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Attorneys for the Plan Administrator

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	§	**CASE NO. 09-37010 (SGJ)**
	§	
ERICKSON RETIREMENT	§	**CHAPTER 11**
COMMUNITIES, LLC, *et al.* [1]	§	**Jointly Administered**
	§	
Debtors.		

MOTION TO CONTINUE HEARING ON DEBTORS' FIFTY-FOURTH OMNIBUS OBJECTION – WESTERN SURETY CO. CLAIMS

Paul Rundell, as the Plan Administrator (the "**Plan Administrator**") for the above captioned reorganized debtors (the "**Debtors**"), by his undersigned counsel, hereby files this motion (the "**Motion**") seeking to continue the hearing set for June 9, 2011 at 9:30 a.m. on the

[1] The Debtors in these chapter 11 cases are Erickson Retirement Communities, LLC, Ashburn Campus, LLC, Columbus Campus, LLC, Concord Campus GP, LLC, Concord Campus, LP, Dallas Campus GP, LLC, Dallas Campus, LP, Erickson Construction, LLC, Erickson Group, LLC, Houston Campus, LP, Kansas Campus, LLC, Littleton Campus, LLC, Novi Campus, LLC, Senior Campus Services, LLC, Warminster Campus GP, LLC, Warminster Campus, LP.

Debtors' Fifty-Fourth Omnibus Objection – Western Surety Co. Claims [Dkt. No. 1190] (the "**Objection**"), and respectfully state as follows:

BACKGROUND

1. On October 19, 2009 (the "**Petition Date**"), the Debtors commenced these cases by each filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code.

2. The Debtors remained in possession of their assets and continued to operate and manage their businesses as debtors in possession pursuant to Bankruptcy Code sections 1107 and 1108.

3. On November 2, 2009, the Office of the United States Trustee appointed an Official Committee of Unsecured Creditors in these cases [Docket No. 258]. No trustee or examiner has been appointed in these chapter 11 cases.

4. On April 16, 2010 (the "**Confirmation Date**"), this Court entered an order confirming the Debtors' Fourth Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code (the "**Plan**"), pursuant to which the Debtors sold substantially all of their assets to Redwood-ERC Senior Living Holdings, LLC, Redwood-ERC Management, LLC, Redwood-ERC Development, LLC, Redwood-ERC Properties, LLC and Redwood-ERC Kansas, LLC.

5. On March 30, 2010, the Debtors filed the Objection. A hearing on the Objection is presently set for June 9, 2011 at 9:30 a.m. (the "**Hearing Date**"). No responses have been filed relating to the Objection.

JURISDICTION AND VENUE

6. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §1334. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding within the meaning of 28 U.S.C. §157(b)(2).

RELIEF REQUESTED

7. The Debtors and the creditors whose claims are objected to in the Objection (the "**Creditors**") have been involved in discussions to resolve the some or all of the issues raised in the Objection. As the claims in this case are numerous, and the issues complex, the Debtors and Creditors require more time to negotiate a resolution of the Objection before the Hearing Date. Therefore, the Debtors request that the hearing on the Objection be continued until July 13, 2011 at 9:30 a.m.

8. The Debtors have discussed the relief sought in this Motion with the Creditors, and the Creditors do not object to the relief sought herein.

NOTICE

9. Notice of this Motion has been provided to (a) the Office of the United States Trustee for the Northern District of Texas; (b) the Committee; (c) the Debtors' prepetition secured lenders; and (d) any other party requesting notice under Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice is necessary or required.

NO PRIOR REQUEST

10. No previous application for the relief sought herein has been made to this or any other Court.

WHEREFORE the Debtors respectfully request that this Court enter an order consistent with the relief sought herein, and grant to the Debtors such other or further relief as the Court deems just and proper.

Date: June 7, 2011
Dallas, Texas

Respectfully submitted,

By: */s/ Vincent P. Slusher*

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