



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed April 19, 2022

United States Bankruptcy Judge

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

In re:

Northwest Senior Housing Corporation, *et al.*,¹

Debtors.

Chapter 11

Case No. 22-30659 (MVL)

(Jointly Administered)

**ORDER AUTHORIZING THE IMPLEMENTATION OF
PROCEDURES TO MAINTAIN AND PROTECT
CONFIDENTIAL RESIDENT AND PATIENT INFORMATION**

Upon the motion (the “**Motion**”)² of the debtors and debtors in possession in the above-captioned chapter 11 cases (the “**Debtors**”) for entry of an order (this “**Order**”), pursuant to Bankruptcy Code Sections 105(a), 107, and 521(a)(1) and Bankruptcy Rules 1007, 9018, and 9037 (i) authorizing the implementation of procedures to protect confidential information of current and former residents and patients of the Debtors (collectively, the “**Residents and Patients**”) and (ii)

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 (2669). The Debtors’ mailing address is 8523 Thackery Street, Dallas, Texas 75225.

² All capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.



granting related relief; and upon consideration of the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and this Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and the opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; and all objections, if any, to the Motion having been withdrawn, resolved or overruled; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The relief requested in the Motion is GRANTED as set forth herein.
2. The following Resident and Patient Confidentiality Procedures are hereby approved:
 - a. The Debtors, with the assistance of their professionals, are authorized to prepare and maintain (i) a separate creditor matrix of the Residents and Patients (the "**Resident and Patient Matrix**"), and, if necessary, (ii) separate schedules of claims that may be asserted by and against the Residents and Patients (the "**Resident and Patient Schedules**");
 - b. The Debtors are not required to file the Resident and Patient Matrix and the Resident and Patient Schedules but is permitted to file a redacted version of the Resident and Patient Schedules that redacts the names and addresses of the Residents and Patients and assigns a unique identification number to each of the Residents and Patients, provided however, that the Resident and Patient Matrix and the Resident and Patient Schedules may be reviewed by

- (i) this Court, (ii) the Office of the United States Trustee, (iii) any applicable state regulatory agency (through the respective state attorney general), and (iv) any other party in interest that obtains, after notice and a hearing, an order directing the Debtors to disclose the Resident and Patient Matrix and Resident and Patient Schedules to such party;
 - c. To the extent the Debtors are required to list Residents and Patients on any document filed with the Court, including, the list of the top 30 unsecured creditors, the Debtors are authorized to list such Residents and Patients by their assigned unique identification number on such document;
 - d. If the Debtors' HIPAA-certified noticing and claims agent, Kurtzman Carson Consultants LLC ("**KCC**"), serves any document upon any person listed on the Resident and Patient Matrix, KCC is authorized to note in the certificate of service that the parties served include individuals listed on the Resident and Patient Matrix;
 - e. KCC shall process Residents' Proofs of Claim ("**Proofs of Claim**") and, upon request, make available a summary of the total number and amount of all claims filed by Residents and Patients against the Debtors, which summary shall exclude any information subject to HIPAA, its associated regulations, and other privacy requirements;
 - f. KCC shall make copies of any Proofs of Claim filed by Residents and Patients available to the Court for in camera review, and any such Proofs of Claim shall otherwise be maintained by KCC and the Debtors on a confidential basis and not subject to public dissemination or disclosure; and
 - g. To the extent any Resident or Patient discloses his or her own health information in any pleading, proof of claim, notice, or other publicly available document, the Debtors and their professionals to the extent required by the Bankruptcy Code, the Bankruptcy Rules, or any other applicable law, rule, or court order, may include protected health information about the Resident or Patient in any subsequent pleading, notice, document, list, or other public disclosure made in connection with these Chapter 11 Cases, and such use or disclosure shall not be deemed to be an "impermissible disclosure" within the meaning of HIPAA or any regulation promulgated thereunder.
3. Notice of the Motion shall be deemed good and sufficient notice of such Motion, and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice or waived.

4. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

5. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

6. 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:

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*Proposed Counsel to Debtors and
Debtors-in-Possession*

United States Bankruptcy Court
Northern District of Texas

In re:
Northwest Senior Housing Corporation
Debtor

Case No. 22-30659-mvl
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0539-3
Date Rcvd: Apr 20, 2022

User: admin
Form ID: pdf025

Page 1 of 3
Total Noticed: 12

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 22, 2022:

Recip ID	Recipient Name and Address
db	+ Northwest Senior Housing Corporation, 4201 Corporate Drive, West Des Moines, IA 50266-5906
aty	+ Brenna A. Dolphin, Polsinelli, PC, 222 Delaware Ave., Ste 1101, Wilmington, DE 19801-1621
aty	+ Elizabeth B. Vanesteeg, Levenfeld & Pearlstein, LLC, 2 N. LaSalle Street, Ste 1300, Chicago, IL 60602-3709
aty	+ Elleen M. Sethna, Levenfeld & Pearlstein, LLC, 2 N. LaSalle Street, Ste 1300, Chicago, IL 60602-3709
aty	+ Eric R. Blythe, Mintz, Levin, Cohn, Ferris, Glovsky and, One Financial Center, Boston, MA 02111-2657
aty	+ Harold D. Israel, Levenfeld & Pearlstein, LLC, 2 N. LaSalle Street, Ste 1300, Chicago, IL 60602-3709
aty	+ Mark B. Joachim, Polsinelli, PC, 1401 Eye Street, N.W., ste 800, Washington, DC 20005-2295
cr	+ Intercity Investment Properties, Inc., Michael S. Held, Jackson Walker LLP, 2323 Ross Avenue, Suite 600 Dallas, TX 75201-2725
cr	+ Steve Helbing as Independent Executor for the Esta, c/o Steve McCartin and Tom Scannell, Foley & Lardner LLP, 2021 McKinney Ave., Suite 1600, Dallas, TX 75201-3340
intp	Texas Department of Insurance, co The Texas Attorney Generals Office, Bankruptcy & Collections Division, P. O. Box 12548, MC-008, Austin, TX 78711-2548
intp	Texas Health and Human Services Commission, Office of the Attorney General of Texas, Bankruptcy and Collections, P.O. Box 12548, MC-008 Austin, TX 78711-2548

