

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
GULF COAST HEALTH CARE, LLC, <i>et al.</i> , ¹)	Case No. 21-11336 (KBO)
)	
Debtors.)	Jointly Administered
)	
)	Related to Docket No. 109
)	

**ORDER PURSUANT TO BANKRUPTCY CODE SECTIONS 105(a),
501, 502, 503, AND 1111(a), BANKRUPTCY RULES 2002 AND 3003(C)(3),
AND LOCAL RULES 1009-2 AND 2002-1(E) (I) ESTABLISHING BAR
DATES FOR FILING CLAIMS AGAINST THE DEBTORS AND
(II) APPROVING FORM AND MANNER OF NOTICE THEREOF**

Upon the motion (the “**Motion**”)² of the Debtors for entry of an order (this “**Order**”)

(a) establishing deadlines for filing claims against the Debtors in the Chapter 11 Cases and

(b) approving the form and manner of notice thereof, all as more fully set forth in the Motion;

and the Court having jurisdiction over this matter 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 the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and venue of this proceeding and the Motion in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being able to issue a final order consistent with Article III of the United States Constitution; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or

¹ The last four digits of Gulf Coast Health Care, LLC’s federal tax identification number are 9281. There are 62 Debtors in these chapter 11 cases, which cases are being jointly administered for procedural purposes only. A complete list of the Debtors and the last four digits of their federal tax identification numbers are not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/GulfCoastHealthCare>. The location of Gulf Coast Health Care, LLC’s corporate headquarters and the Debtors’ service address is 9511 Holsberry Lane, Suite B11, Pensacola, FL 32534.

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

further notice is necessary; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties-in-interest; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED that:

1. The Motion is granted as set forth herein.
2. **General Bar Date.** Pursuant to Bankruptcy Rule 3003(c)(3), all persons and entities, except any governmental unit, that hold or wish to assert a claim arising (or deemed to arise) on or before the Petition Date, including any claim arising under Bankruptcy Code section 503(b)(9), are required to file with the Debtors' claims and noticing agent, Epiq Corporate Restructuring, LLC (the "**Claims Agent**" or "**Epiq**"), **on or before January 7, 2022 at 5:00 p.m. (Eastern Time)** (the "**General Bar Date**"), a completed and executed Proof of Claim Form, in substantially the form attached hereto as **Exhibit B**, on account of any such claim in accordance with the procedures set forth below.
3. **Governmental Bar Date.** Pursuant to Bankruptcy Rule 3003(c) and Bankruptcy Code section 502(b)(9), all governmental units that hold or wish to assert a claim arising (or deemed to arise) on or before the Petition Date against the Debtors are required to file with the Claims Agent **on or before April 12, 2022 at 5:00 p.m. (Eastern Time)** (the "**Governmental Bar Date**"), a completed and executed Proof of Claim Form in substantially the form attached hereto as **Exhibit B**, on account of any such claim in accordance with the procedures set forth below.
4. **Amended Schedules Bar Date.** In accordance with Local Rule 1009-2, if the Debtors amend their Schedules to change the amount, nature, classification, or characterization of a claim, or to schedule a new claim, the affected claimant shall be permitted to dispute the

amount, nature, classification, or characterization of the scheduled claim by filing with the Claims Agent a completed and executed Proof of Claim Form in substantially the form attached hereto as **Exhibit B** on or before the later of (a) the General Bar Date or (b) twenty-one (21) days from the date notice is served alerting the affected creditor of the amendment to the Schedules. If the Debtors amend the Schedules with respect to the claim of a governmental unit, the affected governmental unit shall be permitted to dispute the amount, nature, classification, or characterization of the scheduled claim by filing with the Claims Agent a completed and executed Proof of Claim Form in substantially the form attached hereto as **Exhibit B** on or before the later of (a) the Governmental Bar Date or (b) twenty-one (21) days from the date notice is served alerting the affected governmental unit of the applicable amendment to the Schedules.

5. **Rejection Bar Date.** Pursuant to Bankruptcy Rule 3003(c), each person or entity (including, without limitation, each individual, partnership, joint venture, corporation, limited liability company, estate, and trust) holding or asserting a claim for any rejection damages arising from the rejection of any unexpired lease or executory contract of a Debtor (an “**Agreement**”) during the Chapter 11 Cases must file a Proof of Claim Form so that it is *actually received* by the Claims Agent on or before the later of **(a) 30 days after the effective date of rejection of such Agreement as provided by an order of the Court or pursuant to a notice under procedures approved by the Court, (b) any date set by another order of the Court, or (c) the General Bar Date or the Governmental Bar Date, whichever is applicable.**

6. Persons and entities holding or wishing to assert the following types of claims against the Debtors are not required to a Proof of Claim Form:

- (a) Claims on account of which a Proof of Claim Form already has been properly filed with either Epiq or the Clerk of the Court for the United States Bankruptcy Court for the District of Delaware against the Debtors;
- (b) Claims listed in the Debtors' Schedules filed with the Court, or in any supplements or amendments to the Schedules, (i) that are *not* identified as "contingent," "unliquidated," or "disputed"; and (ii) with respect to which the claimant agrees with the amount, nature, classification, and characterization of the claim as set forth in the Schedules;
- (c) Administrative claims arising under Bankruptcy Code sections 503(b)(1) through (8) and 507(a)(2), including claims arising under 28 U.S.C. § 1930(a) (together with any interest and penalties associated with same);
- (d) Claims of the Debtors against other Debtors;
- (e) Claims against non-Debtor affiliates;
- (f) Claims by current managers, officers, and employees of the Debtors for indemnification, contribution, or reimbursement;
- (g) Claims previously allowed or paid pursuant to an order of the Court; and
- (h) Claims, including those of the DIP Lender, DIP Agent, and the Omega Landlords, specifically exempted from the General Bar Date or Rejection Bar Date pursuant to this Order or pursuant to a separate order of the Court in full force and effect, including the *Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [Docket No. 72].

