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*Counsel to the Debtor and Debtor in Possession*

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In re:

AMSTERDAM HOUSE CONTINUING CARE  
RETIREMENT COMMUNITY, INC.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 23-70989 (AST)

**AGENDA OF MATTERS SCHEDULED FOR HEARING  
ON FEBRUARY 20, 2025 AT 11:00 A.M. (ET)**

Time and Date of Hearing: February 20, 2025 at 11:00 a.m. (ET) (the “Hearing”)

The Hearing will be held in person in Courtroom 960 at the Alfonse M. D’Amato Federal Courthouse, 290 Federal Plaza, Central Islip, New York 11722.

Appearance Instructions: All attorneys and unrepresented parties appearing must register with eCourt Appearances at least two (2) business days in advance of the Hearing at: <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl>.

<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 1764. The Debtor’s mailing address is 300 East Overlook, Port Washington, New York 11050.

Copies of Filings: A copy of all filings in this case may be obtained by either accessing (i) the website established by Epiq Corporate Restructuring, LLC, the Debtor's noticing and claims agent, at <https://dm.epiq11.com/TheHarborside> or (ii) the Court's website at [www.nyeb.uscourts.gov](http://www.nyeb.uscourts.gov). A PACER password is required for accessing a document from the Court's website.

**MATTERS GOING FORWARD:**

- A. Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt. No. 951; filed 01/27/2025] (the "Private Sale Motion").

**Response Deadline:** February 7, 2025 at 4:00 p.m. (ET)

**Related Documents:**

1. Stipulation and Agreed Order Approving (I) Debtor's Entry into Letter of Intent, (II) Setting Hearing to Approve Sale and Related Deadlines, and (III) Granting Related Relief [Dkt. No. 929; entered 12/23/2024].
2. Amended Notice of Motion and Hearing [Dkt. No. 956; filed 01/29/2025].
3. Order Concerning Sale Hearing [Dkt. No. 958; entered 02/04/2025].
4. Letter Regarding Order Concerning Sale Hearing [Dkt. No. 971; filed 02/07/2025].
5. Amended Order Concerning Sale Hearing [Dkt. No. 975; entered 02/10/2025].
6. Letter Regarding Settlement Conference [Dkt. No. 989; filed 02/18/2025].

**Declarations in Support of Private Sale Motion:**

7. Declaration of David Kliever in Support of the Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt. No. 951-3; filed 01/27/2025].

8. Declaration of Curt Schaller of Sr Hsg Acquisitions, LLC in Support of Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt No. 969; filed 02/07/2025].
9. Declaration of Michael Morton in Support of Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt. No. 973; filed 02/07/2025].

**Objections:**

10. Limited Objection and Reservation of Rights by Sodexo, Inc. & Affiliates to Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt. No. 961; filed 02/07/2025].
11. Objection and Reservation of Rights of the Nassau County Industrial Development Agency to the Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt. No. 963; filed 02/07/2025].
12. Objection of Mary Garrett, as Executrix of the Estate of Angela C. Garrett, Deceased to the Debtor's Motion for Entry of an Order Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC and for Related Relief [Dkt. No. 964; filed 02/07/2025].
13. Objection of Claimant Nancy Sakas to Debtor's Motion for an Order Approving the Asset Purchase Agreement Between the Debtor and Sr Hsq [sic] Acquisitions, LLC and Authorizing the Sale of Debtor's Assets to Sr Hsq [sic] Acquisitions, LLC [Dkt. No. 970; filed 02/07/2025].

**Statements and Reservations of Rights:**

14. Statement and Reservation of Rights of the Official Committee of Unsecured Creditors Regarding the Debtor's Proposed Sale to Sr Hsg Acquisitions, LLC [Dkt. No. 968; filed 02/07/2025].
15. Statement of the Ad Hoc Residents Group in Connection with Debtor's Motion for Entry of an Order (I) Approving the Asset Purchase Agreement Between the Debtor and Sr Hsg Acquisitions, LLC; (II) Authorizing the Private Sale of Substantially All of the Debtor's Assets Free and Clear of Liens, Claims, Interests and Encumbrances, Except for Certain Permitted Liens and Assumed Liabilities; (III) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith; and (IV) Granting Related Relief [Dkt. No. 972; filed 02/07/2025].

**Letters Regarding the Sale:<sup>2</sup>**

16. Letter from Dina W. [Dkt. No. 921; filed 12/16/2024].
17. Letter from Michael Heiman, Mark Heiman, and Randi Schneider [Dkt. No. 935; filed 12/27/2024].
18. Letter from Michael Goodman [Dkt. No. 940; filed 01/02/2025].
19. Letter from Jonathan Gelberg [Dkt. No. 942; filed 01/02/2025].
20. Letter from Jeff Rowland [Dkt. No. 946; filed 01/16/2025].
21. Letter from Robert Elliot [Dkt. No. 947; filed 01/19/2025].
22. Letter from Joshua Shapiro [Dkt. No. 948; filed 01/22/2025].
23. Letter from Harborside Residents Counsel [Dkt. No. 952; filed 01/28/2025].
24. Second Letter from Dina W. [Dkt. No. 955; filed 01/29/2025].
25. Letter from David Poses [Dkt. No. 966; filed 02/07/2025].
26. Letter from Joel M. Sunshine [Dkt. No. 967; filed 02/07/2025].
27. Letter from Suzanne Taffet-Romano [Dkt. No. 983; filed 02/13/2025].

