



# FLANAGAN & ASSOCIATES, L.L.C.



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## LEGAL EXPERIENCE

**November 1997 to present.** Sole member of Michael F. Flanagan, L.L.C. and Flanagan & Associates, L.L.C. Flanagan's clients include long term care facility owners and operators, as well as lenders and landlords to long term care facility owners and operators. Flanagan concentrates his practice in the areas of health care, corporate, bankruptcy, debtor/creditor rights, commercial law and business workouts primarily involving long term care facilities. Flanagan has assisted numerous lenders, indenture trustees, bondholders and owners of health care facilities, including acting as a receiver on numerous facilities. Flanagan is well versed in corporate and regulatory matters involving long term care facilities and has developed a special expertise in advising and consulting with owners, operators and/or lenders to long term care facilities that are experiencing financial or other difficulties in connection with the operation of their facilities. He has acted as borrower's counsel on matters involving hundreds of millions of dollars in conventional, HUD and tax-exempt bond financing. Flanagan also serves as a member of the Board of Directors for Central Bank of Kansas City.

**May 1988 – November 1997.** Associate (May 1988 to November 1994) and Equity Shareholder (November 1994 to November 1997) with Polsinelli P.C. During his employment at Polsinelli, Flanagan represented numerous clients in complex Chapter 11 bankruptcy proceedings. Flanagan drafted and successfully confirmed a Chapter 11 Plan of Reorganization for a not-for-profit nursing home owner that owed secured and unsecured debts in excess of \$100 million. At the time, this chapter 11 case was the second largest ever filed in the Western District of Missouri and the largest involving a not-for-profit owner of nursing homes. Flanagan's bankruptcy practice required that he handle various aspects of corporate, real estate, bond and tax law matters as each has related to bankruptcy cases. Flanagan has negotiated numerous leases, asset purchase agreements, loan agreements, real estate contracts, debtor in possession financing agreements and cash collateral orders, as well as represented clients in negotiations or disputes involving various governmental agencies, including the Internal Revenue Service and the Environmental Protection Agency. While at Polsinelli, Flanagan also served as the Chairman of the Recruiting Committee.

## PROFESSIONAL ASSOCIATIONS

Flanagan is licensed to practice in the States of Missouri, Kansas, Illinois and Nebraska. At the special request of the Chief Bankruptcy Judge, he served as a member of the Ad Hoc Advisory Committee for the Western District of Missouri Bankruptcy Court. He is a member of the Corporate, Banking and Business Sections of the American Bar Association and The Missouri Bar Association and the American Health Lawyers Association. Flanagan is also a member of the Board of Directors of Central Bank of Kansas City.



**EDUCATION**

Flanagan received his law degree, with distinction, from the University of Iowa in May 1988, where he received the American Jurisprudence Award for excellence in Bankruptcy Reorganizations. Flanagan served as a law clerk for The Honorable Chief Bankruptcy Judge Michael J. Melloy, United States Bankruptcy Court for the Northern District of Iowa, who now sits on the Eighth Circuit Court of Appeals. A 1985 graduate of Central College, a liberal arts college in Pella, Iowa, Flanagan was a four (4) year recipient of the Rolscreen Scholarship (the top academic scholarship awarded by Central College).

**REPRESENTATIVE TRANSACTIONS**

**In re: First Humanics Corporation**

United States Bankruptcy Court for the Western  
District of Missouri, Western Division,  
Case No. 89-42041-11

First Humanics Corporation was one of the largest not-for-profit long-term care providers to ever file a chapter 11 bankruptcy proceeding. This case involved twenty-one (21) nursing homes that were acquired through the issuance of approximately \$83,000,000 in I.R.C. §501(c)(3) tax-exempt bonds. Flanagan represented the debtor in this proceeding and developed and confirmed the plan of reorganization which involved obtaining a \$5,000,000 super-priority priming loan for use as post-confirmation working capital and numerous modifications to the existing bond documents to maximize the return to bondholders.

**In re: South Park Care Associates, Inc.**

United States Bankruptcy Court for the Western  
District of Missouri, Western Division,  
Case No. 94-42992-11

South Park Care Center is a 178 licensed bed skilled nursing facility located in Kansas City, Missouri. Flanagan represented Tutera as the debtor's post-petition manager and debtor in possession lender in the total amount of \$250,000. Flanagan proposed and confirmed a plan of reorganization in October, 1995 whereby a newly formed limited partnership (whose general partner is a limited liability company wholly owned by Tutera and whose limited partners are the debtor's unsecured creditors) purchased this project through the assumption of various secured debts pursuant to 11 U.S.C. § 363(f).

**In re: Third and Oak Corporation**

United States Bankruptcy Court for the Western  
District of Kentucky, Louisville Division,  
Case No. 94-32247-11

Flanagan represented the special advisor to Mark Twain Bank, as Successor Indenture Trustee for the \$22,370,000 County of Jefferson (Kentucky) First Mortgage Residential Care Facilities Revenue Bonds (Treyton Oak Towers Economic Development Project) Series 1988, in connection with the debtor's chapter 11 bankruptcy proceeding until the debtor's plan was confirmed in August, 1995.



**In re: The SterlingCare Group, Ltd.**

United States Bankruptcy Court for the Southern  
District of Indiana, Indianapolis Division,  
Case No. 92-9594-RLB-11

The SterlingCare Group, Ltd. filed a voluntary chapter 11 petition for relief on September 18, 1992. Flanagan represented the post-petition manager and DIP lender for SterlingCare's seven (7) facilities. During the course of this case, Flanagan prepared and filed a plan of reorganization proposing to assume the leases for these seven (7) facilities, which had a collective value in excess of \$20,000,000, and operate the facilities for the benefit of the creditors. However, prior to the confirmation of this plan, the State of Indiana enacted Rule 14, which dramatically changed the method by which Medicaid payments were being reimburse to Indiana providers and rendered the continued operation of these seven (7) homes unprofitable. In part based upon the advice of Flanagan, the debtor requested that the Bankruptcy Court authorize the debtor to reject the leases for the seven (7) facilities and hand them back to their respective landlords.

**In re: Brook Meade Health Care Center, Inc.**

United States Bankruptcy Court for the Middle  
District of Tennessee, Nashville Division,  
Case No. 391-04724-11

Flanagan prepared and filed a plan of reorganization on behalf of his bondholder client proposing to purchase this long term care facility through a refunding the \$4,900,000 Health and Educational Facilities Board of the Metropolitan Government of Nashville and Davidson County, Tennessee Industrial Revenue Bonds (Brook Meade Health Care Center Project) Series 1985 and the \$575,000 Health and Educational Facilities Board of the Metropolitan Government of Nashville and Davidson County, Tennessee Industrial Revenue Bonds (Brook Meade Health Care Center Project) Series 1986. While Flanagan's client was not the successful plan proponent, Flanagan's client was paid a substantial "break up fee" not to pursue its plan.

**Mattoon Convalescent Care Center**

Mattoon, Illinois

Flanagan represents Mattoon, Inc., which is the court-appointed receiver for this Illinois nursing home since April, 1991 in conjunction with a foreclosure proceeding filed by South Side National Bank in St. Louis, as Indenture Trustee for the \$5,650,000 City of Mattoon, Illinois First Mortgage Revenue Bonds (Mattoon Manor Project) Series 1985. In conjunction with the rehabilitation of a portion of the facility, Flanagan devised a method by which the receiver make a substantial capital improvement loan for use at the facility which otherwise appeared to be prohibited under the applicable bond documents. This facility was thereafter sold to a third party.

**Bayou Villas**

Pensacola, Florida

Flanagan represented the receiver of this Florida nursing home, which was appointed at the request of the debtor and Barnett Bank, as Successor Indenture Trustee for the \$3,700,000 Pensacola Care, Inc. First Mortgage Revenue Bonds Series 1980, from October, 1992 until the facility was sold by Barnett Bank to a third party in 1996.