7. Any holder of an interest in the Debtors (each, an "**Interest Holder**"), which interest is based solely upon the ownership of membership interests, common or preferred stock, warrants, options, or rights to purchase, sell, or subscribe to such a security or interest, of the Debtors (an "**Interest**"), is not required to file a proof of Interest based solely on account of such Interest Holder's ownership interest in the Debtors; *provided, however*, that any Interest Holder who wishes to assert a claim against the Debtors, including for damages arising from the purchase, sale, issuance, or distribution of such an Interest, must file a Proof of Claim Form on or before the General Bar Date.

8. The Debtors shall serve the Bar Date Notice, substantially in the form attached hereto as **Exhibit A**, and a Proof of Claim Form, substantially in the form attached hereto as **Exhibit B**, by first-class mail on or before November 15, 2021 (or otherwise within two (2) business days after the entry of the Bar Date Order, if such order is not entered on November 12, 2021) to (i) all known creditors of the Debtors, as reflected in the Debtors' books and records; (ii) all parties on the service list described in Local Rule 2002-1(c); (iii) the U.S. Trustee; and (iv) all relevant taxing authorities for the jurisdictions in which the Debtors do business.

9. The Debtors shall publish a notice, substantially in the form attached hereto as **Exhibit C**, one (1) time in the national edition of *The Wall Street Journal*, *The New York Times*, or *USA Today*, no later than ten (10) business days after entry of this Order.

10. Proofs of Claim will be deemed timely filed only if *actually received* by Epiq, the Debtors' claims and noticing agent, on or before the applicable Bar Date either by: (a) mailing the original Proof of Claim by regular mail to Gulf Coast Health Care, LLC Claims Processing Center, c/o Epiq Corporate Restructuring, LLC, P.O. Box 4419, Beaverton, OR 97076-4419, (b) delivering such original Proof of Claim by overnight mail, courier service, hand delivery, or in person to Gulf Coast Health Care, LLC Claims Processing Center, c/o Epiq Corporate Restructuring, LLC, 10300 SW Allen Blvd., Beaverton, OR 97005; or (iii) completing the electronic Proof of Claim Form (an "**Electronic Proof of Claim**") available at <https://dm.epiq11.com/GulfCoastHealthCare>.

11. Proof of Claim Forms shall not be submitted by facsimile, telecopy, e-mail, or other electronic means (except for an Electronic Proof of Claim), and Proof of Claim Forms submitted by such means shall not be deemed timely filed.

12. All Proof of Claim Forms must be filed with original signatures, be written in English, and be denominated in lawful currency of the United States. Copies of any documents on which the claim is based or an explanation as to why such documents are not available should be attached to the Proof of Claim Form.

13. Absent further order of the Court, any person or entity that is required to file a Proof of Claim Form in the form and manner specified in this Order and that fails to do so on or before the applicable Bar Date: (a) shall be forever barred, estopped, and enjoined from asserting such claim against the Debtors, their estates, or the property of the estates, or thereafter filing a Proof of Claim Form with respect thereto in the Chapter 11 Cases; (b) shall not, with respect to such claim, be treated as a creditor of the Debtors for the purpose of voting upon any plan in these proceedings; and (c) shall not receive or be entitled to receive any payment or distribution of property from the Debtors or their successors or assigns with respect to such claim; *provided, however*, that nothing in this paragraph shall prevent distributions on account of allowed late-filed claims (consistent with 11 U.S.C. § 726(a)) in the event that the above-captioned cases are converted to cases under chapter 7.

14. Notwithstanding anything to the contrary in this Order, the Omega Entities (as defined in the Restructuring Support Agreement) shall have no obligation to file a Proof of Claim with respect to the Omega Rejection Damages Claim, the Omega Prepetition Rent Claim, the Omega DIP Claim, the Omega Administrative Claim, or the Omega Allowed Unsecured Claim (each as defined in the Restructuring Support Agreement).

15. Notwithstanding the contents of any order granting the Debtors an extension of time to file schedules and statements of financial affairs and this Order, the rights of the U.S.

Trustee to seek relief from the Court pertaining to the contents and quality of the Debtors' filed schedules and statements of financial affairs remain fully reserved.

16. Notification of the relief granted in this Order as provided herein is fair and reasonable and approved, and will provide good, sufficient, and proper notice to all creditors of their obligations in connection with claims they may have against or in the Debtors.

17. Nothing in the Motion or this Order, nor the Debtors' implementation of the relief granted in this Order, shall constitute (a) an admission of the validity of any claim against the Debtors; (b) a waiver of the Debtors' right to dispute or object to any claim, whether filed or scheduled, on any ground; (c) a waiver of the Debtors' right to dispute or assert offsets against or defenses to any claim, whether filed or scheduled, as to amount, nature, classification, characterization, status, or otherwise; (d) a prohibition of the Debtors from taking any other action with respect to a prepetition claim; or (e) a promise by the Debtors to pay any alleged claim.

18. Nothing contained herein shall limit, abridge, or otherwise affect the Debtors' right to request that the Court fix a date by which the holder of a claim that is specifically excluded from the requirements to file such a claim by this Order must file a proof of claim.

19. The provisions of this Order apply to all claims (except as otherwise set forth herein) of whatever character against the Debtors or their property, whether they are secured or unsecured, entitled or not entitled to priority, liquidated or unliquidated, or fixed or contingent.

20. The Debtors are hereby authorized to take such steps as they deem reasonably necessary to fulfill the notice requirements established by this Order.

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