



Order Filed on May 8, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

RABINOWITZ, LUBETKIN & TULLY, LLC

293 Eisenhower Parkway, Suite 100
Livingston, New Jersey 07039

Jay L. Lubetkin, Esq.

jlubetkin@rltlawfirm.com

(973) 597-9100

(973) 597-9119 (Fax)

Jay L. Lubetkin, Liquidation Trustee

In re:

ATLANTIC NEUROLOGICAL SPECIALISTS, P.A.
et al.

Debtors.

Chapter 11

Case No. 24-15726 (VFP)


Jointly Administered

Honorable Vincent Papalia

**CONSENT ORDER PURSUANT TO 11 U.S.C. § 365(d)(4) EXTENDING THE TIME TO
ASSUME OR REJECT EXECUTORY CONTRACTS OR UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY AND GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby ORDERED.

DATED: May 8, 2025



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Page 2

In re: Atlantic Neurological Specialists, P.A., *et al.*

Case Nos.: 24-15726 (VFP)

Caption of Order: CONSENT ORDER PURSUANT TO 11 U.S.C. § 365(D)(4) EXTENDING THE TIME TO ASSUME OR REJECT EXECUTORY CONTRACTS OR UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY AND GRANTING RELATED RELIEF

Upon consideration of the application of the Liquidation Trustee of the ANS Liquidation Trust of Atlantic Neurosurgical Specialists, P.A., ANS Newco, LLC, and Hanover Hills Surgery Center, LLC (collectively, the “Debtors”), for entry of a Consent Order extending the time within which the Liquidation Trustee must assume or reject any executory contract designated for assignment and assumption under the Hanover Hills Surgery Center, LLC Asset Purchase Agreement and the unexpired lease (the “Lease”) of nonresidential real property respecting the Hanover Hills Surgery Center, LLC, through and including the closing (“Closing”) of the sale of the assets of Hanover Hills Surgery Center LLC; and the Court noting the consent of the landlord to Hanover Hills Surgery Center, LLC; and the Court noting language in the Confirmation Order previously served on all creditors and parties in interest extending such deadline through the Closing; and the Liquidation Trustee noting the entry by the Court of an Order extending the time to assume or reject such unexpired executory contracts and the Lease only through May 8, 2025, which Order was entered after entry of the Confirmation Order, thereby creating a potential conflict between the language in the Confirmation Order and the language in such subsequent Order; and the Liquidation Trustee therefore believing entry of a clarifying order making it clear that the deadline to assume or reject such executory contracts and the Lease is extended through the Closing; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States

Page 3

In re: Atlantic Neurological Specialists, P.A., *et al.*

Case Nos.: 24-15726 (VFP)

Caption of Order: CONSENT ORDER PURSUANT TO 11 U.S.C. § 365(D)(4) EXTENDING THE TIME TO ASSUME OR REJECT EXECUTORY CONTRACTS OR UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY AND GRANTING RELATED RELIEF

District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Application in this District being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and appropriate notice of the Application and this Consent Order having been given; and the Court having determined that just cause exists 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 Application is granted as set forth herein.
2. The time within which the Liquidation Trustee must assume or reject any executory contract or unexpired lease designated for assumption and assignment under the Hanover Hills Surgery Center, LLC Asset Purchase Agreement, including the Lease, is hereby extended until the Closing of sale of the assets of Debtor Hanover Hills Surgery Center, LLC's assets.
3. Rent including any Additional Rent, shall be timely paid by the Liquidation Trustee to Hanover Associates, the landlord of Hanover Hills Surgery Center, LLC until such time as the lease with Hanover Hills Surgery Center, LLC is assigned and assumed, or rejected.
4. Notwithstanding the foregoing, nothing herein shall prevent the Liquidation Trustee from moving before the Court for the entry of an order rejecting any executory contract or

Page 4

In re: Atlantic Neurological Specialists, P.A., *et al.*

Case Nos.: 24-15726 (VFP)

Caption of Order: CONSENT ORDER PURSUANT TO 11 U.S.C. § 365(D)(4) EXTENDING THE TIME TO ASSUME OR REJECT EXECUTORY CONTRACTS OR UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY AND GRANTING RELATED RELIEF

unexpired lease designated for assumption and assignment under the Hanover Hills Surgery Center, LLC Asset Purchase Agreement, including the Lease, in circumstances where the buyer under the Hanover Hills Surgery Center, LLC Asset Purchase Agreement terminates or breaches such Asset Purchase Agreement, or otherwise, and nothing herein shall prevent Hanover Associates, the landlord, from moving before the Court to enforce its rights and remedies under the Lease, the Bankruptcy Code and under any Order previously entered in these proceedings

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

6. The Liquidation Trustee is authorized to take all actions necessary to implement the terms of this Consent Order.

7. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Consent Order.

RABINOWITZ, LUBETKIN & TULLY, LLC
Attorneys for Jay L. Lubetkin, Liquidation Trustee

/s/ Jay L. Lubetkin

Jay L. Lubetkin, Esq.

Page 5

In re: Atlantic Neurological Specialists, P.A., *et al.*

Case Nos.: 24-15726 (VFP)

Caption of Order: CONSENT ORDER PURSUANT TO 11 U.S.C. § 365(D)(4)
EXTENDING THE TIME TO ASSUME OR REJECT EXECUTORY
CONTRACTS OR UNEXPIRED LEASES OF NONRESIDENTIAL
REAL PROPERTY AND GRANTING RELATED RELIEF

WILENTZ, GOLDMAN & SPITZER, P.A.

Attorneys for Hanover Associates

/s/ David H. Stein

David H. Stein, Esq.