**In re: Gallatin Health Care Associates**

United States Bankruptcy Court for the Middle  
District of Tennessee, Nashville Division,  
Case No. 395-09504

Flanagan acted as a consultant and special advisor to the debtor's general partner in connection with the formulation, negotiation and financing of the debtor's chapter 11 plan of reorganization. The major component of the plan was the refinancing of the \$6,700,000 Health, Educational and Housing Facilities Board of the County of Sumner, Tennessee Revenue Bonds, Series 1986 (Gallatin Health Care Associates Project) through the private placement of \$5,200,000 refunding tax exempt bonds and a \$900,000 taxable note with a single sophisticated investor arranged by Flanagan. The debtor's confirmed plan became effective on August 1, 1997.

**In re: The Phoenix Rehabilitation Center, Inc.**

United States Bankruptcy Court for the  
District of Kansas, Topeka Division,  
Case No. 97-41334-11

The Phoenix Rehabilitation Center, Inc. is a Kansas not-for-profit corporation which owned The Phoenix Nursing & Rehabilitation Center, a 235 licensed bed skilled nursing facility located in Olathe, Kansas. Flanagan's client provided post-petition consulting services, as well as a debtor in possession loan in the total amount of \$150,000, to the owner during its chapter 11 bankruptcy proceeding filed on May 16, 1997. At the time that the chapter 11 bankruptcy was filed, the facility was the subject of a de-certification proceeding and its Medicaid provider agreement was set to terminate on June 9, 1997. Flanagan's client ultimately purchased the facility pursuant to a credit bid submitted in accordance with 11 U.S.C. § 363(k) in an amount equal to the first mortgage note which had been previously purchased by Flanagan's client.

**In re Stonebridge, L.L.C., et al.**

United States Bankruptcy Court for the Eastern  
District of Louisiana, New Orleans Division,  
Case No.'s 97-14854, 97-14855, 97-14856,  
97-14857, 97-14858 and 97-14859  
(Jointly Administered)

On August 29, 1997, Stonebridge, L.L.C., Audubon Living Center, Inc., Carrollton-Glyndana, L.P., Flower Mound-Glyndana, L.P., Glenn Laborde, Inc., and Glyndana-Windsor, L.P., filed voluntary chapter 11 petitions for relief. Flanagan represented the post-petition manager of the six (6) facilities that are owned or leased by the above-referenced debtors. On July 23, 1998, the Bankruptcy Court confirmed plans of reorganization for Stonebridge, Cross Timbers and Amite which provided for the restructuring of debts totaling in excess of \$20,000,000, including approximately \$13,000,000 in long term debt currently held by Bank One Louisiana, N.A., which was negotiated, in large part, by Flanagan. Flanagan also represented Tutera in the acquisition of Windsor Care Center pursuant to a Section 363 sale of the facility conducted by the Bankruptcy Court.

**Belwood Nursing Home**

Peoria County, Illinois

Flanagan represented the consultant and special advisor for the operation of Belwood Nursing Home, which is owned and operated by Peoria County, Illinois.



**In re: Fountain Manor, Inc.**

United States Bankruptcy Court for the  
Eastern District of Louisiana, New Orleans Division,  
Case No. 98-15367-B-11

Fountain Manor, Inc., a Louisiana corporation, owned Fountain Manor, a 131 licensed bed skilled and intermediate care nursing facility located in East New Orleans, Louisiana. On September 3, 1998, the Bankruptcy Court appointed a chapter 11 trustee to take over the management and operation of FMI and the facility. The chapter 11 trustee thereafter immediately engaged Flanagan's client to provide management services at the facility pending the sale of the facility through a bankruptcy court auction.

**Armour Assisted Living Facility, Inc.**

Kansas City, Missouri

On January 14, 1999, Flanagan's client was engaged by the state court appointed receiver to manage this 120 unit residential care II facility located in Kansas City, Missouri following the receiver's appointment upon the request of the Missouri Department of Social Services, Division of Aging.

**In re: Carewell Corporation of Oklahoma, Inc., et al.**

United States Bankruptcy Court for the Western  
District of Missouri, Western Division,  
Case No. 99-40827-1-11, et seq.  
(Jointly Administered)

On March 8, 1999, Carewell Corporation of Oklahoma, Inc., together with six (6) wholly owned limited liability companies (collectively "Carewell"), filed voluntary chapter 11 petitions for relief. Flanagan's client was the manager of nine (9) facilities owned and operated by Carewell until the facilities were ultimately transferred back to Carewell's respective secured creditors following a determination that the terms and conditions by which such lenders would agree to such a transfer would be far in excess of what general unsecured creditors would ever receive if the Debtors' were to reorganize under chapter 11.

**In re: Axiom Healthcare Services, Inc., et al.**

United States Bankruptcy Court for  
the Eastern District of Louisiana  
Case No.'s 99-11875-11, et seq.  
(Jointly Administered)

On April 14, 1999, Axiom Healthcare Services, Inc., together with six (6) wholly owned limited liability companies (collectively "Axiom"), filed voluntary chapter 11 petitions for relief. Pursuant to an order entered by the Bankruptcy Court on or about April 19, 1999, Flanagan's client began managing six (6) skilled nursing facilities leased or owned and operated by Axiom that are located in the State of Oklahoma. Flanagan's client also provided Axiom with a debtor in possession line of credit in the total amount of \$500,000 for use as working capital at the facilities. Shortly following the filing of the procedure, it became clear that Axiom would be unable to reorganize its affairs, primarily since five (5) of the facilities were leased by Axiom and the landlord was unwilling to make the concessions necessary to allow the facilities to operate profitably. Therefore, upon the advice of Tutera, the Court rejected the leases for the five (5) facilities effective as of June 11, 1999, thereby preserving the ability of Axiom to pay in full its administrative expense claims owing to creditors.



**Blue Hills Care Center**  
Kansas City, Missouri

On July 12, 1999, Flanagan's client was appointed by the Missouri Department of Social Services, Division of Aging and the licensed operator of the facility to serve as the temporary manager to manage and close this 180 bed skilled nursing facility leased and operated by an affiliate of Lenox Healthcare located in Kansas City, Missouri, which has a population of 132 residents upon the date of appointment. Within approximately 3 weeks of being appointed as receiver, all residents were relocated to other facilities and this facility was closed in accordance with applicable law.

**In re: Oakwood Village Nurse Care Center, Inc., et al.**

United States Bankruptcy Court for  
the Western District of Louisiana  
Case No. 00-50485 (Jointly Administered)

On March 9, 2000, Geriatrics, Inc., a Louisiana corporation ("Geriatrics") and six (6) wholly owned subsidiaries filed Voluntary Chapter 11 Petitions for Relief with the United States Bankruptcy Court for the Western District of Louisiana. The subsidiaries each own and operate a long term care facility, multi-handicapped center and/or group home for the developmentally disabled. Flanagan's client initially proposed to provide the Debtors with a debtor in possession loan in the total amount of \$1,500,000, which caused the Debtors' primary secured creditor to agree to provide a debtor in possession loan in the amount of \$1,750,000 on virtually identical terms and conditions. Flanagan's client subsequently did make a \$500,000 debtor in possession loan to the Debtors, whose plan of reorganization was confirmed and went effective as of April 1, 2003. Subsequently thereafter, Flanagan represented his client in the making of a \$5,300,000 loan to take out the indebtedness owing by Geriatrics to Hibernia National Bank.

