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**COUNSEL TO THE EDMERERE
RESIDENTS TRUST**

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

In re:	§	Chapter 11
Northwest Senior Housing Corporation, <i>et al.</i> , ¹	§	Case No. 22-30659 (MVL)
Debtors.	§	(Jointly Administered)

**NOTICE OF AMENDED PROPOSED ORDER REGARDING
EDGEMERE RESIDENTS’ TRUST FIRST
OMNIBUS OBJECTION TO RESIDENT CLAIMS
[Relates to Docket No. 1722]**

Stephen A. McCartin, the Trustee of the Edgemere Residents Trust,² hereby files this *Notice of Amended Proposed Order* regarding the *Edgemere Residents’ Trust First Omnibus Objection to Resident Claims* [Docket No. 1722] (the “**Objection**”).

PLEASE TAKE NOTICE that the amended proposed order to the Objection is attached hereto as **Exhibit A** (the “**Amended Proposed Order**”), which includes amended **Exhibit 1** and **Exhibit 2**. A redline of the changes is attached hereto as **Exhibit B**.

¹ The Debtors in these chapter 11 cases (the “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 (2669) (together, the “Debtors”). The Debtors’ mailing address is 8523 Thackery Street, Dallas, Texas 75225.

² Capitalized terms not defined herein shall have the meaning ascribed in the Plan.



PLEASE TAKE FURTHER NOTICE that the Amended Proposed Order and Exhibits 1 and 2 shall replace the proposed order and Exhibit 1 attached to the Objection at Docket No. 1722-1.

Dated: August 11, 2023

Respectfully submitted,

/s/ Stephen A. McCartin

Stephen A. McCartin

Texas Bar No. 13344700

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CERTIFICATE OF SERVICE

I hereby certify that, on December 19, 2023, a true and correct copy of the foregoing document was served electronically by the Court's PACER system, and served on the claimants whose claims are being objected to and are listed on Exhibit 1 and Exhibit 2 to the Amended Proposed Order.

/s/ Stephen A. McCartin

Stephen A. McCartin

EXHIBIT A

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

In re:	§	
	§	Chapter 11
Northwest Senior Housing Corporation., <i>et al.</i> , ¹	§	
	§	Case No.: 22-30659 (MVL)
Reorganized Debtors.	§	
	§	(Jointly Administered)
	§	

**ORDER SUSTAINING THE FIRST OMNIBUS OBJECTION TO THE ALLOWANCE
OF CERTAIN PROOF OF CLAIMS FILED BY THE RESIDENTS' TRUST**

Upon consideration of *First Omnibus Objection to the Allowance of Certain Proof of Claims* (the “**Objection**”)² filed by the Residents’ Trust in these chapter 11 cases (the “**Chapter 11 Cases**”) pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, this Court finds that it has jurisdiction to consider the Objection and the relief requested therein

¹ The Debtors in these chapter 11 cases (the “**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 (2669) (together, the “**Debtors**”). The Debtors’ mailing address is 8523 Thackery Street, Dallas, Texas 75225.

² Capitalized terms not defined herein shall have the meaning ascribed in the Objection.

pursuant to 28 U.S.C. § 1334 and after due and adequate notice of the Objection having been given and sufficient cause appearing therefor; it is HEREBY ORDERED THAT:

1. The Objection is sustained as set forth herein.
2. Any response to the Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
3. Each Disputed Claim identified on **Exhibit 1** attached hereto is allowed in the Proposed Allowed Amount as a general unsecured claim only, and is disallowed as a priority and/or secured claim, and is disallowed in any amount exceeding the proposed allowed Amount listed on Exhibit 1. The allowed General Unsecured Claim shall be treated under Class 4 or Class 5 of the Plan, as appropriate. This Order shall not affect any previous distribution from the Residents' Trust to the holder of the allowed General Unsecured Claim.
4. The Trustee has agreed to continue the hearing on the Trustee's Objections to Proof of Claims No. 117, filed by Resident ID-1407, and No. 118, filed by Resident ID-1422.
5. Each Disputed Claim identified on **Exhibit 2** attached hereto is disallowed in full as a duplicate or escrow related deposit claim.
6. KCC, as claims and noticing agent, is authorized and directed to update the claims register maintained in these Chapter 11 Cases to reflect the relief granted in this Order.
7. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of any party's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by the Objection; (e) a request or

authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of any party's rights under the Bankruptcy Code or any other applicable law.

8. Notice of the Objection as provided therein shall be deemed good and sufficient and the requirements of the Bankruptcy Local Rules are satisfied by such notice.

9. Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order are immediately effective and enforceable upon its entry.

10. The Residents' Trust is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Objection.

11. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

###END OF ORDER###

Submitted by:

Stephen A. McCartin (TX 13344700)

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COUNSEL TO THE RESIDENTS' TRUST

EXHIBIT 1

PROPOSED ALLOWED GENERAL UNSECURED CLAIMS AND AMOUNTS

POC #	RESIDENT ID	PROPOSED ALLOWED AMOUNT
75	RESIDENT ID-117	216,362.00
49	RESIDENT ID-127	537,881.00
101	RESIDENT ID-212	274,763.00
164	RESIDENT ID-217	417,087.00
107	RESIDENT ID-245	541,890.00
93	RESIDENT ID-292	555,273.00
125	RESIDENT ID-354	818,100.00
186	RESIDENT ID-1387	449,100.00
161	RESIDENT ID-1394	316,478.00
129	RESIDENT ID-1398	649,485.00
23	RESIDENT ID-1402	589,095.00
22	RESIDENT ID-1403	269,910.00
117	RESIDENT ID-1407	Hearing Continued
53	RESIDENT ID-1411	420,300.00
118	RESIDENT ID-1422	Hearing Continued
80	RESIDENT ID-1424	412,020.00
148	RESIDENT ID-1438	875,602.00
98	RESIDENT ID-1441	618,921.00
128	RESIDENT ID-1443	452,952.00
12	RESIDENT ID-1446	335,327.00
113	RESIDENT ID-1455	333,164.00
109	RESIDENT ID-1461	432,224.00
122	RESIDENT ID-1521	589,055.00
111	RESIDENT ID-1522	837,810.00
TOTAL		<u>10,942,799.00</u>

