

ORDERED.

Dated: August 12, 2025


Caryl E. Delano
Chief United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

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In re:	Chapter 11
Landmark Holdings of Florida, LLC,	Case No. 2:25-bk-00397
	Jointly Administered With
Landmark Management Services of Florida, LLC,	Case No. 2:25-bk-00398
Landmark Rehabilitation Hospital of Columbia, LLC,	Case No. 2:25-bk-00399
Landmark Hospital of Athens, LLC,	Case No. 2:25-bk-00400
Landmark Hospital of Cape Girardeau, LLC,	Case No. 2:25-bk-00401
Landmark Hospital of Columbia, LLC,	Case No. 2:25-bk-00402
Landmark Hospital of Joplin, LLC,	Case No. 2:25-bk-00403
Landmark Hospital of Savannah, LLC,	Case No. 2:25-bk-00404
Debtors. ¹	

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Landmark Holdings of Florida, LLC (1217); Landmark Management Services of Florida, LLC (7031); Landmark Rehabilitation Hospital of Columbia, LLC (5424); Landmark Hospital of Athens, LLC (2745); Landmark Hospital of Cape Girardeau, LLC (1155); Landmark Hospital of Columbia, LLC (5424); Landmark Hospital of Joplin, LLC (9493); and, Landmark Hospital of Savannah, LLC (8003).

**ORDER (I) CONDITIONALLY APPROVING DISCLOSURE
STATEMENT, (II) SCHEDULING A COMBINED HEARING AND SETTING
DEADLINES RELATED THERETO, (III) APPROVING PROCEDURES FOR
SOLICITING, RECEIVING, AND TABULATING VOTES ON THE PLAN,
(IV) APPROVING MANNER AND FORM OF NOTICE AND OTHER
DOCUMENTS, AND (V) GRANTING RELATED RELIEF**

THIS CASE came on for consideration upon the emergency motion [Docket No. 223] (the “Motion”)² of the Debtors for entry of an order (this “Order”):

- a. conditionally approving the adequacy of the *Amended Disclosure Statement* [Docket No. 290] (as may be amended, supplemented, or modified, the “Disclosure Statement”) accompanying the *Amended Joint Plan of Landmark Holdings of Florida, LLC and Its Debtor Affiliates* [Docket No. 260] (as may be amended, supplemented, or modified, the “Plan”);
- b. scheduling a hearing (the “Combined Hearing”) on September 22, 2025 at 10:00 a.m. (ET), or such other time as soon thereafter as counsel may be heard, to consider final approval of the Disclosure Statement and confirmation of the Plan;
- c. establishing the Objection Deadline (as defined below);
- d. approving the form and manner of the notice of the Combined Hearing;
- e. establishing the Voting Record Date and Voting Deadline (each as defined below) and the form and manner of the notice related thereto;
- f. approving the Solicitation Procedures (as defined below) with respect to the Plan;
- g. approving the form of Ballot and Notice of Non-Voting Status (as defined below); and
- h. granting related relief;

and the Court having reviewed the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C.

² Capitalized terms used but not defined herein have the meanings given to them in the Motion, the Plan, or the Disclosure Statement, as applicable.

§§ 1408 and 1409; and due and proper notice of the Motion being adequate and appropriate under the particular circumstances; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors, their estates, creditors, and other parties in interest; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing, therefore:

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Disclosure Statement is conditionally approved as containing adequate information within the meaning of section 1125 of the Bankruptcy Code, and the Debtors are authorized to distribute the Disclosure Statement and the Solicitation Packages in order to solicit votes on, and pursue confirmation of, the Plan.

2. The Combined Hearing shall be on **September 22, 2025, at 10:00 a.m. (ET)**; *provided, however*, that the Combined Hearing may be continued from time to time by this Court or the Debtors without further notice to creditors or other parties in interest, other than an announcement at or before the Combined Hearing or any adjourned Combined Hearing or the filing of a notice providing for the adjournment on the docket of the chapter 11 cases.

3. The deadline to file any objections to the adequacy of the Disclosure Statement or confirmation of the Plan (each an “Objection”) shall be **September 15, 2025, at 4:30 p.m. (ET)** (the “Objection Deadline”), which deadline may be extended, without further order of the Court.