**In re: Brentwood Nursing and Rehabilitation Center, Inc.**

United States Bankruptcy Court for  
the Northern District of Illinois

On March 24, 2000, Brentwood North Nursing and Rehabilitation Center, Inc. and Riverwoods Associates each filed Voluntary Chapter 11 Petitions for Relief with the United States Bankruptcy Court for the Southern District of Florida, which cases were later transferred to the United States Bankruptcy Court for the Northern District of Illinois. Riverwoods owns and leases Brentwood Nursing and Rehabilitation Center, a 244 licensed bed skilled care and rehabilitation facility located near Deerfield, Illinois to Brentwood. Flanagan's client took over the management of Brentwood immediately prior to the filing of the chapter 11 proceedings and, in conjunction therewith, offered to make a debtor in possession loan in the amount of \$500,000 available to Brentwood. However, this offer ultimately caused Brentwood's primary working capital lender to make a \$500,000 debtor in possession loan available to Brentwood on virtually identical terms and conditions as those offered by Flanagan's client. This facility was sold on July 20, 2001 through a bankruptcy court auction.

**Holmesdale Care Center**  
Kansas City, Missouri

On July 1, 2000, Flanagan's client took over the day-to-day management of Holmesdale Care Center for the landlord of this facility following the rejection of a lease by an affiliate of Integrated Health Services, Inc. in conjunction with IHS's chapter 11 proceeding pending before the United States Bankruptcy Court for District of Delaware. Flanagan's client and the landlord worked in unison with the Missouri Department of Social Services, Division of Aging to cause this facility to be closed and all of its residents relocated to other facilities in the Kansas City area by July 10, 2000.



**Senior Living Properties, LLC**

On October 1, 2000, Flanagan's client took over the day-to-day management of thirty-one (31) long term care facilities located in the State of Illinois which are owned by Senior Living Centers, LLC. These facilities, together with an additional fifty-five (55) facilities located in Texas which are owned by SLP, serve as the collateral for a \$225,000,000 loan provided to SLP by GMAC Commercial Mortgage Credit Corporation. Flanagan's client was selected as the replacement third party manager for these thirty-one (31) facilities following an extensive interview process jointly conducted by SLP, GMAC and ZC Specialty Insurance Company, which had issued a surety bond in the amount of \$140,000,000 to secure, in part, repayment of the obligations owing by SLP to GMAC. These facilities were subsequently sold to a third party.

**Oak Forest North, L.L.C.**

St. Louis, Missouri

On February 5, 2001, Flanagan's client took over the day-to-day management of Oak Forest North, a 120 bed long term care in accordance with a Consent Agreement entered into by and between Oak Forest North, L.L.C. and the Missouri Department of Social Services, Division of Aging whereby Oak Forest was permitted by the MDOA to engage Tutera as its manager in lieu of having MDOA revoke its license for failing to cure certain survey deficiencies which occurred while Oak Forest was operating the facility. Tutera ceased managing this facility on July 9, 2001 when Oak Forest, together with its various affiliates, leased all of their respective properties to a new third party operator.

**Grand Court II – Chattanooga**

Chattanooga, Tennessee

On March 1, 2001, Flanagan's client took over the day-to-day management of the Grand Court II – Chattanooga, which is a 142 unit independent living and assisted living facility located in Chattanooga, Tennessee. This facility was previously operated by Grand Court Lifestyles, Inc., who is currently involved in a chapter 11 proceeding pending before the United States Bankruptcy Court for District of New Jersey. This engagement was arranged by CRIIMI MAE Services, L.P., as the subservicer for the holder of first mortgage loan. This facility was later sold to a third party.

**Sunbridge Care Center at Jackson**

Jackson, California

On April 23, 2001, Flanagan's client took over the day-to-day management of Sunbridge Care Center for the landlord of this long term care facility following the rejection of a lease by an affiliate of Sun Healthcare Group in conjunction with Sun's chapter 11 proceeding pending before the United States Bankruptcy Court for District of Delaware. Flanagan's client and the landlord, together with FINOVA Capital Corporation, which held a first mortgage lien in the facility, worked in unison to take back the operations for Sun. In conjunction with the management of this facility, Tutera provided the owner with access to a \$1,050,000 line of credit for which FINOVA agreed to subordinate its first mortgage liens and security interests to secure repayment of such loan. The facility was subsequently sold to a third party.

**The Manor**

Las Vegas, Nevada

On August 15, 2001, Flanagan was appointed the receiver for The Manor, a 225 bed skilled nursing facility located in Las Vegas, Nevada which opened in 1999, in conjunction with a legal proceeding filed by Key Corporate Capital, Inc. seeking to foreclose on the facility based upon the borrowers' default on



indebtedness owing to Key in excess of \$16,000,000. In conjunction with his appointment as Receiver, Flanagan engaged Tutera to assume the day to day management of the facility, and oversaw the marketing and negotiations for the sale of the facility through a foreclosure sale.

**Medford Nursing Center**  
Medford, Oklahoma

Flanagan was appointed the receiver for this Oklahoma nursing home in January 2002 in conjunction with a foreclosure proceeding filed by the first mortgage lender in the United States District Court for the Western District of Oklahoma. Flanagan oversaw the marketing and sale of the facility through a foreclosure sale.

**Grand Court II – Kansas City**  
Kansas City, Kansas

On March 21, 2002, Flanagan was appointed as the receiver of the Grand Court II – Kansas City, Kansas, which is a 127 unit independent living and assisted living facility located in Kansas City, Kansas. Flanagan's appointment was accomplished at the request of Brotherhood Bank & Trust Company, which held the first mortgage loan and was the subject of a foreclosure action. This facility was ultimately sold by Brotherhood following its foreclosure for more than the original debt against it based, in part, on the actions of the Receiver to stabilize and improve the operation of the facility.

**In re: TriNat Health Care, Inc.**  
United States Bankruptcy Court for the Southern  
District of Indiana, Indianapolis Division  
Case No. 02-06360-JKC-11

TriNat Health Care, Inc. filed a voluntary chapter 11 petition for relief on April 15, 2002. TriNat leases and operated nine (9) long term care facilities located in Indiana. Flanagan's client took over the management of the TriNat facilities immediately prior to the filing of the chapter 11 proceeding and, in conjunction therewith, offered to make a debtor in possession loan in the amount of \$500,000 available to TriNat. However, shortly following the filing of the proceeding, the State of Indiana implemented another dramatic Medicaid rate decrease that reduced the overall annual Medicaid revenue for these nine (9) homes by approximately \$2,800,000. Once it was determined that TriNat would be unable to reorganize its affairs, primarily since TriNat leased its facilities and the landlord was unwilling to make the rent concessions necessary to allow the facilities to operate profitably, the Court authorized the rejection of the leases for the nine (9) facilities effective as of June 30, 2002, thereby preserving the ability of TriNat to maximize its distributions to its creditors.

**In re: Metro Health/Indiana, Inc.**  
United States Bankruptcy Court for the Northern  
District of Georgia, Atlanta Division  
Case No. 02-63019

Metro Health/Indiana, Inc. filed a voluntary chapter 11 petition for relief on March 19, 2002. Metro owns and operates twenty (20) long-term care facilities located in Indiana. On September 20, 2002, Tutera was appointed as the oversight manager and consultant for the Metro Health/Indiana facilities. Flanagan's client is the oversight manager in this chapter 11 proceeding, with its primary duties to include reviewing and commenting on Metro's operations in an effort to improve the profitability and efficiency of the facilities, as well as recommending changes in the owner's operating procedures and confirming whether certain facilities should be sold or closed.





**In re: Highland Health Services, Inc., et al.**

United States Bankruptcy Court for the  
Southern District of Texas – Houston Division  
Case No. 01-35491-H5-11

On January 28, 2002, the Bankruptcy Court confirmed the Plan of Reorganization filed by the Debtors in the above-referenced case. In accordance with the confirmed Plan, all of the Debtors' assets were transferred into Autumn Hills Health Foundation. Flanagan was nominated by the Official Unsecured Creditors' Committee, and approved by the Bankruptcy Court, to serve as one of the directors of Autumn Hills upon the confirmation of the Plan. Following confirmation, Flanagan was elected Chairman of the Board and oversaw the initial operation of the Debtors' twelve (12) long term care facilities. After operating the facilities for a period of time, it became apparent that the facilities would not be able to make their debt payments under the plan, and Flanagan (as the sole remaining officer and directors as all other officers and directors had resigned) oversaw the transfer of control of the facilities back to the lender, followed by the liquidation of Autumn Hills' remaining assets.

