

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

| | | |
|--|---|-------------------|
| In re: |) | |
| |) | |
| Vanguard Healthcare, LLC, <i>et al.</i> , ¹ |) | Chapter 11 |
| |) | Case No. 16-03296 |
| Six Cadillac Dr., Suite 310 |) | Judge Mashburn |
| Brentwood, TN 37027 |) | |
| Debtors. |) | |

**MOTION FOR EXPEDITED HEARING ON DEBTORS'
CONTINUED USE OF CASH COLLATERAL UNDER TERMS OF
EXISTING CASH COLLATERAL ORDER**

Vanguard Healthcare, LLC and its affiliated debtors and debtors-in-possession (each a “Debtor” and collectively, the “Debtors”), hereby submit this motion pursuant to Local Rule 9075-1 as follows:

1. Relief Requested. Currently, the Debtors have authority to use HFS's Cash Collateral under the terms and conditions of the *Stipulated Final Order Authorizing Debtors' Limited Use of Cash Collateral, Granting Adequate Protection, and Granting Related Relief* [Docket No. 168], as modified and extended by the *Agreed Order Extending Stipulated Final Order Authorizing Debtors' Limited Use of Cash Collateral, Granting Adequate Protection, and Granting Related Relief* [Docket No. 590], the *Agreed Order Modifying Extended Cash Collateral Order* [Docket No. 706], the *Agreed Order Further Extending Stipulated Final*

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Vanguard Healthcare, LLC (9650); Vanguard Healthcare Services, LLC (7563); Vanguard Financial Services, LLC (3403); Aurora Australis, LLC (7099); Boulevard Terrace, LLC (8709); Elderscript Services, LLC (4179); Eldercare of Jackson County, LLC (7855); Glen Oaks, LLC (8238); Palace RBS, LLC (9601); Shady Lawn, LLC (7397); Vanguard of Ashland, LLC (8367); Vanguard of Church Hill, LLC (1049); Vanguard of Crestview, LLC (9650); Vanguard of Manchester, LLC (6203); Vanguard of Memphis, LLC (4623); Vanguard of Ripley, LLC (1050); Vicksburg Convalescent, LLC (7298); and Whitehall OpCo, LLC (6186).

Order Authorizing Debtors' Limited Use Of Cash Collateral, Granting Adequate Protection, And Granting Related Relief [Docket No. 1400], and the *Second Agreed Order Further Extending Stipulated Final Order Authorizing Debtors' Limited Use Of Cash Collateral, Granting Adequate Protection, And Granting Related Relief* [Docket No. 1595] (collectively, the "Cash Collateral Order").² The Debtors' authority to use Cash Collateral under the terms of the Cash Collateral Order is scheduled to terminate after August 22, 2017.

2. The Debtors and Healthcare Financial Solutions, LLC ("HFS") have agreed on an extension of the Debtors' authority to use Cash Collateral under the terms and conditions of the existing Cash Collateral Order after August 22, 2017 to, among other things, allow the Debtors' continued use of Cash Collateral through the plan confirmation hearing currently scheduled to commence on September 25, 2017. As of the filing of this Motion, the Official Committee of Unsecured Creditors (the "Committee") has not consented to such an extension. In an abundance of caution, the Debtors seek to set a hearing on the Debtors' continued use of Cash Collateral under the terms of the Cash Collateral Order past the current termination date of August 22, 2017.

3. Need for Expedited Relief. There is not sufficient time under Local Rule 9013-1 to provide the required notice in order to reschedule the hearing prior to August 22, 2017, and further the Debtors do not seek affirmative relief under this Motion other than to schedule a hearing.

4. Notice. Notice of an order setting an expedited hearing will be provided pursuant to the Master Service List.

² Unless otherwise defined, all capitalized terms shall have the meanings provided in the Cash Collateral Order.

WHEREFORE, the Debtors respectfully request that the Court enter the attached order setting an expedited hearing on or about August 22, 2017.

Respectfully Submitted:

/s/ William L. Norton III

William L. Norton III (TN 10075)

James B. Bailey (*pro hac vice*)

BRADLEY

1600 Division St., Suite 700

Nashville, TN 37203

615-252-2397

bnorton@bradley.com

jbailey@bradley.com

Attorneys for Debtors

Certificate of Service

The undersigned hereby certifies that on the 7th day of August, 2017, the foregoing Motion and Proposed Order were automatically served via the Courts electronic filing system to those parties registered to receive electronic filings in this case.

/s/ William L. Norton III

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| VANGUARD HEALTHCARE, LLC, <i>et al.</i> ¹ |) | Case No. 16-03296 |
| |) | Chapter 11 |
| Six Cadillac Dr., Suite 310 |) | Judge Mashburn |
| Brentwood, TN 37027 |) | |
| Debtors. |) | Jointly Administered |

**ORDER SETTING HEARING ON DEBTORS' EXPEDITED MOTION
TO CONTINUE USE OF CASH COLLATERAL**

This is before the Court upon the Debtors' Motion for Expedited Hearing on Debtors' Continued Use of Cash Collateral Under Terms of Existing Cash Collateral Order filed pursuant to Local Rule 9075-1. It appearing to the satisfaction of the Court that cause exists to grant the Motion without further notice or hearing, it is

ORDERED that a hearing on the Debtors' continue use of cash collateral shall be set on August __, 2017, at 9:00 am, Courtroom One, 701 Broadway, Nashville, TN 37203. The Debtors

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will file a proposed order for the continued use of cash collateral on or before noon on the day before the scheduled hearing.

This Order Was Signed And Entered Electronically As Indicated At The Top Of The First Page

APPROVED FOR ENTRY:

/s/ William L. Norton III
William L. Norton III (TN 10075)
BRADLEY
1600 Division St., Suite 700
Nashville, TN 37203
615-252-2397
bnorton@bradley.com
Attorneys for Debtors