

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

<p>IN RE:</p> <p>MERCY HOSPITAL, IOWA CITY, IOWA, <i>et al.</i>, n/k/a MHIC,</p> <p>Debtors.</p>	<p>Chapter 11 Bankruptcy Case No. 23-00623</p> <p>CERTIFICATION OF NEWSPAPER PUBLICATION</p>
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COMES NOW Trustee Dan R. Childers, by and through his counsel, and with respect to his Motion to Authorize Omnibus Objections Disallowing Individual Proof of Claims (Pensioners) and for Other Relief (Dkt #1938), respectfully tenders the attached Affidavit of Publication issued by The Gazette, stating that the Notice of Objection Bar Date to said motion was published on July 23, 2025. Also attached are Affidavits of Publication issued by the Des Moines Register and Tribune Company and the Iowa City Press Citizen, each stating that the Notice of Objection Bar Date to said motion was published on July 22, 2025.

/s/ Eric W. Lam
Eric W. Lam, AT0004416
Joseph Porter, AT0014454
SIMMONS PERRINE MOYER BERGMAN PLC
115 Third Street SE, Suite 1200
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ATTORNEYS FOR LIQUIDATION TRUSTEE

Certificate of Service

The undersigned certifies, under penalty of perjury, that on this 1st day of August, 2025, the foregoing document was electronically filed with the Clerk of Court using the Northern District of Iowa CM/ECF and the document was served electronically through the CM/ECF system to the parties of this case.

/s/ Kelly Carmichael

The Gazette

thegazette.com

ATTESTATION OF PUBLIC LEGAL NOTICE

On Behalf of:
Ad No 99028
SIMMONS PERRINE MOYER BERGMAN PLC
115 3RD ST SE STE 1200
CEDAR RAPIDS, IA 52401
UNITED STATES

STATE OF IOWA COUNTIES OF LINN AND JOHNSON:

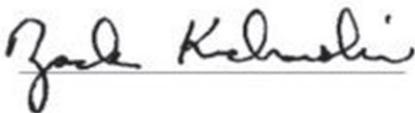
Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the THE GAZETTE, a daily newspaper published in Linn and Johnson County, Iowa that the digital copy of advertisement, being a Legal Ad in the matter of

Legals Chapter 11 Bankruptcy Case No. 23-00623

as published in The Gazette in the issue(s) of:

7/23/2025

Affiant further says that the said THE GAZETTE is a newspaper in said Linn and Johnson County, Iowa and that the said newspaper has heretofore been continuously published in said Linn and Johnson County, Iowa each day and has been entered as periodicals matter at the post office in **CEDAR RAPIDS** in said Linn County, Iowa, for a period of one year next preceding the first publication of the digital copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Sworn to and Subscribed before me by legal clerk who is personally known to me



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CITY OF MARION MINUTES 7/17/25

The following minutes have not been approved by the City Council & any revisions, additions, or corrections thereto will appear in the next set of minutes to be published.

The following were approved. If voting nay, noted: The City Council of the City of Marion, IA met in regular session, on 7/17/25, at 5:30 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Harper, Jensen, Miskimen, AbouAssaly, Mentzer, Brandt, & Strnad
ABSENT: None
ABOUASSALY presided over the meeting. The meeting opened with the pledge of allegiance & Council observed a moment of silence.

Oath of Office - Firefighters Zebulen Schneider, Matthew Sitter, & Michael Behn. Fire Chief Tom Fagan introduced Firefighters Schneider, Sitter & Behn & AbouAssaly administered the oath of office.

The following comment submitted prior to the meeting was shown: Jon Beard wrote in opposition to Res. 32473 re: a one-year extension of validity for the Rookwood Estates East Addition Preliminary Plat.

Minutes of the July 1, 2025 City Council meetings

Motion accepting resignations from the following:

- Landis Wiley from the Planning & Zoning Commission
Tim Isenberg from the Marion Arts Council
Payments as presented in the amt. of \$4,651,616.68

Receive & file June 2025 department monthly report

- Payment licenses as follows:
Renewal - Best Western Plus
Renewal - Neighborhood Tobacco
Renewal - The Hip-Stir
Renewal - Tomaso's Pizza

- Renewal - Casey's General Store #2924 (automatic renewal)
Hold harmless agreement with the following:
Marion Chamber of Commerce re: Uptown Getdown on August 7, 14, 21 & 28 at Central Plaza at City Square Park

- Marion Independent School District re: football games on September 5, 12, 26 & October 17 at Marion High School Campus
Marion Independent School District re: the homecoming parade on September 11 starting at Marion High School Campus