**Maplewood Nursing and Rehabilitation Center**

Monroe, Louisiana

On November 19, 2002, Flanagan's client was appointed as the receiver of Maplewood Nursing and Rehabilitation Center, a 99 bed licensed skilled nursing care facility located in Monroe, Louisiana, at the request of Bank One Trust Company, N.A., the indenture trustee of the tax exempt bonds which encumber the facility. Flanagan negotiated the sale of the facility in conjunction with a foreclosure sale.

**In re: Mariner Post-Acute Networks, Inc.**

United States Bankruptcy Court for the  
District of Delaware  
Case Nos. 00-113 (MFW) through 00-214 (MFW)

On December 1, 2002, Flanagan assisted LaSalle Bank National Association (formerly known as LaSalle National Bank), as Trustee under that certain Pooling and Servicing Agreement effective as of December 1, 1995, relating to the RMF Commercial Mortgage Pass-Through Certificates, Series 1995-1, in taking back three (3) long term care facilities located in Illinois from Mariner in conjunction with Mariner's chapter 11 bankruptcy proceeding. Flanagan's client thereafter purchased the facilities from the lender.

**Country Gardens**

Norcross, Georgia

On January 21, 2003, Flanagan was appointed as the rent receiver of Country Gardens, a 27 bed assisted living facility located in Norcross, Georgia. Flanagan's appointment was requested by CRIIMI MAE Services, L.P., as the subservicer for holder of the first mortgage loan. This facility was later sold to a third party.

**Lodge at Lompoc**

Lompoc, California

On February 6, 2003, Flanagan was appointed as the receiver of the Lodge at Lompoc, a 130 bed assisted living facility located in Lompoc, California. Flanagan's appointment was requested by CRIIMI MAE Services, L.P., as the subservicer for holder of the first mortgage loan which is the subject of a



pending foreclosure action. Flanagan negotiated the sale of the facility to a third party at a price which was in excess of the appraised value of the facility.

**The Plaza at Sun Mountain and  
The Regency Plaza at Sun Mountain**  
Las Vegas, Nevada

On March 11, 2003, Flanagan was appointed the receiver for The Plaza at Sun Mountain, a 179 unit assisted living facility, and The Regency at Sun Mountain, a 188 licensed bed skilled nursing facility, both of which are located in Las Vegas, Nevada. Flanagan was appointed in conjunction with a legal proceeding filed by Lehman Brothers Holdings, Inc. seeking to foreclose on the facility based upon the borrowers' default on indebtedness owing to Lehman Brothers in excess of \$20,000,000. The facility was thereafter sold for a price well in excess of the amount of the debt outstanding at the time of the foreclosure.

**Meadowbrook Manor**  
Topeka, Kansas

On April 14, 2003, Flanagan was appointed as the receiver for Meadowbrook Manor of Topeka, L.P., which owns a 95 bed skilled nursing facility located in Topeka, Kansas. Flanagan's appointment was requested by Beal Bank, which was the holder of a HUD insured loan which it purchased from HUD. The home was thereafter sold through a foreclosure action.

**In re: Southern Healthcare Systems, Inc.**  
United States Bankruptcy Court for the Middle  
District of Louisiana, Baton Rouge Division  
Case No. 02-11621

Southern Healthcare Systems, Inc. filed a voluntary chapter 11 petition for relief on June 11, 2002. Southern owns and operates six (6) long-term care facilities located in Texas, Kentucky and Tennessee. On December 11, 2002, a chapter 11 trustee was appointed to serve in the case. On April 29, 2003, the chapter 11 Trustee engaged Tutera as the oversight manager and consultant for Southern's facilities, which engagement was arranged by Flanagan. Tutera's primary duties included reviewing and commenting on the clinical and accounting aspects of Southern's operations until the sale of the facilities was closed.

**Grand Court II – Overland Park**  
Overland Park, Kansas

On June 7, 2003, Flanagan's client was appointed as the receiver for the Grand Court II – Overland Park, which is a 100 unit assisted living facility located in Overland Park, Kansas. The appointment of Flanagan's client was arranged by The Mission Bank, which held the first mortgage loan in a pending foreclosure action. Flanagan assisted in negotiating the resolution of several issues involving the transition of operations from Brookdale Living Communities and the issuance of a provisional license by the Kansas Department of Aging. Flanagan thereafter assisted Tutera in the purchase of this facility from The Mission Bank.



**The Vyne at Crestview**  
Wichita, Kansas

On November 24, 2004, Flanagan was appointed as the receiver for The Vyne at Crestview, an assisted living facility located in Wichita, Kansas. Flanagan's appointment was made at the request of TouchStone Asset Management LLC, as servicer for TC10 Grantor Trust, which filed a foreclosure action against its collateral. Flanagan negotiated the sale of the facility to a third party at a price which was in excess of the appraised value of the facility.

**Camelot Nursing and Rehabilitation Center**  
Farmington, Missouri

On December 13, 2004, Flanagan was appointed by the Missouri Department of Health and Senior Services, Division of Senior Services and Regulation, to serve as the receiver for this facility due to the insolvency of its licensed operator. On January 12, 2005, the Coles County Circuit Court discharged Flanagan as the receiver following Flanagan's completion of a transaction to turn the facility back to the landlord, who had a pending licensure application on file when Flanagan was appointed.

**Caravilla Charitable Corporation**  
Mount Vernon, Illinois

On February 2, 2005, Flanagan was appointed by the Circuit Court of the Second Judicial Circuit, Jefferson County, Illinois as the receiver for Casey Care Center, Jeffersonian Care Center and Mount Vernon Care Center, all three of which are skilled nursing facilities located in Mount Vernon, Illinois which are owned by Caravilla Charitable Corporation, an Illinois not-for-profit corporation. Flanagan's appointment was made at the request of Midland Loan Services, Inc., as servicer for PAMI MidAtlantic LLC, which filed a foreclosure action against its collateral. Flanagan oversaw the sale of the facilities to a third party purchaser of the lender's debt at a foreclosure sale conducted in Jefferson County, Illinois.

**Independence Court at Ormond Beach**  
Ormond Beach, Florida

On March 30, 2005, the Circuit Court of the Seventh Judicial Circuit, Volusia County, Florida, in an action styled: TC10 Grantor Trust, Plaintiff, vs. Independence Court of Ormond Beach Associates, L.P., et al., Defendants., Case No. 2005-30383-CICI appointed Flanagan as the receiver for Independence Court of Ormond Beach, an assisted living facility located at 535 North Nova Road, Ormond Beach, Florida 32174. Flanagan was appointed as the receiver for the Facility at the request of TC10 Grantor Trust, who is the holder of the first mortgage indebtedness encumbering the Facility.

**Austin Nursing Center**  
Austin, Texas

On May 27, 2005, the Circuit Court of the 200<sup>th</sup> Judicial Circuit, Travis County, Texas, in an action styled: TC10 Grantor Trust, Plaintiff, vs. Century Care of America, Inc. et al., Defendants., Case No. GN501-879, appointed Flanagan as the receiver for Austin Nursing Center, a 170 bed skilled nursing facility located at 110 E. Live Oak at Congress, Austin, Texas. Flanagan was appointed as the receiver for the Facility at the request of TC10 Grantor Trust, who is the holder of the first mortgage indebtedness encumbering the Facility. This facility was sold in August 2007 to a third party.



**Somerset Point Assisted Living and Nursing Home**  
Shaker Heights, Ohio

On October 3, 2005, the Court of Common Pleas for Cuyahoga County, Ohio, in an action styled: TC14 Grantor Trust, Plaintiff, vs. Somerset Point, L.P., et al., Defendants., Case No. CV 05 573748, appointed Flanagan as the receiver for Somerset Point Assisted Living and Nursing Home, a skilled nursing and assisted living facility located in Shaker Heights, Ohio. Flanagan was appointed as the receiver for the Facility at the request of TC14 Grantor Trust, who is the holder of the first mortgage indebtedness encumbering the Facility.

