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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
Absolut Facilities Management, LLC, <i>et al.</i>	)	Case No. 19-76260-ast
Debtors. <sup>1</sup>	)	Case No. 19-76263-ast
	)	Case No. 19-76267-ast
	)	Case No. 19-76268-ast
	)	Case No. 19-76269-ast
	)	Case No. 19-76270-ast
	)	Case No. 19-76271-ast
	)	Case No. 19-76272-ast
	)	(Jointly Administered)

**AMENDED<sup>2</sup> NOTICE OF AGENDA FOR HEARING ON DECEMBER 9, 2019  
AT 2:00 P.M. (EASTERN TIME), BEFORE THE HONORABLE ALAN S. TRUST  
AT THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NEW YORK, AT COURTROOM 2554,  
271-C CADMAN PLAZA EAST, SUITE 1595, BROOKLYN, NEW YORK 11202**

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Absolut Facilities Management, LLC (1412); Absolut Center for Nursing and Rehabilitation at Allegany, LLC (7875); Absolut Center for Nursing and Rehabilitation at Aurora Park, LLC (8266); Absolut Center for Nursing and Rehabilitation at Gasport, LLC (8080); Absolut at Orchard Brooke, LLC (1641); Absolut Center for Nursing and Rehabilitation at Orchard Park, LLC (8300); Absolut Center for Nursing and Rehabilitation at Three Rivers, LLC (8133); and Absolut Center for Nursing and Rehabilitation at Westfield, LLC (7924).

<sup>2</sup> Amended matters are listed in bold type.

1. Debtors' Application for Entry of an Order Authorizing Employment and Retention of Pronexus, LLC as Interim Chief Financial Officer *Nunc Pro Tunc* to the Petition Date (Dkt. No. 239).

Related Documents: N/A

Status: This matter is going forward without objection.

2. Debtors' Application for Entry of an Order Authorizing Employment and Retention of Michael Wyse of Wyse Advisors LLC as Chief Restructuring Officer for the Debtors *Nunc Pro Tunc* to the Petition Date (Dkt. No. 240).

Related Documents:

A. U.S. Trustee's Objection (Dkt. No. 288).

Status: This matter is going forward.

3. Debtors' Motion for Entry of Order Approving Settlement Agreement Between the Debtors, the Landlord Group and Israel Sherman (Dkt. No. 268).

Related Documents: N/A

Status: This matter is going forward without objection.

4. Motion of the Debtors for Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Selection of a Stalking Horse Bidder, (C) Approving Bid Protections, (D) Scheduling Auctions and Hearings to Consider Such Sale of Assets, (E) Approving Assumption and Assignment Procedures Related to Such Sale, and (F) Approving the form and Manner of Related Notice; and (II)(A) Authorizing the Sale of Such Assets Free and Clear of Liens, Claims, Encumbrances, and Interests, (B) Authorizing and Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Such Sale and (C) Granting Related Relief (Dkt. No. 269).

Related Documents:

A. Statement of the New York State Department of Health (Dkt. No 296).

B. Capital Funding Limited Objection (Dkt. No. 297).

C. Cass Development Co. Limited Objection (Dkt. No. 300)

Status: This matter is going forward.

5. Debtors' Emergency Motion for Entry of Interim and Final Orders Authorizing the Debtors to Pay Certain Prepetition Claims of Critical Vendors (Dkt. No. 10).

Related Documents:

- A. Declarations of Michael Wyse (Dkt. Nos. 15 & 57).
- B. Debtors' Emergency Motion to Redact Critical Vendors Motion (Dkt. No. 18).
- C. Letters from Schuyler Carroll Providing Notice of First Day and Continued Hearing on Certain First Day Motions (Dkt. Nos. 21 & 33).
- D. Order Sealing Critical Vendors Motion (Dkt. No. 22).
- E. Redacted Version of the Critical Vendors Motion (Dkt. No. 24).
- F. Landlord's Objection (Dkt. No. 39).
- G. Interim Order (Dkt. No. 245).
- H. Latina Response (Dkt. No. 252).