- Marion Independent School District re: the Marching Band Invitational on September 27 at Marion High School Campus
Marion Independent School District re: track meets on April 11, May 4 & 14 at Marion High School Campus

- Linn-Mar School District re: the homecoming parade on September 17 starting at the Linn-Mar High School Campus
Res. 32459 adopting final assessment schedule for Fiscal Year 2026 Quarter 1

- Delinquent Fees & Levying the Assessment
Res. 32460 appr. Fiscal Year 2024-2025 operating budget transfer in the amt. of \$71,926.90

- Res. 32461 appr. Fiscal Year 2024-2025 Capital Budget Transfers
Res. 32462 appr. Fiscal Year 2024-2025 operating budget transfers in the amt. of \$841,858.17

- Res. 32463 appr. a one-year suspension of Civil Service hiring requirements for 2025 Officers
Res. 32464 adopting the Neighborhood Park Master Plans

- Res. 32465 appr. an Amended & Restated 28E Agreement Between the Cedar Rapids, Marion, Hiawatha, Robin, & Linn County Re: the Planning, Construction, & Maintenance Participation for the Indian Creek & Dry Run Creek Sanitary Sewer System Program

- Res. 32466 appr. an agreement with HDR Engineering, Inc. re: 2025 Indian Creek & Dry Run Creek Trunk Sanitary Sewer Capacity Improvements Proj. Update & ault. pmt. in the amt. of \$150,859

- Res. 32467 accepting the public improvements associated with Sycamore Heights - Plat 1 to the City of Marion
Res. 32468 accepting the Indian Creek Trunk Sewer - Segment 7 Proj. Supplemental Contract

- Res. 32469 auth. the submittal of an application for Traffic Safety Improvement Program (TSIP) funding for the section of Hwy. 100 & Hwy. 13 to add an eastbound right turn lane, convert a shared left turn & through lane to a dedicated left turn lane, & associated improvements

- Res. 32470 appr. the purchase of furniture from Storey Kenworthy re: transition of the Engineering Division to the Public Works facility as part of the City Hall Renovation Phase 1 Proj. & ault. pmt. in the amt. of \$63,664

- Motion to approve proj. calendar re: the 2025 Crack Sealing Proj. as follows:
Motion appr. Rescission of Necessity & to retain the City Engineer as Proj. Engineer re: the 2025 Crack Sealing Proj.

- Motion appr. filing of plans, specifications, form of contract & estimate of cost, advertising for bids by posting notice to bidders, & ault. City officials or designees to receive & open bids re: the 2025 Crack Sealing Proj.

- Motion setting public hearing & directing publication thereof for 2025 Crack Sealing Proj.
Res. 32471 appr. pmt. to the IDOT for repmt. of pro-rated grant obligations re: the Marion Airport in the amt. of \$382,906.99

- Res. 32472 setting a public hearing date for August 7, 2025 re: amendments to Chapter 340 of the Marion Code of Ordinances related to district uses & specific use standards pertaining to gas stations

- Res. 32473 appr. a one-year extension of validity for the Rookwood Estates East Addition Preliminary Plat as permitted by Ch. 284, Subdivision of Land of the Marion Code of Ordinances

- AbouAssaly relinquished the gavel to Miskimen at 5:42 p.m. Miskimen presided over the meeting.
CONSENT AGENDA WITH ABOUASSALY'S ABSTENTION

- Res. 32474 appr. change order no. 2 with LL Pelling Co., Inc. re: the 2025 HMA Resurfacing Proj. for additional street resurfacing & ault. pmt. in the amt. of \$481,203.60

- Approved by the following votes: Ayes: Harper, Jensen, Miskimen, Mentzer, Brandt, & Strnad; Abstained: AbouAssaly
Miskimen relinquished the gavel to AbouAssaly at 5:43 p.m. AbouAssaly presided over the meeting.

- Ord. 25-21 repealing various sections of the Marion Code of Ordinances including Chapter 12, Article XI re: the Public Works Board, Section 50-2E re: appointments, & Section 534B(2) re: City Manager appointments & supervision of other personnel (final consideration)

- Public hearing re: the CEMAR Trail Phase 5 Proj. AbouAssaly opened the public hearing re: item referenced above. Public Works Director Mike Barkalow provided a staff report. No comments were received. AbouAssaly declared the public hearing closed.

- Motion to approve proj. calendar re: the CEMAR Trail Phase 5 Proj. as follows:
Res. 32475 adopting final plans, specifications, form of contract, & estimate of cost re: the CEMAR Trail Phase 5 Proj.