**Chestnut Grove Assisted Living Facility**  
Richmond, Virginia

On March 3, 2006, the Circuit Court for Henrico County, Virginia, in an action styled: TC14 Grantor Trust, Plaintiff, vs. Chestnut Grove, L.P., Defendants. Case No. CL06-466, appointed Flanagan as the receiver for Chestnut Grove Assisted Living Facility. Flanagan was appointed as the receiver for the Facility at the request of TC14 Grantor Trust, who is the holder of the first mortgage indebtedness encumbering the Facility. Flanagan thereafter sold the facility to a third party at a foreclosure sale.

**The Rose Estates Assisted Living Facility**  
Overland Park, Kansas

On June 15, 2006, the District Court for Johnson County, Kansas, in an action styled: TI – HUD Investments I, L.L.C., Plaintiff, vs. The Rose Estates, L.L.C., Defendant. Case No. 06CV04595 - Division 7, appointed Flanagan as the receiver for The Rose Estates Assisted Living Facility. The Receiver was appointed at the request of TI – HUD Investments I, L.L.C. The Facility was later sold at a foreclosure sale.

**St. Louis Hills Retirement Center**  
St. Louis, Missouri

On August 23, 2006, the Circuit Court for St. Louis City, Missouri, in an action styled: Metro St. Louis Property, LLC, Plaintiff, vs. Maloney Group and Maloney Group II, Defendants. Cause No. 0622-CC05304, appointed Flanagan as the receiver for Maloney Group II and St. Louis Hills Retirement Center. Flanagan was appointed as the receiver for the Facility at the request of Metro St. Louis Property, LLC, who is the holder of the first mortgage indebtedness encumbering the Facility, and the State of Missouri Department of Department of Health and Senior Services. The Facility was later sold to the note holder at a foreclosure sale.

**In re: Robert E. Lee, LLC**  
United States Bankruptcy Court for the Southern  
District of Indiana, New Albany Division  
Case No. 05-92641-BHL-11

Robert E. Lee, LLC filed a voluntary chapter 11 petition for relief on July 8, 2005. Robert E. Lee, LLC owns and operates Landmark Nursing and Rehabilitation Center, a 142 licensed bed skilled nursing facility located in New Albany, Indiana. On January 26, 2007, Elliott D. Levin was appointed as the Chapter 11 trustee was appointed to serve in the case. On January 29, 2007, the Chapter 11 Trustee engaged Walnut Creek (an affiliate of Tutera) as the oversight manager and consultant for the facility, which engagement was arranged by Flanagan. The facility was sold to a third party purchaser at a bankruptcy court sale in July 2007.



**Gentilly Gardens**  
Stateboro, Georgia

On February 5, 2007, the Superior Court for Bulloch County, Georgia, in an action styled: TI – HUD Investments I, L.L.C., Plaintiff, vs. Integra of Statesboro, L.L.C., Defendant, Case No. 1B07CV068T, appointed Flanagan as the receiver for Gentilly Gardens Assisted Living Facility. The Receiver was appointed at the request of TI – HUD Investments I, L.L.C.. The Facility was later sold at a foreclosure sale.

**In re: Pleasant Care Corporation, et al.**  
United States Bankruptcy Court for the Central  
District of California, Los Angeles Division  
Case No. LA 07-12312-EC

On March 22, 2007, Pleasant Care Corporation, SNF Properties Incorporated, PCC Health Services, Inc., Atlas Care Enterprises, Inc., and Ember Care Corporation each filed voluntary chapter 11 petitions for relief. The Debtors are the second largest operator of skilled nursing facilities in the State of California, currently lease and operate 27 skilled nursing facilities and 3 assisted living facilities, with annual revenues in excess of \$200,000,000. Effective as of April 1, 2007, Flanagan’s client (Joseph C. Tutera), at the insistence of the secured creditors, unsecured creditors and regulatory authorities, was installed as the President and COO of the Debtors in accordance with a Retention Agreement executed by Manny Bernabe, the Debtors’ principal shareholder. Pursuant to the terms of the Retention Agreement, Mr. Tutera was vested with full and complete control over the Debtors' business operations, including having exclusive control over, and decision-making power with respect to, the Debtors’ day-to-day business operations and the sale, assignment or transfer of any assets or Facilities of the Debtors. Flanagan was actively involved in supporting Mr. Tutera in all aspects of operating the business and selling or disposing of various of the assets.

**Garden Valley Retirement Village**  
Garden City, Kansas

On February 13, 2008, the 25<sup>th</sup> District Court for Finney County, Kansas, in an action styled: Bank of Oklahoma, N.A., as successor trustee for the holders of the Retirement Facility Refunding Revenues Bonds (Garden Valley Retirement Village, Inc.) Series 1993, Plaintiff, vs. Garden Valley Retirement Village, Inc. and the City of Garden City, Kansas, Defendants, Case No. CV-08, appointed Flanagan as the receiver for Garden Valley Retirement Village. The Facility was later sold at foreclosure.

**In re: Haven Eldercare, LLC, et al.**  
United States Bankruptcy Court for the  
District of Connecticut, New Haven Division  
Case No. 07-32720

Haven Eldercare, LLC and its affiliates filed for chapter 11 relief in November 2007. Haven was the one of the largest operators of skilled nursing facilities in New England, having owned or leased and operated 25 skilled nursing facilities. In July 2008, Flanagan assisted Tutera and CapitalSource Finance, LLC in purchasing four (4) long term care facilities located in Connecticut and New Hampshire from Haven’s bankruptcy estate and following such purchase, Tutera thereafter began leasing and operating the facilities through December 2010, at which time they were sold by CapitalSource Finance, LLC to an unrelated third party purchaser.



**Chestnut Hill of Highlands Assisted Living Facility**  
Highlands, Macon County, North Carolina

On November 17, 2008, the General Court for Justice, Superior Court Division for Macon County, North Carolina, in an action styled: The Palmetto Bank, Plaintiff, vs. Highlands Senior Living Property, LLC, Highlands Senior Living, LLC, Jon M. Harder, Kristin P. Harder, Darryl E. Fisher, Carol L. Fisher and Sunwest Management Inc., Defendants. Case No. 08 CVS 798, appointed Michael F. Flanagan as the Receiver pursuant to N.C. Gen. Stat. § 1-501 *et seq.*, over: (a) Highlands Senior Living Property, LLC; and (b) Highlands Senior Living, LLC; and (c) the senior living community commonly known as “Chestnut Hill of Highlands” located in Highlands, Macon County, North Carolina. The Receiver was appointed at the request of the Palmetto Bank. The Facility was later sold to the note holder at a foreclosure sale.

**Park Place Assisted Living Facility**  
Spartanburg County, South Carolina

On January 20, 2009, the Court of Common Pleas for Spartanburg County, South Carolina, in an action styled: The Palmetto Bank, Plaintiff, vs. Spartanburg Senior Living, LLC, et al., Defendants. Case No. 2008-CP-42-6355, appointed Michael F. Flanagan as the Receiver pursuant to S. C. Code § 15-65-10(1) *et seq.*, over: (a) Spartanburg Senior Living, LLC; and (b) the senior living community commonly known as Park Place located in Spartanburg County, South Carolina. The Receiver was appointed as the receiver at the request of The Palmetto Bank. The Facility was later sold to the note holder at a foreclosure sale.

**Loving Care Home**  
Lindenwood, Missouri

On August 30, 2010, the Circuit Court for St. Louis County, Missouri in an action styled: First Bank, Plaintiff, vs. Lindenwood Care Corporation, Jamieson Realty, L.L.C., et al., Defendants. Case No. 10SL-CC03497, Division 20 entered an Order appointing Michael F. Flanagan as the Receiver for Loving Care Home, a 111-bed Residential Care Facility I as located at 3715 Jamieson Ave., St. Louis, MO 63109. The Receiver was appointed as the receiver at the request of First Bank. The Facility was later sold to the note holder at a foreclosure sale.