4. Any Objection shall: (i) be in writing; (ii) conform to the Bankruptcy Rules and the Local Rules; (iii) state the name of the objecting party and the amount and nature of the Claim or Interest held by such objecting party; (iv) state with particularity the legal and factual basis for the objection; and (v) be filed with the Court on or before the Objection Deadline.

5. Any Objection that fails to comply with the requirements set forth in this Order may, subject to the Court’s discretion, not be considered and may be overruled.

6. The deadline to file any brief in support of confirmation of the Plan and reply to any objections shall be **September 19, 2025, at 2:00 p.m. (ET)** (the “Reply Deadline”).

7. Pursuant to Bankruptcy Rule 3017(d), **August 11, 2025**, shall be the record date (the “Voting Record Date”) with respect to all Claims. The Debtors shall use the Voting Record Date to determine which Persons and Entities are entitled to, as applicable, receive Solicitation Packages, vote to accept or reject the Plan, and receive the Notice of Non-Voting Status.

8. The Balloting Agent shall assist the Debtors with (a) mailing the Notice of Non-Voting Status to Holders of Claims and Interests in the Non-Voting Classes (except Class 6) and any other non-voting parties entitled to notice, as applicable, (b) mailing a Solicitation Package to the Holders of the Claims in the Voting Classes, (c) soliciting votes on the Plan, (d) receiving, tabulating, and reporting on the Ballots cast for or against the Plan, (e) responding to inquiries from creditors and stakeholders relating to the Plan, Disclosure Statement, Ballots, Notices of Non-Voting Status, and matters related thereto, including, without limitation, the procedures and requirements for voting to accept or reject the Plan and objecting to the Plan, and (f) if necessary, contacting creditors regarding the Plan and Ballots (collectively, the “Solicitation Procedures”).

9. The Notices and Ballots, to be used in connection with the solicitation of votes on, and confirmation of, the Plan (as applicable) are hereby approved.

10. The Debtors shall cause a Solicitation Package and Ballot to be transmitted to the Holder of the Claims in Classes 1, 2, and 4.

11. Class 3 is Unimpaired and the Holders of such Claims are conclusively presumed to accept the Plan pursuant to section 1126(f) of the Bankruptcy Code, and the Debtors are not required to solicit their vote with respect to such Claims.

12. Classes 5 and 6 are Impaired and the Holders of such Claims or Interests are deemed to reject the Plan pursuant to section 1126(g) of the Bankruptcy Code, and the Debtors are not required to solicit their vote with respect to such Claims or Interests.

13. The Debtors shall not be obligated to deliver Solicitation Packages or Ballots to Holders of Claims or Interests in the Non-Voting Classes. In accordance with Bankruptcy Rule 3017(d), the Debtors shall mail to the Holders of Claims and Interests in the Non-Voting Classes (except for Classes 5 and 6), a notice substantially in the form of **Exhibit 4** attached hereto (the “Notice of Non-Voting Status”) in lieu of Solicitation packages.

14. Notwithstanding anything else to the contrary herein, only a copy of the Combined Hearing Notice (defined below) shall be distributed to Holders, as of the Voting Record Date, of Unclassified Claims as such Claims are specified in the Plan.

15. The Debtors are authorized to transmit, or cause to be transmitted to the Holder of the Claims in the Voting Class, by **no later than August 15, 2025** (the “Solicitation Date”), by United States mail, first-class postage prepaid, personal service, or overnight delivery, a solicitation package (the “Solicitation Package”) containing a printed version, or other electronic means (such as a flash drive to save unnecessary costs),³ of the following to the Holder of the Claim in the Voting Class that is eligible to vote on the Plan:

- i. a notice of the Combined Hearing, the Objection Deadline, and the Voting Deadline in substantially the form attached as **Exhibit 5** hereto (the “Combined Hearing Notice”), which the Debtors request the Court approve;
- j. the Disclosure Statement;

³ In the event the Debtors, in their discretion, employ a flash drive, only the Disclosure Statement (with all exhibits annexed thereto, including the Plan) and Solicitation Procedures Order (without exhibits attached) shall be included thereon; the Combined Hearing Notice, Cover Letter, Ballot (with return envelope), and statutory committee letter(s), if any, shall be distributed as part of the Solicitation Package in hard copy. Solicitation materials included on a flash drive shall be made available in hard copy upon request to the Balloting Agent, at no cost to the requesting party.