- Res. 32476 awarding bid, ault. approval of the contract, bonds & insurance with Peterson Contractors, Inc. re: the CEMAR Trail Phase 5 Proj. & ault. pmt. in the amt. of \$1,983,028.65

- Public hearing re: the 2025 Crack Sealing Proj. AbouAssaly opened the public hearing re: item referenced above. Public Works Director Mike Barkalow provided a staff report. No comments were received. AbouAssaly declared the public hearing closed.

- Public hearing re: the rezoning of property from SR-2, Suburban Medium-Density Single-Family Residential to SR-3, Suburban Medium-Density Single-Family Residential for property located east of Lucore Road & north of Artesian Road, Marion, Iowa. AbouAssaly opened the public hearing re: item referenced above. Associate Planner Nicole Behrens provided a staff report. No comments were received. AbouAssaly declared the public hearing closed.

- Ord. 25-22 appr. the request to rezone property from SR-2, Suburban Medium-Density Single-Family Residential to SR-3, Suburban Medium-Density Single-Family Residential for property located east of Lucore Road & north of Artesian Road, Marion, Iowa (Craig J. Tobin) (initial consideration) Harper asked about the units per acre density of this area. Associate Planner Nicole Behrens provided density for the low intensity & medium intensity areas. Mentzer shared concerns about the density & asked how many other areas in Marion are zoned SR-3.

- Behrens outlined the other one in Marion that are zoned the same. Mentzer & AbouAssaly both stated they would like to see a variety of housing & not having streets lined with the same house. Mentzer asked if Lucore Road is built to handle more traffic. Public Works Director Barkalow explained how Lucore Road would change depending on the amt. of traffic. AbouAssaly stated he would prefer larger lot sizes. Approved by the following votes: Ayes: Harper, Jensen, Miskimen, Brandt, & Strnad; Nays: AbouAssaly & Mentzer

- Public hearing re: amendments to Chapter 340 of the Marion Code of Ordinances related to sign regulations. AbouAssaly opened the public hearing re: item referenced above. RDG Planning & Design Consultant Charlie Cowell provided a staff report. No comments were received. AbouAssaly declared the public hearing closed.

- Ord. 25-23 amending Chapter 340 of the Marion Code of Ordinances related to sign regulations (City of Marion) (initial consideration) Jensen asked about current signs & what would happen if one is damaged. Associate Planner Nicole Behrens stated it would depend on the percentage of damage.

- Larry Smith (4020 Deer Valley Drive) spoke in opposition of the aquatic center bond & proj.
Strnad stated another election is coming up this year & spoke about sitting on the Council for the last ten years. He stated he has enjoyed serving, but after a tough decision, he decided he will not be running again. He also spoke about participating in RAGBRAI next week and wishes everyone a safe trip.

- Mentzer invited everyone to events coming up including Sunrise Yoga & Downdog in Uptown. She also spoke about an Urban Ag event happening on July 31 at Lowe Park from 10 a.m. to 1 p.m.

- Miskimen spoke about the need to diversify the housing stock in Marion. He stated he feels that it is important & that it should be considered when making decisions.

- AbouAssaly spoke about his 40th Class Reunion last week & stated he was proud to share the training with his classmates. He also stated he has a history of Marion book shared with him by Paul Draper. He provided a brief history about the beginnings of the Marion Fire Department. AbouAssaly also spoke about the need for a variety of housing in Marion. AbouAssaly addressed some of the comments made during the public forum. He stated the aquatic center was driven by resident feedback & engagement. The survey sent to residents is to gauge community support. He also spoke about other communities comparable to Marion that have aquatic centers.

- The meeting adjourned at 6:53 p.m.
Rachel Bolender, City Clerk

CITY OF MARION

Payment for Publication July 17, 2025

Table with 2 columns: Vendor Name Invoice Description Amount. Includes entries for Abode Construction Inc, Access Systems Print and Copy Services, Accraft Printing Company, Advance Auto Parts, etc.

Table with 2 columns: Vendor Name Invoice Description Amount. Includes entries for Ingram Library Services, Intergral-Global Code Council Inc, Interstate All Battery Center, Iowa Communities Assurance Pool, etc.

Linn County Agricultural Extension District Published Report - Operating 07/01/2024 to 6/30/2025

Table with 2 columns: Grant Revenue, Interest Revenue, Other Revenue, Program Fee Revenue, Property Tax Revenue, Rental Revenue, Resale Revenue, Total Receipts, Total Beginning Balance and Receipts, Disbursements. Includes entries for Grant Revenue \$65,074.27, Interest Revenue \$31,135.52, etc.