**Summer Place Assisted Living Facility**  
Spartanburg County, South Carolina

On August 3, 2010, the Court of Common Pleas for Spartanburg County, South Carolina, in an action styled: The Palmetto Bank, Plaintiff, vs. Summer Place Assisted Living, LLC, et al., Defendants. Case No. 2010-CP-42-1740, entered an Order appointed Michael F. Flanagan as the Receiver over the senior living community commonly known as “Summer Place Assisted Living” located 916 Wesley Court, Boiling Springs, South Carolina 29316, effective as of September 4, 2010. The Receiver was appointed as the receiver at the request of The Palmetto Bank. The Facility was later sold to the note holder at a foreclosure sale.

**Paradise Park Assisted Living Facility**  
New Lenox, Illinois

On December 23, 2010, the Circuit Court of Twelve Judicial District for Will County, Illinois, in an action styled: First Choice Bank, Plaintiff, vs. Paradise Park Assisted Living – New Lenox, LLC and James F. Boris, Defendants. Case No. 10 CH 7749 (Will Cty., IL), entered an Order appointed



Michael F. Flanagan as the Receiver over the assisted living facility commonly known as “Paradise Park Assisted Living” located at 1023 South Cedar Road, New Lenox, Will County, Illinois. The Receiver was appointed as the receiver at the request of First Choice Bank. The Facility was sold to a third party purchaser pursuant to a Receiver’s sale approved by the court.

**Wichita Nursing Center**

Wichita, Kansas

On September 2, 2011, the Eighteenth Judicial District Court for Sedgwick County, Kansas, in an action styled: Shawn Sullivan, Secretary of the Kansas Department on Aging, Applicant, vs. Kansas Healthcare Leasing, Inc., d/b/a Wichita Nursing Center, Respondent., Case No. 11 CV 3086, entered an Order appointing Shawn Sullivan, Secretary of the Kansas Department on Aging, as the duly appointed receiver for Wichita Nursing Center, a 70 bed skilled nursing facility located at 2840 S Hillside Street, Wichita, KS 67216-2544. The Receiver engaged Flanagan as a consultant and business advisor to the Receiver to assist the Receiver in discharging his duties and responsibilities as Receiver. Flanagan and the Facility’s manager closed down the Facility and relocated all of the residents to other long term care facilities in the Wichita area within approximately 45 days after being appointed.

**Wardship Residential Care, LLC**

St. Louis, Missouri

On March 10, 2014, the Circuit Court for the City of St. Louis County, Missouri, in an action styled: State of Missouri, et al., Plaintiff, vs. Wardship Residential Care, LLC, Defendant, Case No. 1422-CC00546, entered an Order appointing Flanagan as the Receiver for Wardship Residential Care Facility, a 30 bed Residential Care II Facility located at 3409 Missouri Avenue, St. Louis, MO 63118. Flanagan was appointed as the receiver at the request of Missouri Department of Health and Senior Services. Flanagan ultimately sold the Facility to a new qualified operator.

**Deseret Nursing & Rehabilitation at Onaga**

Onaga, Kansas

On May 12, 2014, the Second Judicial District Court of Pottawatomie County, Kansas, in an action styled: Shawn Sullivan, Secretary of the Kansas Department for Aging and Disability Services, Applicant, vs. Deseret Health and Rehab at Onaga, LLC, d/b/a Deseret Nursing & Rehabilitation at Onaga, Respondent., Case No. 14-CV-34, entered an Order appointing Shawn Sullivan, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Deseret Nursing & Rehabilitation at Onaga, a 46 bed skilled nursing facility located at 500 Western Street, Onaga, Kansas 66521. The Receiver engaged Flanagan as a consultant and business advisor to the Receiver to assist the Receiver in discharging his duties and responsibilities as Receiver. The Facility was ultimately sold to a new qualified operator.

**Washburn Community Care Center**

Topeka, Kansas

On May 1, 2015, the Third Judicial District Court of Shawnee County, Kansas, in an action styled: Kari M. Bruffett, Secretary of the Kansas Department for Aging and Disability Services, Applicant, vs. Washburn Community Care Center, LLC, et al., Respondents., Case No. 15-CV-398, entered an Ex Parte Temporary Restraining Order appointing Kari M. Bruffett, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Washburn Community Health Care, a skilled nursing facility located at 1334 Buchanan Street, Topeka, Kansas 66604. The Receiver engaged Flanagan as a consultant and business advisor to the Receiver to assist the Receiver in



discharging her duties and responsibilities as Receiver. Flanagan and the Facility's manager closed down the Facility and relocated all of the residents to other long term care facilities in the Topeka area within approximately 30 days after being appointed.

**Deseret Health and Rehab at Woodlawn**

Wichita, Kansas

On May 4, 2015, the Second Judicial District Court of Sedgwick County, Kansas, in an action styled: Kari M. Bruffett, Secretary of the Kansas Department for Aging and Disability Services, Applicant, vs. Deseret Health and Rehab at Woodlawn, LLC, Respondent., Case No. 15-CV-1123, entered an Order appointing Kari M. Bruffett, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Deseret Health and Rehab at Woodlawn, a skilled nursing facility located at 1600 South Woodlawn, Wichita, Kansas 67218. The Receiver engaged Flanagan as a consultant and business advisor to the Receiver to assist the Receiver in discharging her duties and responsibilities as Receiver. The Facility was sold to a new qualified operator eighty (8) days following the appointment of the Receiver.

**Close to Home, Ramsey Creek Village and Holly Ridge**

Southeastern Missouri

On October 21, 2015, the Circuit Court for St. Louis County, Missouri, Division 12, in an action styled: Great Southern Bank, Plaintiff, vs. Arbor Health Properties, Inc., et al., Defendants, Case No. 15SL-CC03593, entered an Order appointing Flanagan as the Receiver for Close to Home, Ramsey Creek Village and Holly Ridge. The Receiver was appointed at the request of Great Southern Bank. The three facilities were ultimately sold.

**Maple Heights**

Hiawatha, Kansas

On April 28, 2016, the 22<sup>nd</sup> District Court for Brown County, Kansas entered an Order in an action styled: BOKF, N.A., as Successor Trustee for the holders of the Health Care Facilities Revenue Bonds Series 1999A and Taxable Health Care Facilities Revenue Bonds Series 1999B (Maple Heights Nursing and Rehabilitation Center, Project), Plaintiff, vs. Lafayette Lifeplans Corporation, Lafayette Lifeplans of Hiawatha, Inc. and the City of Hiawatha, Kansas, Defendants, Case No. 2016-CV-000010 appointing Flanagan as the receiver for Maple Heights Nursing and Rehabilitation Center, a 67 bed skilled nursing facility and 13 unit/15 bed residential care facility located at 302 East Iowa Street, Hiawatha, Brown County, Kansas 66434. The Receiver was appointed at the request of Bank of Oklahoma.

**Bright Oaks of Aurora**

Aurora, Illinois

On August 9, 2017, the Circuit Court of the Sixteenth Judicial Circuit, Kane County, Illinois entered an Order in an action styled: West Suburban Bank, Plaintiff, vs. Aurora Memory Care, LLC, et al., Defendants, Case No. 17-CH-662 appointing Flanagan to serve as the receiver for Bright Oaks of Aurora, a 60-unit assisted living and memory care facility located at 1340 River Street, Aurora, Kane County, Illinois 60506. The Receiver was appointed at the request of West Suburban Bank and oversaw the operation of the Facility until it was sold.





