Case 24-10443-TMH Doc 80 Filed 03/22/24 Page 1 of 5 Docket #0080 Date Filed: 3/22/2024

## 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

Ref. Docket No. 3

ORDER GRANTING DEBTORS' MOTION FOR ENTRY OF AN ORDER (I) AUTHORIZING THE DEBTORS TO FILE (A) A CONSOLIDATED MASTER LIST OF CREDITORS AND (B) A CONSOLIDATED LIST OF THE DEBTORS' 40 LARGEST GENERAL UNSECURED CREDITORS, (II) AUTHORIZING THE DEBTORS TO REDACT PERSONALLY IDENTIFIABLE INFORMATION FOR CERTAIN INDIVIDUAL CREDITORS AND PARTIES IN INTEREST, (III) AUTHORIZING PROCEDURES TO MAINTAIN AND PROTECT CONDIGENTIAL RESIDENT INFORMATION, AND (IV) GRANTING RELATED RELIEF

Upon the motion (the "Motion")<sup>2</sup> of the above-captioned debtors and debtors in possession (each, a "Debtor" and collectively, the "Debtors") for entry of an order (this "Order"): (i) authorizing the Debtors to file (a) a Consolidated Creditor Matrix in lieu of submitting separate mailing matrices for each Debtor and (b) a Consolidated Top 40 List of the Debtors' forty (40) largest general unsecured creditors in lieu of filing separate lists for each Debtor; (ii) authorizing the Debtors to redact certain personally identifiable information for the Debtors' current and former employees, independent contractors, vendors, and clients; (iii) authorizing the

Capitalized terms used but not otherwise defined herein shall have the same meaning as ascribed to them in the Motion.



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, for which the Debtors have requested joint administration, 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 will be made available on a website of the Debtors' proposed claims and noticing agent at www.kccllc.net/Petersen.

implementation of procedures to protect confidential information of Residents; and (iv) granting related relief; and upon the First Day Declaration; and upon the statements of counsel made in support of the relief requested in the Motion at the hearing before this Court; and it appearing that this Court has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012; and it appearing that venue of the Chapter 11 Cases and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and the Debtors having consented to this Court entering an order in the event this matter is deemed a non-core proceeding; and it appearing that proper and adequate notice of the Motion has been given under the circumstances and in accordance with the Bankruptcy Rules and Local Rules and that no other or further notice is necessary; and after due deliberation thereon; and this Court having found that the relief herein is in the best interests of the Debtors' estates; and good and sufficient cause appearing therefor,

## IT IS HEREBY ORDERED THAT:

- 1. The Motion is GRANTED as set forth herein.
- 2. The requirements of Local Rules 1007-2(a) and 2002-1(f)(v) that separate mailing matrices be submitted for each Debtor are waived, and the Debtors are authorized to submit the Consolidated Creditor Matrix; *provided, however*, that if any one of the Chapter 11 Cases is converted to a case under chapter 7 of the Bankruptcy Code, the applicable Debtor under the converted case shall file its own creditor mailing matrix unless this Court orders otherwise.
- 3. The Debtors shall make the Consolidated Creditor Matrix available in readable electronic format (or in non-electronic format at such requesting party's sole cost and expense) upon reasonable request by parties in interest.

