 9:00 a.m. (ET)** [[D.I. 187, 4/21/24](#)]
- L. **X-Caliber Funding LLC's Omnibus Reply in Support of its (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b)** [[D.I. 188, 4/21/24](#)]
- M. **[SEALED] Declaration of Michael F. Flanagan in Support of (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b)** [[D.I. 189, 4/21/24](#)]
- N. **[REDACTED] Declaration of Michael F. Flanagan in Support of (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b)** [[D.I. 191, 4/21/24](#)]
- O. **X-Caliber Funding LLC's Motion to Seal Portions of Declaration of Michael F. Flanagan in Support of X-Caliber Funding LLC's (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases (II) For Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee; and (B) Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. §543(a) & (b)** [[D.I. 190, 4/21/24](#)]

- P. Motion for an Order Authorizing X-Caliber Funding LLC to Exceed the Page Limitation on X-Caliber Funding LLC's Omnibus Reply in Support of its (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases and (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) Emergency Motion to Excuse Receiver's Compliance With 11 U.S.C. § 543(a) & (b) [[D.I. 192, 4/21/24](#)]**

Objections Filed:

- A. Debtors' Omnibus Objection to (A) the Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b) [[D.I. 166, 4/17/24](#)]
- B. United States Trustee's Limited Objection and Reservation of Rights in Response to the Emergency Motion of X-Caliber Funding LLC for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee [[D.I. 170, 4/18/24](#)]
- C. Omnibus Objection of the Official Committee of Unsecured Creditors to the: (A) Emergency Motion for an Order (I) Dismissing the Subject Chapter 11 Cases, (II) for Abstention, or (III) Appointment of Receiver as the Chapter 11 Trustee and (B) the Emergency Motion to Excuse Receiver's Compliance with 11 U.S.C. § 543(a) & (b) [[D.I. 172, 4/19/24](#)]

Status: This matter is going forward.

10. Debtors' Motion for Entry of an Order Dismissing the Chapter 11 Case of Petersen MT4, LLC and Granting Related Relief [[D.I. 118, 4/2/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET)

Related Documents:

Objections Filed:

- A. X-Caliber Funding LLC's Limited Objection to Certain Relief Sought in Debtors' Motion for Entry of an Order Dismissing the Chapter 11 Case of Petersen MT4, LLC and Granting Related Relief [[D.I. 162, 4/16/24](#)]

Status: This matter is going forward.

11. Debtors' Motion to (I) Retain Getzler Henrich & Associates LLC to Provide Interim Management Services and Provide the Debtors a Chief Restructuring Officer and Additional Personnel and (II) Designate David R. Campbell as the Debtors' Chief Restructuring Officer as of the Petition Date [[D.I. 119, 4/2/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and to April 19, 2024 at 12:00 p.m. (ET) and for the U.S. Trustee to April 22, 2024 at 12:00 p.m. (ET)*

Related Documents:

Objections Filed:

- A. Informal Response from Office of the United States Trustee

Status: This matter is going forward.

- 12. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Young Conaway Stargatt & Taylor, LLP as Co- Counsel for the Debtors, Effective as of the Petition Date [[D.I. 120, 4/2/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

Objections Filed:

- A. Informal Response from Office of the United States Trustee
- B. X-Caliber Funding LLC's Limited Objection to (I) Debtors' Applications to Retain and Employ Debtors' Counsel, (II) Debtors' Motion for Interim Compensation Procedures, and (III) Debtors' Motion to Retain and Compensate Ordinary Course Professionals [[D.I. 164, 4/16/24](#)]

Status: Item (A) is resolved, subject to filing a revised form of order. This matter is going forward.

- 13. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Administrative Advisor to the Debtors and Debtors in Possession, Effective as of the Petition Date [[D.I. 121, 4/2/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and the U.S. Trustee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

Objections Filed:

- A. Informal Response from the Office of the United States Trustee

Status: **This matter is resolved, subject to filing a revised form of order under certification of counsel. The Debtors intend to file a revised form of order in advance of the hearing.**

14. Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Winston & Strawn LLP as Co-Counsel for the Debtors and Debtors in Possession, Effective as of the Petition Date [[D.I. 122, 4/2/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and the U.S. Trustee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

- A. **Supplemental Declaration of Carrie V. Hardman in Support of Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Winston & Strawn LLP as Co-Counsel for the Debtors and Debtors in Possession, Effective as of the Petition Date** [[D.I. 194, 4/22/24](#)]

Objections Filed:

- A. Informal Response from the Office of the United States Trustee
- B. X-Caliber Funding LLC's Limited Objection to (I) Debtors' Applications to Retain and Employ Debtors' Counsel, (II) Debtors' Motion for Interim Compensation Procedures, and (III) Debtors' Motion to Retain and Compensate Ordinary Course Professionals [[D.I. 164, 4/16/24](#)]

Status: **Item (A) is resolved.** This matter is going forward.

15. Debtors' Motion for Entry of an Order (I) Extending the Time to File (A) Schedules and Statements and (B) Rule 2015.3 Financial Reports, (II) Modifying the Requirements for Filing Monthly Operating Reports, (III) Conditionally Modifying Deadlines for the Receivership Debtors, and (IV) Granting Related Relief [[D.I. 132, 4/9/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and the U.S. Trustee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

Objections Filed:

- A. Informal Response from the Office of the United States Trustee
- B. Reservation of Rights of the Official Committee of Unsecured Creditors to Certain of the Debtors' Second Day Motion [[D.I. 176, 4/19/24](#)]

Status: The Debtors and the Office of the United States Trustee have agreed to adjourn the Debtors' request for relief solely with respect to monthly operating reports to May 13, 2024 at 10:00 a.m. (ET) in Courtroom No. 7. This matter is going forward.

16. Debtors' Motion for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals [[D.I. 133, 4/9/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

Objections Filed:

- A. Informal Response from the Office of the United States Trustee
- B. X-Caliber Funding LLC's Limited Objection to (I) Debtors' Applications to Retain and Employ Debtors' Counsel, (II) Debtors' Motion for Interim Compensation Procedures, and (III) Debtors' Motion to Retain and Compensate Ordinary Course Professionals [[D.I. 164, 4/16/24](#)]

Status: Item (A) is resolved, subject to filing a revised form of order. This matter is going forward.

17. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Retain and Compensate Professionals Utilized in the Ordinary Course of Business and (II) Granting Related Relief [[D.I. 134, 4/9/24](#)]

Objection Deadline: April 16, 2024 at 4:00 p.m. (ET), *extended for the Committee and the U.S. Trustee to April 19, 2024 at 12:00 p.m. (ET)*

Related Documents:

Objections Filed:

- A. Informal Response from the Office of the United States Trustee
- B. X-Caliber Funding LLC's Limited Objection to (I) Debtors' Applications to Retain and Employ Debtors' Counsel, (II) Debtors' Motion for Interim Compensation Procedures, and (III) Debtors' Motion to Retain and Compensate Ordinary Course Professionals [[D.I. 164, 4/16/24](#)]

Status: **Item (A) is resolved, subject to filing a revised form of order.** This matter is going forward.

Dated: April 22, 2024
Wilmington, Delaware

Respectfully submitted,

**YOUNG CONAWAY STARGATT &
TAYLOR, LLP**

/s/ Shella Borovinskaya

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