Table with 2 columns: Vendor Name Invoice Description Amount. Includes entries for Magoon, Carol-Program Fee Expense \$12.00, Marston, Lord-Program Fee Expense \$57.11, Marion Parks and Recreation-Program Fee Expense \$2,089.66, etc.

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CITY OF MARION MINUTES 7.15.25

The following minutes have not been approved by the City Council & any revisions, additions, or corrections thereto will appear in the next set of minutes to be published.

The City Council of the City of Marion, IA met in informal work session, 7/15/25, at 4:00 PM, in the Council Chambers of City Hall, 1225 6th Avenue, with the following members present:

PRESENT: Harper, Jensen, AbouAssaly, Strnad, & Miskimen
ABSENT: Brandt and Mentzer

Mayor AbouAssaly presided over the meeting. Presentation on the status of the Stormwater Master Plan: Detention Basin Construction Assessment

Stormwater Coordinator Cooper and Stephanie Then Hooge with HDR presented information re: the above referenced condition assessment. The hydrologic and hydraulic model development was shared in addition to model results. Staff proposed an update to the master plan to provide feedback on criteria priorities. Results will be discussed at the August 19 work session. Harper asked about the criteria and offered a different approach. Then Hooge provided additional information on why they are taking the approach they are recommending. Miskimen asked about the plan for engaging with residents who previously provided comments. Then Hooge stated feedback will be provided in the final report.

Miskimen encouraged follow-up with those who provided comments. Jensen asked how to communicate this project in the Marion Messenger.

Presentation from Cedar Rapids Water Control Pollution Facilities (CRWPCF) - Dave Wallace with City of Cedar Rapids provided information re: current and future improvements and current and proposed 28E agreements re: treatment and capacity.

Brandt agreed at 4:41 p.m. Wallace continued discussion re: the updated 28E agreements. Harper asked for additional details on why Marion will be classified as industrial. Wallace stated there is residential users (group 1), then slightly higher users (group 2), and then the first industrial level (group 3). Wallace stated Marion's use is what classifies Marion into group 3. Deputy City Manager Downs thanked the teams from Cedar Rapids and Hiawatha for their collaboration on this agreement.

Annual Presentation from Together! Healthy Linn Steering Committee - Jacquie Montoya with Linn County Public Health provided an overview of the above referenced committee and shared the Community Health Improvement Plan (CHIP) including priority areas and goals. Mayor AbouAssaly thanked Linn County Public Health for all they do.

Presentation re: the final Neighborhood Park Master Plans - Parks Director Staashelm introduced Scott Crawford for CRWPCF Planning & Design and stated this master plan will be a guiding document that will be used over the next 5-15 years as those areas are developed. Crawford presented the final concept plans for the Lucore Property Park, Waterlinn Property Park and Willow Park. Jensen asked if staff had thought about how these would be phased in. Staashelm stated having prairies and landscaping established would be a great head start for once development occurs.

Jensen left the meeting at 5:20 p.m. Discussion re: FY 26-27 Budget: Financial Policies - Finance Director Cairny provided an overview of the budget calendar and staff's review of the financial policies. Staff is recommending a change to the debt management policy and purchasing policy. Harper asked for a verbal representation of the potential bond and debt limit.

Discussion and Direction re: Central Plaza Water Feature Hours - Parks Maintenance Manager Mollenhauer provided a recap of the central plaza and remaining items. Mollenhauer spoke about the water feature, which is designated as a splash pad by the State of Iowa, and stated the Park Board is recommending to change the operation hours from 10 a.m. to 10 p.m. to align with Uptown business hours and park closing hours. Council was in support of the recommendation.

Update re: Aquatic Center Project - Parks Director Staashelm provided an

update re: the above-referenced project. He stated the polling surveys have been distributed with the deadline of July 28. Results will be presented on Aug. 19.

Discussion and Direction re: Proposed Updated Fee Schedule for the Community Development Department - Planning Division - Emily Huston, consultant with MSA Professional Services, provided an overview of the recommended fee changes for the Planning Division. Mayor AbouAssaly asked if the recommended changes are comparable to others in the metro area.

Huston confirmed and stated there are some fees that are not included in the metro area which is why fees in our other comparable communities were researched. Miskimen asked staff's opinion on how these fee changes will impact smaller developers.

Strnad left the meeting at 5:50 p.m. City Manager Waller stated these fees are standard and will fit for smaller or larger developments. Harper asked if we intend to calibrate labor costs for the top five services in Planning. Waller stated that is the goal as we continue to gather more data. Huston also stated staff is exploring an Escrow policy for new developments which will be discussed more at future meetings.

