

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
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In re: Chapter 11
SENIOR CARE GROUP, INC., Case No. 8:17-bk-6562-CPM

KEY WEST HEALTH AND REHABILITATION
CENTER, LLC, Case No. 8:17-bk-06580-CPM
SCG BAYWOOD, LLC, Case No. 8:17-bk-06563-CPM
SCG GRACEWOOD, LLC, Case No. 8:17-bk-06564-CPM
SCG HARBOURWOOD, LLC, Case No. 8:17-bk-06572-CPM
SCG LAURELLWOOD, LLC, Case No. 8:17-bk-06576-CPM
THE BRIDGES NURSING AND
REHABILITATION, LLC, Case No. 8:17-bk-06579-CPM

Debtors.

MOTION TO AMEND ORDER ON MOTION OF KEY WEST HEALTH AND REHABILITATION CENTER, LLC FOR ENTRY OF AN ORDER (I) APPROVING BID PROCEDURES IN CONNECTION WITH THE SALE OF SUBSTANTIALLY ALL OF ITS ASSETS, (II) ESTABLISHING PROCEDURES FOR THE ASSUMPTION AND/OR ASSIGNMENT BY THE DEBTOR OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES, (III) APPROVING BREAK UP FEE AND MINIMUM OVERBID AMOUNT, (IV) APPROVING FORM AND MANNER OF NOTICE OF BIDDING PROCEDURES, AND (V) SETTING OBJECTION DEADLINES

Debtor, KEY WEST HEALTH AND REHABILITATION CENTER, LLC (the “Debtor”), by and through its undersigned counsel, files this motion (the “Motion”) seeking to modify the Bid Procedures Order (as defined below) solely with respect to amending the deadline for serving the Assumption and Agreement Notice¹, extending the Cure Amount Objection Deadline, and extending the Regal Assumption Objection Deadline and, in support thereof, states:

1. On March 10, 2020, the Court entered its Order on Motion of Key West Health and Rehabilitation Center, LLC for Entry of an Order (I) Approving Bid Procedures in Connection

¹Capitalized terms not defined in the Motion shall have the meaning set forth in the Bid Procedures Order.

With the Sale of Substantially all of its Assets, (II) Establishing Procedures for the Assumption and/or Assignment by the Debtor of Certain Executory Contracts and Unexpired Leases, (III) Approving Breakup Fee and Minimum Overbid Amount, (IV) Approving Form and Manner of Notice of Bidding Procedures, and (V) Setting Objection Deadlines (Doc No. 1129) (the “**Bid Procedures Order**”).

2. The Bid Procedures Order, among other things, established the date by which the Debtor shall serve the Assumption and Assignment Notice (as defined by the Bid Procedures Order). The Debtor was not able to timely serve the Assumption and Assignment Notice. The Debtor has prepared the Assumption and Assignment Notice with respect to the Debtor’s executory contracts and unexpired leases to which the Debtor is a party and will be able to mail the Assumption and Assignment Notice by April 10, 2020.

3. In order to allow counter-parties sufficient time to review and respond to the Assumption and Assignment Notice, the Debtor requests that the Cure Amount Objection Deadline be extended from April 10, 2020 to May 4, 2020.

4. The Debtor further requests that the deadline for Regal Assumption Objection Deadline be extended April 10, 2020 to May 4, 2020.

5. The Debtor submits that the Motion can be granted without a hearing. The Debtor’s counsel has conferred with counsel for the Official Committee of Unsecured Creditors (the “**Committee**”) and the Committee supports the relief requested in the Motion.

6. The entry of an order will allow the Debtor to include the extended dates in the Assumption and Assignment Notice that the Debtor proposes to send on April 10.

WHEREFORE, the Debtors respectfully request entry of an order in the form attached as **Exhibit A** to the Motion granting the relief requested herein, and for such other and further relief as is just and proper.

/s/ Scott A. Stichter

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ATTORNEYS FOR DEBTORS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing MOTION TO AMEND ORDER ON MOTION OF KEY WEST HEALTH AND REHABILITATION CENTER, LLC FOR ENTRY OF AN ORDER (I) APPROVING BID PROCEDURES IN CONNECTION WITH THE SALE OF SUBSTANTIALLY ALL OF ITS ASSETS, (II) ESTABLISHING PROCEDURES FOR THE ASSUMPTION AND/OR ASSIGNMENT BY THE DEBTOR OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES, (III) APPROVING BREAK UP FEE AND MINIMUM OVERBID AMOUNT, (IV) APPROVING FORM AND MANNER OF NOTICE OF BIDDING PROCEDURES, AND (V) SETTING OBJECTION DEADLINES was furnished on this 9th day of April, 2020 to all parties receiving CM/ECF electronic noticing.

/s/ Scott A. Stichter

Scott A. Stichter

13506 (2336730)

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
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In re: Chapter 11
SENIOR CARE GROUP, INC., Case No. 8:17-bk-6562-CPM

KEY WEST HEALTH AND REHABILITATION CENTER, LLC, Jointly Administered with:
SCG BAYWOOD, LLC, Case No. 8:17-bk-06580-CPM
SCG GRACEWOOD, LLC, Case No. 8:17-bk-06563-CPM
SCG HARBOURWOOD, LLC, Case No. 8:17-bk-06564-CPM
SCG LAURELLWOOD, LLC, Case No. 8:17-bk-06572-CPM
THE BRIDGES NURSING AND Case No. 8:17-bk-06576-CPM
REHABILITATION, LLC, Case No. 8:17-bk-06579-CPM

Debtors.

ORDER ON MOTION TO AMEND ORDER ON MOTION OF KEY WEST HEALTH AND REHABILITATION CENTER, LLC FOR ENTRY OF AN ORDER (I) APPROVING BID PROCEDURES IN CONNECTION WITH THE SALE OF SUBSTANTIALLY ALL OF ITS ASSETS, (II) ESTABLISHING PROCEDURES FOR THE ASSUMPTION AND/OR ASSIGNMENT BY THE DEBTOR OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES, (III) APPROVING BREAK UP FEE AND MINIMUM OVERBID AMOUNT, (IV) APPROVING FORM AND MANNER OF NOTICE OF BIDDING PROCEDURES, AND (V) SETTING OBJECTION DEADLINES

THIS CASE came on for consideration upon the Motion to Amend Order on Motion of Key West Health and Rehabilitation Center, LLC for Entry of an Order (I) Approving Bid Procedures in Connection with the Sale of Substantially All of Its Assets, (II) Establishing

Procedures for the Assumption and/or Assignment by the Debtor of Certain Executory Contracts and Unexpired Leases, (III) Approving Break Up Fee and Minimum Overbid Amount, (IV) Approving Form and Manner of Notice of Bid Procedures, and (V) Setting Objection Deadlines [Doc. No. ____] (the “**Motion**”). The Motion seeks to amend certain dates in the Bid Procedures Order.¹ The Motion reflects that the Official Committee of Unsecured Creditors supports the relief requested in the Motion. The Court having considered the above, it is

ORDERED:

1. The Motion is GRANTED.
2. The deadline to serve the Assumption and Assignment Notice shall be extended until April 10, 2010.
3. The Cure Amount Objection Deadline shall be extended to May 4, 2010.
4. The Regal Assumption Objection Deadline shall be extended to May 4, 2020.

Attorney Scott A. Stichter is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a proof of service within 3 days of entry of the order.

13506.2337169

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