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: dallas.bankruptcy@LGBS.com	Apr 20 2022 20:49:00	Dallas County, Linebarger Goggan Blair & Sampson LLP, c/o Laurie A. Spindler, 2777 N. Stemmons Frwy Suite 1000, Dallas, TX 75207, UNITED STATES 75207-2328

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 22, 2022

Signature: /s/Gustava Winters

District/off: 0539-3
Date Rcvd: Apr 20, 2022

User: admin
Form ID: pdf025

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Total Noticed: 12

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 20, 2022 at the address(es) listed below:

Name	Email Address
Abigail R. Ryan	on behalf of Interested Party Texas Department of Insurance abigail.ryan@oag.texas.gov
Benton Williams, II	on behalf of Creditor Pamela Siviglia BW@bentonwilliamspllc.com
Benton Williams, II	on behalf of Creditor Andrew L Adams BW@bentonwilliamspllc.com
Benton Williams, II	on behalf of Creditor Estate of Patricia Adams benton.williams@bentonwilliamspllc.com
Daniel S. Bleck	on behalf of Interested Party UMB Bank N. A. dbleck@mintz.com
David Weitman	on behalf of Creditor Estate of Pauline Carp david.weitman@klgates.com
J. Machir Stull	on behalf of Creditor Intercity Investment Properties Inc. mstull@jw.com, lwilliams@jw.com; kgradney@jw.com; dtrevino@jw.com
J. Robert Forshey	on behalf of Interested Party Resident Council of the Resident Association of the Tarrant County Senior Living Center Inc d/b/a The Stayton at Museum Way bforshey@forsheyprostok.com, calendar@forsheyprostok.com; jgonzalez@forsheyprostok.com; bforshey@ecf.courtdrive.com; calendar_0573@ecf.courtdrive.com
J. Robert Forshey	on behalf of Interested Party Tarrant County Senior Living Center Inc. d/b/a The Stayton at Museum Way bforshey@forsheyprostok.com, calendar@forsheyprostok.com; jgonzalez@forsheyprostok.com; bforshey@ecf.courtdrive.com; calendar_0573@ecf.courtdrive.com
James Frasher Murphy	on behalf of Interested Party UMB Bank N. A. frasher.murphy@haynesboone.com, kim.morzak@haynesboone.com; kristy.martinez@haynesboone.com
Jason B. Binford	on behalf of Interested Party Texas Health and Human Services Commission JASON.BINFORD@OAG.TEXAS.GOV
Jennifer F. Wertz	on behalf of Creditor Intercity Investment Properties Inc. jwertz@jw.com, kgradney@jw.com; dtrevino@jw.com
Jeremy R. Johnson	on behalf of Debtor Northwest Senior Housing Corporation jeremy.johnson@polsinelli.com
Jeremy R. Johnson	on behalf of Jointly Administered Party/Debtor Senior Quality Lifestyles Corporation jeremy.johnson@polsinelli.com
Laurie A. Spindler	on behalf of Creditor Dallas County dallas.bankruptcy@lgbs.com Dora.Casiano-Perez@lgbs.com; Michael.Alvis@lgbs.com; dallas.bankruptcy@lgbs.com
Michael Scott Held	on behalf of Creditor Intercity Investment Properties Inc. mhheld@jw.com, lcrumble@jw.com; kgradney@jw.com
Rachael L. Smiley	on behalf of Creditor Phillimore Family Holdings LP and Richard M. and Jean Huff rsmiley@fbfk.law, nlede@fbfk.law
Suzanne K. Rosen	on behalf of Interested Party Tarrant County Senior Living Center Inc. d/b/a The Stayton at Museum Way srosen@forsheyprostok.com, tlevario@forsheyprostok.com; calendar@forsheyprostok.com; srosen@ecf.courtdrive.com; calendar_0573@ecf.courtdrive.com
Suzanne K. Rosen	on behalf of Interested Party Resident Council of the Resident Association of the Tarrant County Senior Living Center Inc d/b/a The Stayton at Museum Way srosen@forsheyprostok.com, tlevario@forsheyprostok.com; calendar@forsheyprostok.com; srosen@ecf.courtdrive.com; calendar_0573@ecf.courtdrive.com
Thomas C. Scannell	on behalf of Creditor Steve Helbing as Independent Executor for the Estate of Ellen S. Helbing tscannell@foley.com acordero@foley.com; thomas-scannell-3441@ecf.pacerpro.com
Trinitee G. Green	on behalf of Jointly Administered Party/Debtor Senior Quality Lifestyles Corporation tggreen@polsinelli.com docketing@polsinelli.com; dandracchi@polsinelli.com

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Trinitee G. Green
on behalf of Debtor Northwest Senior Housing Corporation tggreen@polsinelli.com
docketing@polsinelli.com;dandreacchi@polsinelli.com

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on behalf of Debtor Senior Quality Lifestyles Corporation tggreen@polsinelli.com
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Trinitee G. Green
on behalf of Plaintiff Northwest Senior Housing Corporation tggreen@polsinelli.com
docketing@polsinelli.com;dandreacchi@polsinelli.com

United States Trustee
ustpreion06.da.ecf@usdoj.gov

TOTAL: 25