**Skyline Healthcare**

Kansas

On March 28, 2018, Timothy E. Keck, Secretary of the Kansas Department for Aging and Disability Services, was appointed as the receiver by the various state district courts across the State of Kansas with respect to the fifteen (15) skilled nursing facilities located throughout the State of Kansas. These cases were consolidated into a single action pending before the District Court for Johnson County, Kansas styled: Timothy E. Keck, Secretary of KDADS v. Spring Hill Care and Rehabilitation Center, LLC, et al., Case No. 18-CV-01688. The Receiver engaged Flanagan as a consultant and business advisor to the Receiver to assist the Receiver in discharging his duties and responsibilities as Receiver. Flanagan oversaw the sale of the facilities to a new qualified owner and operator.

**DJKierl, Inc.**

Fort Scott and Pleasanton, Kansas

On May 15, 2018, the District Court of Bourbon County, Kansas entered a Temporary Restraining Order appointing Timothy E. Keck, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Ft. Scott Manor, a licensed bed skilled nursing facility located at 736 Heylman Street, Fort Scott, Bourbon County, Kansas 66701. The Receiver engaged Flanagan as a consultant and business advisor to the Receiver to assist the Receiver in discharging his duties and responsibilities as Receiver. Flanagan oversaw the closure of the Ft. Scott facility. In conjunction therewith, the District Court of Linn County, Kansas entered an Order appointing Flanagan as the receiver for The Residences at Pleasanton, an assisted living facility located at 706 West 15th Street, Pleasanton, Linn County, Kansas 66075 and Flanagan is currently operating this facility pending the completion of the foreclosure action and sale of the facility.

**Great Bend Care & Rehab**

Great Bend, Kansas

On July 11, 2018, the District Court of Barton County, Kansas, in an action styled: Timothy E. Keck, Secretary of the Kansas Department for Aging and Disability Services, Applicant, vs., Great Bend Health & Rehab Center, HP/Great Bend, Inc., Great Bend – LTC, LLC, Five Rivers Management, LLC, Douglas Mittleider, Kerry Gibson and Daren Douston, Respondents., Case No. 2018-CV-000080, entered a Temporary Restraining Order appointing Timothy E. Keck, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Great Bend Health & Rehab Center, which is located at 1560 K 96 Hwy, Great Bend, KS 67530. Receiver engaged Flanagan as a consultant and business advisor to Receiver with full and complete control over the Facility to assist Receiver in discharging his duties and obligations as receiver.

**Pinnacle Management**

Nortonville, Topeka and Emporia, Kansas

On August 1, 2018, the District Court for Shawnee County, Kansas appointed Timothy E. Keck, Secretary of the Kansas Department of Aging and Disability Services, as the receiver over Village Villa, Inc., Village Estates, Inc., Providence Living Center, Inc., and Flint Hills Care Center, Inc. Receiver engaged Flanagan as a consultant and business advisor to Receiver with full and complete control over the Facilities. Flanagan is currently overseeing the operation of the facilities while they are being marketed for sale.



**Westview of Derby**  
Derby, Kansas

On September 12, 2018, the District Court of Sedgwick County, Kansas, in an action styled: Timothy E. Keck, Secretary of the Kansas Department for Aging and Disability Services, Applicant, vs. and LSL of Derby, LLC, Sovran Management Company, LLC, Michael Marshall and Westview of Derby, Respondents., Case No. 2018-CV-001991-TO, entered a Temporary Restraining Order appointing Timothy E. Keck, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Westview of Derby, a skilled nursing facility commonly located at 445 North Westview Drive, Derby, Sedgwick County, Kansas 67037. Receiver engaged Flanagan as a consultant and business advisor to Receiver with full and complete control over the Facility. In November 2018, the facility's secured lender had Flanagan appointed as the replacement receiver of the facility pending completion of a pending foreclosure action and the sale of the facility.

**Christian Care Home**  
Ferguson, Missouri

On November 16, 2018, the Judicial Circuit Court of Cole County, Missouri, in an action styled: State of Missouri ex rel. Josh Hawley, Attorney General, at the request of the Missouri Department of Health and Senior Services, Division of Long Term Regulation & Licensure, Section for Long-Term Care Regulation, Petitioners, vs. Christian Woman's Benevolent Association, d/b/a Christina Care Home, Respondent., Case No. 18AC-CC00461, entered an Order Appointing Receiver appointing Flanagan as the duly appointed receiver for Christian Care Home, a skilled nursing and residential care facility located at 800 Chambers Road, Ferguson, Missouri 63135 for the purpose of relocating the residents and closing the facility as soon as possible, which Flanagan accomplished in less than 20 days.

**Westview Manor of Peabody**  
Peabody, Kansas

On December 12, 2018, the District Court of Marion County, Kansas, in an action styled: Timothy E. Keck, Secretary of the Kansas Department for Aging and Disability Services, Applicant, vs. Franklin Healthcare of Peabody, LLC, d/b/a Westview Manor of Peabody, Altacare Corporation, Franklin Healthcare, Inc., Peabody Associates, LLC, Douglas Mittleider and Julie Mittleider, Respondents., Case No. 2018-CV000068, entered a Temporary Restraining Order appointing Timothy E. Keck, Secretary of the Kansas Department of Aging and Disability Services, as the duly appointed receiver for Westview Manor of Peabody, a skilled nursing facility located at 500 Peabody Street, Peabody, Marion County, Kansas 66866. Receiver engaged Flanagan as a consultant and business advisor to Receiver with full and complete control over the Facility to assist Receiver in discharging his duties and obligations as receiver. Flanagan assisted in the sale of the Facility, which concluded the receivership action.

**Eden Springs**  
Green Springs, Ohio

On January 18, 2019, the Court of Common Pleas for Sandusky County, Ohio, in an action styled: CIBC Bank USA, Plaintiff, vs. and Eden Realty West LLC, Eden Realty East LLC, Eden Springs Independent Living LLC, Eden Springs Assisted Living East LLC, Eden Springs Nursing and Rehabilitation East LLC, Eden Springs Nursing and Rehabilitation West LLC, Eden Springs Healthcare Center LLC Eden Springs Pharmacy LLC, Defendants., Case No. 19-CV-50, entered an Order appointing Flanagan as the duly appointed receiver for Eden Springs, which consists of skilled nursing



facilities, a long term acute care hospital, an assisted living facility, a pharmacy, independent senior housing (rental) units, and vacant land whose principal office is located at 430 North Broadway Street, Green Springs, Ohio 44836. The Receiver was appointed at the request of CIBC Bank.

**SureFunding, LLC**  
Las Vegas, Nevada

On April 13, 2020, the District Court for Clark County, Nevada, in an action styled: Brett Hatton, et al., Plaintiffs, vs. and SureFunding LLC, Defendant, Case No. A-20-812651-B, entered an Order appointing Flanagan as the duly appointed receiver for SureFunding, LLC. The Receiver was appointed at the request of group of noteholders who had loaned SureFunding, LLC in excess of \$23,000,000 for the purpose of making investments in a diversified portfolio of assets. Instead, SureFunding, LLC placed 80%-90% of those assets with TradePAY Capital, LLC, an international A/R factoring company located in India, who proceeded to defraud SureFunding, LLC and divert the money for the benefit of the principals of TradePAY Capital, LLC. Flanagan was appointed to oversee the liquidation of SureFunding, LLC, which will involve liquidating the balance of its assets, as well as pursuing litigation against parties who may contributed to the noteholders' losses.

**Capital Senior Living**  
Dallas, Texas  
Case No. 3:20-cv-2395

On on August 21, 2020, the United States District Court for the Northern District of Texas, Dallas Division, in an action styled: Fannie Mae, Plaintiff, vs. Capital Senior Living Properties 2 - Gramercy, Inc., CSL Bridle Brook, LLC, CSL Canton GA, LLC, CSL Charlestown, LLC, CSL Dillon Pointe SC, LLC, CSL Fort Wayne LLC, CSL Harbor Court, LLC, CSL Middletown, LLC, CSL Oshkosh, LLC, CSL Peachtree LLC, CSL Plainfield, LLC, CSL Richmond Heights, LLC, CSL Roanoke, LLC, CSL Whitcomb House, LLC, Triad Senior Living III, L.P., Defendants., Case No. 3:20-cv-2395, entered an Agreed Order Appointing Receiver pursuant to which Michael F. Flanagan was appointed Receiver for the eighteen (18) communities located in ten (10) states which were owned and operated by the defendants. Flanagan was appointed Receiver at the request of Fannie Mae due to each defendant's default under its loan made by Fannie Mae, and is worked with Fannie Mae and its representatives to transition the homes over to new management.