- 4. The Debtors are authorized to submit a Consolidated Top 40 List identifying their top forty (40) largest general unsecured creditors in the Chapter 11 Cases in lieu of each Debtor filing a list of its 20 largest unsecured creditors.
- 5. The Debtors are authorized, with respect to natural persons, to redact the home addresses and email addresses, and any other personally identifiable information, with the exception of names, of the Debtors' current and former employees, independent contractors, vendors, and clients on the publicly viewable version of the Consolidated Creditor Matrix and any other paper filed or to be filed with the Court in the Chapter 11 Cases; *provided, however*, that the Debtors shall provide an unredacted version of the Consolidated Creditor Matrix to (a) this Court, (b) the U.S. Trustee, (c) counsel to the official committee of unsecured creditors appointed in the Chapter 11 Cases (if any), and (d) in the Debtors' sole discretion, other parties in interest upon request to the Debtors (email is sufficient), or to this Court that is reasonably related to the Chapter 11 Cases, or as otherwise ordered by this Court; *provided* that any receiving party shall not transfer or otherwise provide such unredacted document to any person or entity not party to the request.
- 6. Subject to the Court's approval of the Debtors' retention of Kurtzman Carson Consultants LLC ("KCC") in the Chapter 11 Cases, when serving any notice on the Debtors' current and former employees, independent contractors, vendors, and clients, KCC, and where applicable, the Clerk of this Court, shall use the residential address of a current and former employee, independent contractor, vendor, or client unless (a) the Debtors' books and records reflect a non-residential address for such party or (b) such party has requested to receive notice at another address.

- 7. The Debtors, with the assistance of KCC, shall make available the redacted version of the Consolidated Creditor Matrix in electronic form to any entity who so requests and in nonelectronic form at such requesting entity's sole cost and expense.
- 8. The Debtors shall omit any reference to the Residents from the Consolidated Creditor Matrix and from any certificate of service, subject to paragraph 5 of this Order.
- 9. The Debtors, with the assistance of their professionals, are authorized to prepare and maintain the Resident Matrix and the Resident Schedules and shall make the confidential Resident Matrix and Resident Schedules, or any portion thereof, available to any party in interest only after this Court has entered an order authorizing the Debtors to do so.
- 10. The Debtors are not required to file the Resident Matrix and the Resident Schedules in the format required by the Local Rules, but are permitted to file a redacted version of the Resident Schedules that redacts the name and address of the Resident and assigns a unique identification number to each of the Residents, *provided, however*, that the Resident Matrix and the Resident Schedules may be reviewed by (a) this Court; (b) the U.S. Trustee; (c) counsel to the official committee of unsecured creditors appointed in the Chapter 11 Cases (if any), and (d) any other party in interest that obtains an order directing the Debtors to disclose the Resident Matrix and Resident Schedules to such party.
- 11. If KCC serves any document upon any person listed on the Resident Matrix, KCC is authorized to note in the applicable certificate of service that the parties included in such service include the individuals listed on the Resident Matrix.
- 12. To the extent that any Resident discloses his or her health information in any pleading, proof of claim, notice, or other publicly available document, the Debtors or their professionals shall, to the extent required by the Bankruptcy Code, Bankruptcy Rules, or any other

Case 24-10443-TMH Doc 80 Filed 03/22/24 Page 5 of 5

applicable law, rule, or court order, include protected health information about the Resident in any

subsequent pleading, notice, document, list, or other public disclosure made in connection with

the Chapter 11 Cases, and such use or disclosure shall not be deemed to be an "impermissible

disclosure" within the meaning of the HIPAA Rules.

13. The Debtors' compliance with the foregoing Privacy Procedures shall constitute

compliance with section 521 of the Bankruptcy Code, Bankruptcy Rule 1007, and Local Rules

1007-1 and 1007-2.

14. The Debtors are authorized to take all actions they deem necessary to effectuate the

relief granted pursuant to this Order in accordance with the Motion.

15. Nothing in this Order shall affect the rights or obligations of any patient care

ombudsman or long-term care ombudsman appointed in the Chapter 11 Cases pursuant to 11

U.S.C. § 333, as applicable.

16. Notwithstanding any Bankruptcy Rule (including, but not limited to, Bankruptcy

Rule 6004(h)) or Local Rule that might otherwise delay the effectiveness of this Order, the terms

and conditions of this Order shall be immediately enforceable upon its entry.

17. This Court shall retain jurisdiction over any and all matters arising from the

interpretation, implementation, or enforcement of this Order.

Dated: March 22nd, 2024

Wilmington, Delaware

THOMAS M. HORAN UNITED STATES BANKRUPTCY JUDGE

5