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**COUNSEL TO AMY H. BOUTON AND
IRA HOLLANDER AND/OR THE
ESTATE OF SONDR A F. HOLLANDER**

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

IN RE:	§	Chapter 11
	§	
Northwest Senior Housing Corporation, et al¹	§	Case No. 22-30659 (MVL)
	§	
Debtors	§	(Jointly Administered)
	§	

**LIMITED RESPONSE OF (I) VD MANAGEMENT TRUST AND
(II) AMY H. BOUTON AND IRA HOLLANDER
AND/OR THE ESTATE OF SONDR A F. HOLLANDER
REGARDING THE EDGEMERE RESIDENTS' TRUST
FIRST OMNIBUS OBJECTION TO RESIDENT CLAIMS**

COME NOW, VD Management Trust (the "Trust") and Amy H. Bouton, Ira Hollander and/or the Estate of Sondra F. Hollander (together, the "Hollander Parties") and for this Limited Response to The Edgemere Residents' Trust First Omnibus Objection To Resident Claims ("Objection") state:

1. The Trust and the Hollander Parties both filed claims for amounts in excess of the amounts scheduled by the Debtors.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are Northwest Senior Housing Corporation (1278) and Senior Quality Lifestyles Corporation (2699).



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2. The Proofs of Claim filed by the Trust and the Hollander Parties are entitled to prima facie validity until a valid objection is filed. Fed. R. Bankr. P. 3001(f). *In re Van Dermark*, 2008 Bankr. LEXIS 196 (Bankr. N.D. Tex. 2008).

3. The Objection is no more than a “books and records” objection which fails to rebut the prima facie validity of the Proofs of Claim filed by the Trust and the Hollander Parties. The Objection contains no analysis of the calculations of the Residents’ Trust of the amounts of the claims of the Hollander Parties or the Trust. Only by producing “evidence equal in force to the prima facie case,” can an objector negate a claim's presumptive legal validity, and shift the burden back to the claimant to “prove by a preponderance of the evidence that under applicable law the claim should be allowed.” *Creamer v. Motors Liquidation Co. GUC Trust (In re Motors Liquidation Co.)*, 2013 U.S. Dist. LEXIS 143957, at *12-13 (S.D.N.Y. Sept. 26, 2013) (internal quotation marks omitted). Because the Residents’ Trust has failed to “introduce[] evidence as to the invalidity of the claim or the excessiveness of its amount,” the Trust and the Hollander Parties need offer no further proof of the merits of their respective claims. 4-502 Collier on Bankruptcy ¶ 502.02 (16th rev. ed. 2013).

4. The Trust and the Hollander Parties have no objection to the classification of their claims as unsecured, non-priority claims.

5. Based on the foregoing, the Hollander Parties and the Trust respectfully request that an order be entered allowing the Proofs of Claim filed by the Trust and the Hollander Parties in the amounts filed and granting such other and further relief as the Court deems just and proper.

November 28, 2023.

/s/ Howard Marc Spector
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HOLLANDER AND THE VD
MANAGEMENT TRUST**

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing pleading was served via electronic means to all parties who receive ECF notice in this case on November 28, 2023.

/s/ Howard Marc Spector
Howard Marc Spector