**The Lydia Building**  
Lydia, Illinois

On January 8, 2021, the Circuit Court of Cook County, Illinois, Chancery Division, in an action styled: The Lydia Group LLC, Plaintiff, vs. Chicago Title Land Trust as Successor under Trust Agreement dated May 22, 2003 known as Trust Number 25-8214, Lydia Healthcare I, LLC, The Lydia Building, LLC, as the successor trust beneficiary to the Arnold J. Simonsen Trust under Trust Agreement dated 03-08-73 as amended and restated, The Lydia Building, LLC, Susan Simonsen, Unknown Owners and Non-Record Claimants, Defendants, Case No. 20-CH-6935, appointing Flanagan to serve as the property receiver for Lydia Health Care Center, a 412 bed Specialized Mental Health Rehabilitation Facility located at 13901 Lydia Avenue Robbins, Illinois 60472. Flanagan was initially appointed as the receiver for the real property at the request of the lender that holds the first mortgage indebtedness that is secured by the Facility. On March 26, 2021, the Court appointed Flanagan as receiver over the operations of the Facility as well.



**Bright Oaks of Aurora**

Aurora, Illinois

On February 26, 2021, the Circuit Court of the Sixteenth Judicial Circuit, Kane County, Illinois entered an Order in an action styled: DCR Mortgage 7 Sub 3, LLC, Plaintiff, vs. Aurora Senior Care, LLC, SMSK Aurora, LLC, et al., Defendants, Case No. 20-CH-000235, appointing Flanagan to serve as the receiver for a second time for Bright Oaks of Aurora, a 60-unit assisted living and memory care facility located at 1340 River Street, Aurora, Kane County, Illinois 60506. Flanagan was appointed as the receiver for the Facility at the request of the lender that holds the first mortgage indebtedness that is secured by the Facility.

**Sundance at Woodcreek Reserve**

Katy, Texas

Case No. 4:21-cv-02819

On September 2, 2021, the United States District Court for the Southern District of Texas, Houston Division, in an action styled: Fannie Mae, Plaintiff, vs. Huntington Creek Capital IV, LLC, Defendant, Case No. 4:21-cv-02819 (the "Action"), entered an Agreed Order Appointing Receiver pursuant to which Flanagan was appointed receiver for the Sundance at Woodcreek Reserve Assisted Living Facility located at 1820 Wood Creek Bend Lane, Katy, TX 77494. Flanagan was appointed Receiver at the request of Fannie Mae due to each defendant's default under its loan made by Fannie Mae, and worked closely with Fannie Mae and its representatives to transition the home over to new management.

**RiverView Senior Resort**

Palm Bay, Florida

Case No. 2019-CA-028708

On April 21, 2022, the Circuit Court of the Eighteenth Judicial Circuit in and for Brevard County, Florida entered an Order in an action styled: U.S. Bank National Association, in its capacity as trustee, Plaintiff, vs. The Cape LLC, et al., Defendants, Case No. 2019-CA-028708, appointing Michael F. Flanagan to serve as the receiver for RiverView Senior Resort, a 120 unit assisted living and memory care facility located at 3490 Gran Ave NE, Palm Bay, Florida 32905. The Receiver was appointed as the receiver for the Facility at the request of U.S. Bank National Association, in its capacity as trustee for the Revenue Bonds, Series 2014A (\$24,910,000) and Series 2014B (\$4,455,000) which are secured by first mortgage liens against the Facility.

**Royal Golden Hospitality, LLC**

Mattoon, Coles County, Illinois

Case No. No. 2022FC34

On June 29, 2022, the Circuit Court of Fifth Judicial Circuit, Coles County, Illinois entered an Order in this action appointing Flanagan to serve as the receiver for closed down Hampton Inn located at 1416 East Broadway Avenue, Mattoon, Coles County, IL 61939. Flanagan was appointed at the request of Inland Bank and Trust, which holds the first mortgage indebtedness that is secured by the property.



**Prairie Rose Portfolio**

Polk County, Iowa  
Law No. LACL153369

On August 9, 2022, the Iowa District Court in and for Polk County, Iowa enter an Agreed Order in an action styled: 801 28th Avenue N Propco LLC, et al., Plaintiffs, vs. OpCo Clinton, IA, LLC et al., Defendants, Law No. LACL153369 appointing Flanagan to serve as the receiver for seven (7) skilled nursing facilities and one (1) independent living facility located throughout the State of Iowa. The Receiver was appointed as the receiver for the Facilities at the request of plaintiff landlord entities, who Flanagan will be working with to ultimately transition the facilities over to new operators.

**Allegiant Healthcare of Phoenix**

Maricopa County, Arizona  
CV2022-001329

On August 30, 2022, the Maricopa County Superior Court entered an Order in an action styled: SE Phoenix, DST, Plaintiff, vs. Allegiant Healthcare of Phoenix, LLC, et al., Defendants, Case No. CV2022-001329, appointing Flanagan to serve as the receiver for Allegiant Healthcare of Phoenix, a 120 bed skilled nursing facility located at 1880 East Van Buren Street, Phoenix, Arizona. The Receiver was appointed as the receiver for the Facility at the request of SE Phoenix, DST, the owner of the Facility who leases it to Allegiant Healthcare of Phoenix, LLC.

**Minocqua Health And Rehabilitation Center**

**Aspen Health And Rehabilitation Center**

Douglas County, Wisconsin  
Case No. 2022CV000214

On September 16, 2022, the State of Wisconsin Circuit Court for Douglas County entered an Order in an action styled: Oxford Finance, LLC vs. Minocqua Health and Rehab LLC, Aspen Health and Rehab, LLC, Winters Paradise LLC, and Nursing Home on the Range, LLC, Defendants., Case No. 2022CV000214 appointing Flanagan to serve as the receiver for Minocqua Health And Rehabilitation Center, a 72 licensed bed skilled nursing facility located at 9969 Old Hwy 70, Minocqua, WI 54548, and Aspen Health And Rehabilitation Center, an 86 licensed bed skilled nursing facility located at 8274 San Road, South Range, WI 54874. The Receiver was appointed at the request of Oxford Finance, LLC, which holds first priority liens against both facilities.

**The Maples of Towson**

Towson, Maryland  
Case No. 22 Civ 1918

On September 23, 2022, the United States District Court for the District of Maryland (Northern Division) entered an Order in an action styled: Fannie Mae, Plaintiff, vs. Sunrise Homes of Towson Limited Partnership, Defendant, Case No. 22 Civ 1918, appointing Flanagan to serve as the Receiver for The Maples of Towson, an assisted living facility located at 7925 York Road, Towson, Maryland 21204 effective as of September 26, 2022. The Receiver was appointed as the receiver for the Facility at the request of Fannie Mae, which holds a first priority lien against the facility.



**Tucson Care Group, LLC, d/b/a Copper Canyon Alzheimer's Special Care Center**

Tucson, Arizona  
CV2022-3884

On October 21, 2022, the Pima County Superior Court entered an Order in an action styled: Fannie Mae, Plaintiff, vs. Tucson Care Group, LLC, Defendant, Case No. CV2022-3884, appointing Flanagan to serve as the receiver for Copper Canyon Alzheimer's Special Care Center, an assisted living center located at 5901 N La Cholla Blvd, Tucson, Pima County, AZ 85741. The Receiver was appointed as the receiver at the request of Fannie Mae, which holds a first priority lien against the Facility.