City Council review of the July 17, 2025 agenda. City Council discussed the agenda with no action taken. The meeting adjourned at 6:18 p.m. Rachel Bolender, City Clerk

Public Notice

Taking Bids to Rent for 160 acres or less

145.1 crop acres of Farm Land. The Victor Public Library is taking bids to rent 145.1 acres of crop ground in Powshehick County located in the northwest quarter of section 36, township 81 north, range 13 west of the fifth p.m. The bid will for a two year lease. All bids are due to the Victor Public Library, 710 Second Street, PO Box 686, Victor, IA 52347 by 6:00 pm on Friday, August 22, 2025. The bids will be viewed on a special meeting on Monday, August 25 at 6:00 pm. The top three bidders will be contacted prior to the meeting and all bidders are attending meeting to increase their bids, if desired.

NOTICE OF OBJECTION BAR DATE TO MOTION TO AUTHORIZE OMNIBUS OBJECTIONS DISALLOWING INDIVIDUAL PROOFS OF CLAIM (PENSIONERS) AND FOR OTHER RELIEF

Chapter 11 Bankruptcy Case No. 23-00623

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF IOWA

IN RE: MERCY HOSPITAL, IOWA CITY, IOWA, et al, n/k/a MHHC,

Debtor. IS HEREBY GIVEN that Dan R. Childers, in his sole capacity as Trustee of the Mercy Hospital Liquidation Trust, filed on or about June 25, 2025 a Motion to Authorize Omnibus Objections Disallowing Individual Proofs of Claim (Pensioners) and for Other Relief (Dkt. #1938). The Trustee's Motion seeks an Order to disallow the Individual Proofs of Claim because, inter alia, the Plan proposes any payment due will be tendered to a Pension Trust, and the Individual Proofs of Claim are treated as a member in Class 5 of the confirmed Plan. A copy of the Motion may be viewed at the Office of the Clerk of the Bankruptcy Court, or may be obtained from counsel for the Trustee.

NOTICE IS FURTHER GIVEN that objection to said Motion, if any, shall be filed with the Clerk of the Bankruptcy Court, 111 Seventh Avenue SE, Box 15, Cedar Rapids, IA 52401, on or before August 23, 2025.

NOTICE IS FURTHER GIVEN that if no objection is timely filed, an Order may be entered granting the relief requested in the Motion, without further notice or hearing.

/s/ Eric W. Lam Eric W. Lam, AT0004416 Joseph Porter, AT001454 SIMMONS PERRINE MOYER BERGEAN PLLC

115 Third Street SE, Suite 1200 Cedar Rapids, IA 52401 Tel: 319-366-7641; Fax: 319-366-1917 eiam@simmonsperine.com jporter@spmblaw.com

ATTORNEYS FOR LIQUIDATION TRUSTEE



PO Box 631851 Cincinnati, OH 45263-1851

AFFIDAVIT OF PUBLICATION

Simmons Perrine Moyer Bergman
115 3rd St SE #1200
Cedar Rapids IA 52401

STATE OF WISCONSIN, COUNTY OF BROWN

The Des Moines Register and Tribune Company, a newspaper printed and published in the city of Des Moines, Polk County, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

07/22/2025

and that the fees charged are legal.
Sworn to and subscribed before on 07/22/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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NOTICE OF OBJECTION BAR DATE TO MOTION TO AUTHORIZE OMNIBUS
OBJECTIONS DISALLOWING INDIVIDUAL PROOFS OF CLAIM (PENSIONERS)
AND FOR OTHER RELIEF
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FOR THE NORTHERN DISTRICT OF IOWA

IN RE: MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*, n/k/a MHIC, Debtors.

Chapter 11 Bankruptcy
Case No. 23-00623

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Attorneys for Liquidation Trustee

MHLT/Pldgs/ BA 23-00623 – Drafts/NOBD re Mtn to Disallow Indiv Pension-
ers POC.071725.1145.ewl

July 22 2025
LIOW0336606



PO Box 631851 Cincinnati, OH 45263-1851

AFFIDAVIT OF PUBLICATION

Simmons Perrine Moyer Bergman
115 3rd St SE #1200
Cedar Rapids IA 52401

STATE OF WISCONSIN, COUNTY OF BROWN

The Iowa City Press Citizen, a newspaper printed and published in the city of Iowa, Johnson County, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

07/22/2025

and that the fees charged are legal.
Sworn to and subscribed before on 07/22/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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