Status: The Debtors will seek to adjourn consideration of this motion to a later date.

**6. Debtors' Emergency Motion for Interim and Final Orders (I) Authorizing, But Not Directing, Debtors to (A) Pay and Honor Prepetition Employee Obligations, and (B) Maintain and Continue Certain Compensation and Benefit Programs Postpetition; and (II) Granting Related Relief (Dkt. No. 13).**

Related Documents:

- A. Interim Order (Dkt. No. 109).**
- B. Notice of Filing Schedule of Prepetition Payroll and Tax Obligations (Dkt. No. 134).**
- C. Second Interim Order (Dkt. No. 260).**

Status: **The Debtors intend to seek relief with respect to the payment of severance to former Orchard Park employees.**

7. Debtors' Motion for Interim and Final Orders (I) Authorizing Payment of Certain Prepetition Taxes and Assessments and (II) Directing Financial Institutions to Honor and Process Related Checks and Transfers (Dkt. No. 14).

Related Documents: N/A

Status: The Debtors will seek to adjourn consideration of this motion to a later date.

8. Landlords' (I) Motion for Entry of an Order Appointing Chapter 11 Trustee or, Alternatively, an Examiner, Pursuant to Section 1104 and (II) Preliminary Objection to Debtors' Motion to Approve Plan of Closure for Orchard Park Facility (Dkt. No. 69).

Related Documents:

- A. Arba Group's *Ex Parte* Motion to Have Trustee Motion Heard on Shortened Time (Dk. No. 71).

- B. Order Granting Request to Have Trustee Motion Heard on Shortened Time (Dkt. No. 77).
- C. U.S. Trustee's Joinder to Trustee Motion (Dkt. No. 87).
- D. Debtors' Omnibus Response to Trustee Motion and Objections to Closure Plan (Dkt. No. 96).
- E. Declaration of Michael Wyse (Dkt. No. 97).
- F. Declaration of William K. Lenhart (Dkt. No. 98).
- G. Declaration of Sean Doolan (Dkt. No. 99).
- H. Declaration of Israel Sherman (Dkt. No. 100).
- I. Official Committee of Unsecured Creditors' (1) Objection to Landlords' Motion for a Chapter 11 Trustee, or Alternatively, an Examiner, and U.S. Trustee's Motion for a Chapter 11 Trustee, and (2) Statement Respecting Debtors' Motion to Approve Closure Plan for Orchard Park Facility (Dkt. No. 194).
- J. Landlord's Status Letter (Dkt. No. 204).
- K. Debtors' Status Letter (Dkt. No. 206).
- L. Landlord's Status Letter (Dkt. No. 219).

Status: Resolved. The Debtors understand such motion shall be withdrawn.

9. Motion Seeking Entry of an Order Under 11 U.S.C. § 1104 Directing the Appointment of a Chapter 11 Operating Trustee and for Related Relief (Dkt. No. 102).

Related Documents:

- A. Official Committee of Unsecured Creditors' (1) Objection to Landlords' Motion for a Chapter 11 Trustee, or Alternatively, an Examiner, and U.S. Trustee's Motion for a Chapter 11 Trustee, and (2) Statement Respecting Debtors' Motion to Approve Closure Plan for Orchard Park Facility (Dkt. No. 194).
- B. United States Trustee's Reply to the Debtors' and Committee's Opposition to the Appointment of a Chapter 11 Trustee (Dkt. No. 247).

Status: Resolved. The Debtors understand such motion shall be withdrawn.

10. Plaintiff's Application for the Entry of Orders Granting a Temporary Restraining Order and Preliminary Injunction Enjoining Defendants from Implementing Unapproved Plan of Closure Prior to Approval Under 11 U.S.C. § 363 (Adv. Pro. No. 19-08121, Dkt. No. 3).

Related Documents: N/A

Status: Resolved. The Debtors understand such motion shall be withdrawn.

Dated: December 9, 2019  
New York, New York

LOEB & LOEB LLP

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