EXHIBIT 2

DISALLOWED DUPLICATE AND ESCROW CLAIMS

POC #	RESIDENT ID	PROPOSED ALLOWED AMOUNT
102	RESIDENT ID-212	0.00
165	RESIDENT ID-217	0.00
143	RESIDENT ID-245	0.00
71	RESIDENT ID-282	0.00
130	RESIDENT ID-354	0.00
115	RESIDENT ID-1387	0.00
121	RESIDENT ID-1387	0.00
123	RESIDENT ID-1387	0.00
137	RESIDENT ID-1387	0.00
138	RESIDENT ID-1387	0.00
86	RESIDENT ID-1394	0.00
81	RESIDENT ID-1424	0.00
82	RESIDENT ID-1424	0.00
157	RESIDENT ID-1424	0.00
158	RESIDENT ID-1424	0.00
159	RESIDENT ID-1438	0.00
96	RESIDENT ID-1441	0.00
33	RESIDENT ID-1446	0.00
170	RESIDENT ID-1446	0.00
183	RESIDENT ID-1461	0.00
106	RESIDENT ID-1477	0.00
141	RESIDENT ID-1521	0.00

EXHIBIT B

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

In re:	§	Chapter 11
	§	
Northwest Senior Housing Corporation., <i>et al.</i> , ¹	§	Case No.: 22-30659 (MLV <u>MVL</u>)
	§	
Reorganized Debtors.	§	(Jointly Administered)
	§	

**ORDER SUSTAINING THE FIRST OMNIBUS OBJECTION TO THE ALLOWANCE
OF CERTAIN PROOF OF CLAIMS FILED BY THE RESIDENTS' TRUST**

Upon consideration of *First Omnibus Objection to the Allowance of Certain Proof of Claims* (the “**Objection**”)² filed by the Residents’ Trust in these chapter 11 cases (the “**Chapter 11 Cases**”) pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, ~~seeking entry of an order allowing the Disputed Claims in the Proposed Allowed Claim Amounts listed on Exhibit 1, as general unsecured claims only, and disallowing all or any portion claimed as~~

¹ The ~~Reorganized~~ Debtors in these chapter 11 cases (the “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 (2669) (together, the “**Debtors**”). The Debtors’ mailing address is 8523 Thackery Street, Dallas, Texas 75225.

² Capitalized terms not defined herein shall have the meaning ascribed in the Objection.

~~priority or secured, and disallowing any amount of the claim in excess of the Proposed Allowed Claim Amount listed on the attached Exhibit 1, all as more fully set forth in the Objection; and the Court having~~ this Court finds that it has jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. § 1334; ~~and~~ after due and adequate notice of the Objection having been given ~~under the circumstances;~~ and sufficient cause appearing therefor; it is HEREBY ORDERED THAT:

1. The Objection is sustained as set forth herein.
2. Any response to the Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
3. Each Disputed Claim identified on Exhibit 1 attached ~~to this Order~~ hereto is allowed in the Proposed Allowed Amount ~~of such claim on Exhibit 1,~~ as a general unsecured claim only, and is disallowed as a priority and /or secured claim, and is disallowed in any amount exceeding the ~~Claim Amounts~~ proposed allowed Amount listed on Exhibit 1. The allowed General Unsecured Claim shall be treated under Class 4 or Class 5 of the Plan, as appropriate. This Order shall not affect any previous distribution from the Residents' Trust to the holder of the allowed General Unsecured Claim.
4. The Trustee has agreed to continue the hearing on the Trustee's Objections to Proof of Claims No. 117, filed by Resident ID-1407, and No. 118, filed by Resident ID-1422.
5. ~~4.~~ Each Disputed Claim identified on Exhibit 1 ~~2~~ attached ~~to the Order~~ hereto is disallowed in full as a duplicate or escrow related deposit claim ~~is disallowed in full.~~
6. ~~5.~~ KCC, as claims and noticing agent, is authorized and directed to update the claims register maintained in these Chapter 11 Cases to reflect the relief granted in this Order.

7. ~~6.~~ Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of any ~~parties~~party's right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by ~~this~~the Objection; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of any ~~parties~~party's rights under the Bankruptcy Code or any other applicable law.

8. ~~7.~~ Notice of the Objection as provided therein shall be deemed good and sufficient and the requirements of the Bankruptcy Local Rules are satisfied by such notice.

9. ~~8.~~ Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order are immediately effective and enforceable upon its entry.

10. ~~9.~~ The Residents' Trust is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Objection.

11. ~~10.~~ This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

###END OF ORDER###

Submitted by:

Stephen A. McCartin (TX 13344700)

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Summary report: Litera Compare for Word 11.3.0.46 Document comparison done on 12/19/2023 11:02:42 AM	
Style name: Default Style	
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Original DMS: nd://4882-5410-4964/3/Edgemere - Order - Omnibus Objection to Claims.docx	
Modified DMS: nd://4882-5410-4964/5/Edgemere - Order - Omnibus Objection to Claims.docx	
Changes:	
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Delete	26
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<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	56