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PROPOSED ATTORNEYS FOR THE DEBTORS
AND DEBTORS IN POSSESSION

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

In re:	§	**CASE NO. 09-37010**
	§	
ERICKSON RETIREMENT	§	**CHAPTER 11**
COMMUNITIES, LLC, *et al.*[1]	§	**Joint Administration Pending**
	§	
Debtors.	§	

DEBTORS' MOTION FOR AN ORDER PURSUANT TO 11 U.S.C. § 105(a) AND BANKRUPTCY RULE 2002 ESTABLISHING NOTICE PROCEDURES

The above-captioned debtors and debtors in possession (collectively, the "Debtors") by

[1] The Debtors in these chapter 11 cases are Erickson Retirement Communities, LLC, Ashburn Campus, LLC, Columbus Campus, LP, 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.

their proposed attorneys, DLA Piper LLP (US), moves (the "Motion") this Court for entry of an order, pursuant to section 105(a) of title 11 of the United States Code (the "Bankruptcy Code") and Rule 2002 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") to establish notice procedures in these chapter 11 cases. In support of this Motion, the Debtors respectfully represent as follows:

Jurisdiction and Venue

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory basis for the relief requested herein is Bankruptcy Code section 105 and Bankruptcy Rule 2002.

Background

4. 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.

5. The Debtors remain in possession of their assets and continue to operate and manage their businesses as debtors in possession pursuant to Bankruptcy Code sections 1107 and 1108.

6. No trustee, examiner or committee of creditors has been appointed in these cases.

7. The factual background regarding each of the Debtors, including their current and historical business operations and the events precipitating these chapter 11 filings, is set forth in detail in the Affidavit of Paul B. Rundell in Support of First Day Motions (the "Rundell Affidavit"), and is incorporated herein by reference.

Relief Requested

9. By this Motion, the Debtors request the entry of an order, pursuant to Bankruptcy Code section 105(a) and Bankruptcy Rule 2002, limiting notice on various matters to only the affected parties.

10. The Debtors have approximately 400 creditors who may be entitled to receive notice in these cases. Notice of all pleadings and other papers filed in these cases to each creditor is unnecessary and would be extremely burdensome and costly to the estates, as a result of photocopying, postage expenses, and other expenses associated with these mailings.

11. The Debtors propose the establishment of a master service list (the "Master Service List") that would include: (a) the Office of the United States Trustee for the Northern District of Texas; (b) the Debtors' 30 largest unsecured creditors (until an official committee of unsecured creditors is appointed and has retained counsel, in which event, such committee's counsel); (c) counsel to any prepetition secured lenders; (d) any party whose interests are directly affected by a specific pleading; and (e) those persons who have formally appeared and requested service in these proceedings pursuant to Bankruptcy Rule 2002.

12. The proceedings with respect to which notice would be limited to the Master Service List would include all matters covered by Bankruptcy Rule 2002, with the express exception of the following: (a) meeting of creditors under sections 341 or 1104(b); (b) any notices related to claims bar dates; (c) the time fixed for filing objections and the hearing to consider approval of a disclosure statement or confirmation of a plan of reorganization or liquidation; and (d) notice of and transmittal of ballots for accepting or rejecting a plan of reorganization. Except as set forth below, the foregoing proceedings would be noticed to all parties in interest in accordance with Bankruptcy Rule 2002, at their last known address as

provided by the Debtors, unless otherwise ordered by this Court or otherwise prescribed by the Bankruptcy Code. The Master Service List would also be used for pleadings, papers and procedures that may, pursuant to the Local Rules, require service upon all parties in interest.

13. The Debtors will update the Master Service List regularly to include the names and addresses of any parties in interest who have made written request for notice.

14. Further, the Debtors will submit to the Court upon the completion of noticing any particular matter, either an affidavit of service or certification of service annexing the list of those parties receiving notice.

15. The Debtors believe that the administration of these chapter 11 cases would be more efficient and cost effective if the relief requested is granted, and, therefore, the Debtors submit that the relief requested in this Motion is in the best interests of the Debtors' estates, their creditors, and parties in interest and will not prejudice the rights of any party in interest in these cases.

Notice

16. Notice of this Motion has been provided to (a) the Office of the United States Trustee for the Northern District of Texas; (b) the Debtors' thirty largest unsecured creditors on a consolidated basis; and (c) the Debtors' prepetition secured lenders. The Debtors submit that, in light of the nature of the relief requested, no other or further notice is necessary or required.

WHEREFORE, the Debtors respectfully request entry of an order of this Court substantially in the form annexed hereto as Exhibit A, granting the relief requested by this Motion and such other and further relief as may be just and proper.

Dated: October 19, 2009
Dallas, Texas

DLA PIPER LLP (US)

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Proposed Attorneys for the Debtors
and Debtors in Possession

Exhibit A

Proposed Order

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

In re:	**§**	**CASE NO. 09-37010**
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ERICKSON RETIREMENT	**§**	**CHAPTER 11**
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	§	
Debtors.	**§**	

ORDER ESTABLISHING NOTICE PROCEDURES
PURSUANT TO 11 U.S.C. § 105(a) AND BANKRUPTCY RULE 2002

Upon the Debtors' Motion For an Order Pursuant to 11 U.S.C. § 105(a) and Bankruptcy Rule 2002 Establishing Notice Procedures, dated October 19, 2009 (the "Motion"), and all as more fully set forth in the Motion; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. §157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409, and due and proper notice of the Motion having been provided to the necessary parties; and it appearing that no other or further notice need be provided; and a hearing having been held to consider the relief requested in the Motion (the "Hearing"); and the appearances of all interested parties having been noted in the record of the Hearing; and upon the record of the Hearing and all of the proceedings had before the Court; and no objections having been received; and the Court having determined that the relief sought in the Motion is in the best interests of the Debtors, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just

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cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED that the Motion is GRANTED; and it is further

ORDERED that the Debtors shall establish a master service list (the "Master Service List"), which shall include: (a) the Office of the United States Trustee for the Northern District of Texas; (b) the Debtors' 30 largest unsecured creditors (until an official committee of unsecured creditors is appointed and has retained counsel, in which event, such committee's counsel); (c) counsel to any prepetition secured lenders; (d) any party whose interests are directly affected by a specific pleading; and (e) those persons who have formally appeared and requested service in this proceeding pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"); and it is further

ORDERED that the proceedings with respect to which notice shall be limited to the Master Service List shall include all matters covered by Bankruptcy Rule 2002, with the express exception of the following: (a) meeting of creditors under sections 341 or 1104(b); (b) any notices related to claims bar dates; (c) the time fixed for filing objections and the hearing to consider approval of a disclosure statement or confirmation of a plan of reorganization or liquidation; and (d) notice of and transmittal of ballots for accepting or rejecting a plan of reorganization; and it is further

ORDERED that the Debtors shall update the Master Service List regularly to include the names and addresses of any parties in interest who have made written requests for notice.

End of Order