- k. the Plan (which may be furnished in the Solicitation Package as Exhibit 1 to the Disclosure Statement);
 - l. this Order (without exhibits attached);
 - m. to the extent applicable, a Ballot and instructions, appropriate for the specific Holder, in substantially the form attached as **Exhibit 1**, **Exhibit 2**, or **Exhibit 3** hereto, as applicable.
16. The Balloting Agent shall transmit a Solicitation Package (including a Ballot) to the Holders of (1) Class 1 Claims (the Amerant Claim), (2) Class 2 Claims (the Ventas Claim), and (3) Class 4 Claims (General Unsecured Claims).
17. The Debtors shall file the Plan Supplement with the Court **no later than September 5, 2025, which date is eleven (10) days prior to the Objection Deadline**, and which filing is without prejudice to the Debtors' rights to amend or supplement the Plan Supplement.
20. The Debtors shall serve the Combined Hearing Notice on the Debtors' creditor matrix, all Holders of Claims and Interests as of the Voting Record Date, and any other party that has requested notice in these chapter 11 cases by no later than August 15, 2025.
21. Ballots for accepting or rejecting the Plan must be **actually received** by the Balloting Agent on or before **September 12, 2025, at 4:30 p.m. (ET)** (the "Voting Deadline") to be counted.
22. The Debtors, in their discretion, and subject to contrary order of this Court, may waive any defect in any Ballot at any time, either before or after the Voting Deadline.
23. The service of the Solicitation Package, Notices, and other documents described herein in the time and manner set forth in this Order shall constitute adequate and sufficient notice of the Combined Hearing and the Objection Deadline and no other or further notice is necessary.
24. The Debtors are not required to send Solicitation Packages, individual solicitation materials, or other Notices to (a) any creditor on account of a Claim that has already been paid in

full, (b) any creditor on account of a clearly duplicative Claim, or (c) the Holder of a Claim that has been disallowed in full by order of the Court.

25. With respect to addresses from which one or more prior notices served in these chapter 11 cases were returned as undeliverable or from which mailings made pursuant to this Order are returned as undeliverable, the Debtors are excused from distributing Notices and Solicitation Packages, as applicable, to those Persons or Entities listed at such addresses if the Debtors are not provided with an accurate address or forwarding address for such Persons or Entities before the Voting Record Date. With respect to addresses from which Notices or Solicitation Packages are returned as undeliverable, the Debtors are excused from re-mailing such Notices or Solicitation Packages or any other materials related to voting or confirmation of Plan to those entities listed at such addresses, unless the Debtors are provided with accurate addresses for such entities before the Voting Record Date. Failure to attempt to re-deliver Notices and Solicitation Packages, as applicable, to such Persons or Entities shall not constitute inadequate notice of the Combined Hearing or the Voting Deadline or a violation of Bankruptcy Rule 3017(d).

26. The Balloting Agent shall retain a paper copy of the Ballot, if any are received, and all solicitation-related correspondence for one (1) year following the Effective Date of the Plan, whereupon, the Balloting Agent is authorized to destroy and/or otherwise dispose of the paper copy of the Ballot; printed solicitation materials including unused copies of the Solicitation Package (whether in hard copy or on USB flash drive); and all solicitation-related correspondence (including undeliverable mail), in each case unless otherwise directed by the Debtors, the Clerk of the Bankruptcy Court, or the Bankruptcy Court, in writing within such one (1) year period.

27. The Debtors are authorized to make non-material changes to the Disclosure Statement, the Plan, the Ballot, the Combined Hearing Notice, the Notice of Non-Voting Status,

and related documents and any other materials in the Solicitation Package without further order of this Court, including, without limitation, changes to correct typographical and grammatical errors and to make conforming changes among the Disclosure Statement, the Plan, the Ballot, the Combined Hearing Notice, the Notice of Non-Voting Status, and related documents or other materials in the Solicitation Package before their distribution and publication, as applicable; *provided*, that a copy of any such changes shall be provided to the Notice Parties.

28. Notwithstanding the possible applicability of Bankruptcy Rules 6004, 6006, 7062, 9014 or otherwise, the terms and conditions of this Order shall be immediately effective.

29. The Debtors are authorized to take all action necessary to carry out this Order.

30. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Debtors' counsel is directed to serve a copy of this Order on the parties which were provided notice pursuant to the Motion and file a proof of service within three days of entry of this Order.