

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
Lafayette Division**

IN RE:

CASE NO. 16-50740

PROGRESSIVE ACUTE CARE, LLC, et al.

CHAPTER 11

DEBTORS

JOINTLY ADMINISTERED

**EX PARTE MOTION TO ESTABLISH BAR DATE
FOR THE FILING OF PROOFS OF CLAIM**

NOW INTO COURT, through undersigned counsel, come Progressive Acute Care, LLC (“PAC”), Progressive Acute Care Avoyelles (“PAC Avoyelles”), LLC, Progressive Acute Care Oakdale, LLC (“PAC Oakdale”) and Progressive Acute Care Winn, LLC (“PAC Winn”) as debtors and debtors-in-possession herein (collectively, the “Debtors”), which respectfully move this Court for entry of an order establishing a bar date for the filing of proofs of claim in each of the Debtors’ chapter 11 cases (“Motion”). In support of this Motion, the Debtors respectfully represent as follows:

1.

JURISDICTION

This Court has jurisdiction over this Motion pursuant to 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2.

The relief requested herein is authorized by 11 U.S.C. §§ 1107(a), 1108 and Fed. R. Bankr. P. 2002 and 3003(c)(3).

3.

BACKGROUND

On May 31, 2016, each of the Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the U.S. Code (“Bankruptcy Code”). On the same date, the Bankruptcy Court entered an order directing the joint administration of the Debtors’ chapter 11 cases for procedural and administrative purposes [Docket No. 9].

4.

At the commencement of these cases, the Debtors owned and operated three (3) community-based hospitals (“Hospitals”), located in Marksville (PAC Avoyelles), Oakdale (PAC Oakdale) and Winnfield (PAC Winn). PAC is the sole member and manager of each of the three Hospital Debtors.

5.

The Debtors continue to operate their businesses and manage their affairs as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in these cases.

6.

On June 21, 2016, the United States Trustee appointed the Official Committee of Unsecured Creditors of the Debtors (the “Committee”) [Docket No. 102].

7.

RELIEF REQUESTED

Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure provides that “[t]he court shall fix . . . the time within which proofs of claim or interest may be filed.”

8.

In order to facilitate the filing of a joint plan of liquidation, it is necessary for each of the Debtors to establish the amount and nature of the claims asserted against it. Accordingly, the Debtors request that this Court establish December 5, 2016, as the bar date (“Bar Date”) for filing proofs of claim against each Debtor’s estate, except as to governmental units, for which the Bar Date shall be January 5, 2017.

9.

Given the Petition Date, the deadline proposed herein provides ample time for all creditors and parties in interest to assert their claims against each Debtor’s estate.

10.

The Debtors submit, as Exhibit A to this Motion, a proposed Notice of the Bar Date to be served upon to all creditors and parties in interest in these Chapter 11 cases.

WHEREFORE, the Debtors respectfully request that this Court enter an order establishing December 5, 2016 as the Bar Date for filing all proofs of claim against the Debtors’ estates, except for governmental units, for which the Bar Date shall be January 5, 2017; permitting the Debtors to serve the proposed Notice of Bar Date, Exhibit A hereto, upon all creditors and parties in interest; and, for any and all other relief this Court deems necessary and proper.

Respectfully Submitted by:

/s/ Barbara B. Parsons

William E. Steffes, #12426

Barbara B. Parsons, #28714

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EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
Lafayette Division**

IN RE:

**PROGRESSIVE ACUTE CARE, LLC,
DEBTOR**

**CASE NO. 16-50740
CHAPTER 11**

IN RE:

**PROGRESSIVE ACUTE CARE AVOYELLES, LLC,
DEBTOR**

**CASE NO. 16-80584
CHAPTER 11**

IN RE:

**PROGRESSIVE ACUTE CARE OAKDALE, LLC,
DEBTOR**

**CASE NO. 16-50742
CHAPTER 11**

IN RE:

**PROGRESSIVE ACUTE CARE WINN, LLC,
DEBTOR**

**CASE NO. 16-50743
CHAPTER 11**

NOTICE OF CLAIMS BAR DATE

PLEASE TAKE NOTICE: On _____, 2016, the United States Bankruptcy Court for the Western District of Louisiana signed an Order setting **December 5, 2016** as the **CLAIMS BAR DATE** in each of the above-captioned cases for all non-governmental creditors or entities and **January 5, 2017** for all governmental units.

WHO MUST FILE CLAIMS: Except as provided below, every creditor holding a claim against any of the above-captioned debtors-in-possession (each a “Debtor”), including but not limited to, claims for pre-petition taxes and claims arising from or related to pre-petition contracts with or alleged torts by the debtor-in-possession or any other event that took place before May 31, 2016 (“Petition Date”), regardless of whether such claim is contingent, disputed or unliquidated, must file a proof of claim with the Clerk of Court on or before **December 5, 2016** (the “Bar Date”), except for governmental units, which must file proofs of claim with the Clerk of Court no later than **January 5, 2017**.

WHO NEED NOT FILE PROOFS OF CLAIM: The following creditors need not file Proofs of Claim:

- A. Creditors who have post-petition claims entitled to a priority under 11 U.S.C. §§ 364(c)(1), 503(b), 507(a)(1) or 507(b). Those creditors shall receive separate notice(s) with procedures and deadlines for filing such claims.
- B. Creditors who have already filed official Proofs of Claim with the Clerk of the United States Bankruptcy Court for the Western District of Louisiana.
- C. Creditors whose claims have already been allowed by an order of this Court.

- D. Creditors whose pre-petition executory contracts have not been rejected.
- E. Creditors whose claims are listed in each of the Debtor's Schedules D, E or F, in the correct amount, and not shown as disputed, contingent or unliquidated.

Copies of the Debtors' schedules are available for inspection at the office of the Clerk of Court, United States Bankruptcy Court, Western District of Louisiana, Lafayette Division, 214 Jefferson Street, Suite 100, Lafayette, Louisiana 70501-7050, www.lawb.uscourts.gov. A copy of each Debtor's schedules can also be accessed at the website of Garden City Group, LLC, the noticing agent in these bankruptcy cases: <http://cases.gcginc.com/ProgressiveAcuteCare>. If any Debtor amends its schedules, the affected creditors will receive a copy of the amendment affecting their claims.

WHERE TO FILE: The Clerk of the United States Bankruptcy Court for the Western District of Louisiana, Lafayette Division, 214 Jefferson Street, Suite 100, Lafayette, Louisiana 70501-7050. Pursuant to this Court's order directing the joint administration of the Debtors' chapter 11 cases for procedural and administrative purposes [Docket No. 9], **each creditor shall file a proof of claim against a particular Debtor's estate in the corresponding Debtor's chapter 11 case.**

WHAT TO FILE: **An official Proof of Claim form, Form B410.** Proofs of claim will be deemed properly filed only if written in English, denominated in the lawful currency of the United States as of the Petition Date, on a form which substantially conforms to Official Form Number B410.

WHEN TO FILE: CREDITORS' CLAIMS MUST BE ACTUALLY RECEIVED BY THE CLERK OF THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF LOUISIANA ON OR BEFORE THE CLAIMS BAR DATE. Mailing or post marking the claim on or before the Claims Bar Date is not sufficient.

Baton Rouge, Louisiana, this ____ day of October, 2016.

Respectfully Submitted by:

s/ Barbara B. Parsons

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