**Status:** This matter is going forward.

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<sup>2</sup> The following section includes all sale-related letters filed after December 12, 2024, which is the date on which the Debtor filed the *Letter Update Regarding Debtor's Sale Process* [Dkt. No. 914] that included a copy of the executed term sheet between the Debtor and Sr Hsg Acquisitions, LLC.

- B. Debtor's Motion for Entry of an Order Authorizing the Debtor to Implement Plans of Closure for the Debtor's Health Center [Dkt. No. 959; filed 02/05/2025] (the "Closure Motion").

**Response Deadline:** February 18, 2025 at 4:00 p.m. (ET)

**Related Documents:**

1. Motion to Shorten Notice on Debtor's Motion for Entry of an Order Authorizing the Debtor to Implement Plans of Closure for the Debtor's Health Center [Dkt. No. 960; filed 02/05/2025].
2. Letter Regarding Notice of Status Conference [Dkt. No. 962; filed 02/07/2025].
3. Amended Order Concerning Sale Hearing [Dkt. No. 975; entered 02/10/2025].

**Declaration in Support of the Closure Motion:**

4. Declaration of Michael Morton in Support of the Debtor's Motion for Entry of an Order Authorizing the Debtor to Implement Plans of Closure for the Debtor's Health Center [Dkt. No. 987; filed 02/14/2025].

**Responses:** None.

**Status:** This matter is going forward.

- C. Motion of the Debtor for Entry of an Order (I) Authorizing the Debtor to Obtain Postpetition Financing; (II) Granting (A) Liens and Superpriority Claims and (B) Adequate Protection; (III) Authorizing Use of Cash Collateral; (IV) Modifying the Automatic Stay; and (V) Granting Related Relief [Dkt. No. 978; filed 02/11/2025] (the "DIP Financing Motion").

**Response Deadline:** Prior to the Hearing.

**Related Documents:**

1. Motion to Shorten Notice on Motion of the Debtor for Entry of an Order (I) Authorizing the Debtor to Obtain Postpetition Financing; (II) Granting (A) Liens and Superpriority Claims and (B) Adequate Protection; (III) Authorizing Use of Cash Collateral; (IV) Modifying the Automatic Stay; and (V) Granting Related Relief [Dkt. No. 979; filed 02/11/2025].
2. Notice of Hearing on Motion of the Debtor for Entry of an Order (I) Authorizing the Debtor to Obtain Postpetition Financing; (II) Granting (A) Liens and Superpriority Claims and (B) Adequate Protection; (III) Authorizing Use of Cash Collateral; (IV) Modifying the Automatic Stay; and (V) Granting Related Relief [Dkt. No. 982; filed 02/12/2025].

**Declarations in Support of the DIP Financing Motion:**

3. Declaration of Michael Morton in Support of the Motion of the Debtor for Entry of an Order (I) Authorizing the Debtor to Obtain Postpetition Financing; (II) Granting (A) Liens and Superpriority Claims and (B) Adequate Protection; (III) Authorizing the Use of Cash Collateral; (IV) Modifying the Automatic Stay; and (V) Granting Related Relief [Dkt. No. 978-2; filed 02/11/2025].

**Responses:** None.

**Status:** This matter is going forward.

- D. Application in Support of an Order Seeking Dismissal of This Chapter 11 Case [Dkt. No. 897; filed 11/20/2024] (the “Dismissal Motion”).

**Response Deadline:** February 18, 2025 at 4:00 p.m. (ET)

**Related Documents:**

1. Letter Notice of Status Conference [Dkt. No. 902; filed 11/25/2024].
2. Notice of Hearing for an Application by the United States Trustee Seeking Entry of an Order Dismissing the Debtor’s Chapter 11 Case [Dkt. No. 920; filed 12/17/2024].
3. Notice of Hearing for an Application by the United States Trustee Seeking Entry of an Order Dismissing the Debtor’s Chapter 11 Case [Dkt. No. 925; filed 12/19/2024].
4. Amended Order Concerning Sale Hearing [Dkt. No. 975; entered 02/10/2025].

**Responses:**

5. Harbor View of Port Washington Home Owners Association, Inc.’s Response to U.S. Trustee’s Motion to Dismiss and Continued Reservation of Rights [Dkt. No. 903; filed 11/26/2024].
6. Objection of the Debtor to Application in Support of an Order Seeking Dismissal of This Chapter 11 Case [Dkt. No. 988; filed 02/18/2025].
7. Joinder of the Official Committee of Unsecured Creditors to the Objection of the Debtor to Application in Support of an Order Seeking Dismissal of This Chapter 11 Case [Dkt. No. 990; filed 02/18/2025].

**Status:** This matter is going forward.

Dated: February 19, 2025  
New York, New York

Respectfully submitted,

**DLA PIPER LLP (US)**

/s/ Gregory M. Juell

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