

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

JORDAN HEALTH PRODUCTS I, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-12271 (TMH)

(Jointly Administered)

Hearing Date: June 25, 2025 at 10:00 a.m. (ET)

Obj. Deadline: June 18, 2025 at 4:00 p.m. (ET)

**DEBTORS' MOTION FOR ENTRY OF AN ORDER (I) CONVERTING THEIR
CHAPTER 11 CASES TO CHAPTER 7 PURSUANT TO 11 U.S.C. § 1112(A), (II)
ESTABLISHING A DEADLINE FOR FILING FINAL CHAPTER 11 FEE
APPLICATIONS AND SETTING A HEARING THEREON, AND
(III) GRANTING RELATED RELIEF**

The debtors and debtors-in-possession (the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”) hereby move (the “**Motion**”), pursuant to section 1112(a) of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 1017(f) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule 2002-1 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”) for entry of an order (i) substantially in the form attached hereto as Exhibit A (the “**Proposed Order**”) (a) converting the Chapter 11 Cases to cases under chapter 7 of the Bankruptcy Code, effective as of the date of the entry of the order granting this Motion (the “**Conversion Date**”) (b) establishing a deadline for filing final chapter 11 fee applications and setting a hearing thereon, and (c) granting related relief. In support of the Motion, the Debtors respectfully represent as follows:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Jordan Health Products I, Inc. (9981); Global Medical Imaging, LLC (8828); D.R.E. Medical Group, Inc. (2356); Oncology Services International, Inc. (2514); Technical Options of Georgia, Inc. (5488); Jordan Health Products III, Inc. (9350); Transtate Equipment Company, Inc. (4201); Equipment Maintenance Solutions, Inc. (7216); Ultra Solutions Holdings, Inc. (2305); Ultra Solutions, LLC (3425); Pacific Medical Group, Inc. (4339); and Pacific Medical Holdings, Inc. (2135). The Debtors’ service address is 1040 Derita Road, Suite A, Concord, NC 28027. Debtor Jordan Health Products I, Inc. is doing business as Avante Health Solutions.

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider this Motion under 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated as of February 29, 2012. This is a core proceeding under 28 U.S.C. § 157(b). Venue of the Chapter 11 Cases and the Motion in this district is proper under 28 U.S.C. §§ 1408 and 1409.

2. Pursuant to Local Rule 9013-1(f), the Debtors consent to the entry of a final judgment or order with respect to this Motion if it is determined that the Court would lack Article III jurisdiction to enter such final order or judgment absent consent of the parties.

3. The statutory and rule-based predicates for the relief requested herein are Bankruptcy Code section 1112(a), Bankruptcy Rule 1017(f), and Local Rule 2002-1.

BACKGROUND

A. Procedural Background

4. On October 8, 2024 (the “**Petition Date**”), each of the Debtors filed voluntary petitions in this Court commencing these Chapter 11 Cases. The Debtors are authorized to continue operating their businesses and managing their properties as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

5. On October 9, 2024, the Court entered an order authorizing the joint administration of the Chapter 11 Cases for procedural purposes pursuant to Bankruptcy Rule 1015(b). *See* Docket No. 28.

6. On October 17, 2024, the United States Trustee (the “**U.S. Trustee**”) appointed the official committee of unsecured creditors in these Chapter 11 Cases (the “**Committee**”). *See* Docket No. 80. As of the date hereof, no trustee or examiner has been appointed in these Chapter 11 Cases.

7. The Debtors are authorized to continue operating their business and managing their properties as debtors in possession pursuant to Bankruptcy Code sections 1107(a) and 1108. No party has requested the appointment of a trustee or examiner in these Chapter 11 Cases.

B. The Sale Process

8. On October 29, 2024, the Court entered the *Order (I) Approving Bid Procedures in Connection with the Potential Sale of the Debtors' Assets, (II) Scheduling an Auction and a Sale Hearing, (III) Approving the Form and Manner of Notice Thereof, (IV) Authorizing the Debtors to Enter Stalking Horse Agreements, (V) Approving Bid Protections, (VI) Approving Procedures for the Assumption and Assignment of Contracts and Leases, and (VII) Granting Related Relief* [Docket No. 126] (the “**Bid Procedures Order**”), pursuant to which the Debtors sought to sell substantially all of their assets to AHS Acquisition Holdings, LLC (the “**Stalking Horse Bidder**”)

9. Shortly after the Bid Procedures Order was entered, the Debtors were contacted by a prospective purchaser for the Debtors' medical surgical division located in Louisville, Kentucky (the “**MedSurge Division**”). Following intense negotiations, the Debtors filed a motion to approve a private sale of the MedSurge Division to DRE Resume, LLC (“**Resume**”). *See* Docket No. 187. On November 12, 2024, the Court approved the sale of the MedSurge Division to Resume. *See* Docket No. 229. The sale of the MedSurge Division closed on November 13, 2024. *See* Docket No. 235.

10. Despite the substantial efforts of the Debtors and their professionals, no other bids were received for the Debtors' remaining assets. On December 10, 2024, the Court entered an order approving the sale of the Debtors' remaining assets to the Stalking Horse Bidder. *See* Docket No. 305. The sale to the Stalking Horse Bidder closed on January 21, 2025. *See* Docket No. 357.

11. Pursuant to the APA, the Stalking Horse Bidder entered into a transition services agreement (the “**TSA**”) at close with the Debtors to assist with an orderly transition of operations

from the Debtors to the Stalking Horse Bidder.

12. On May 12, 2025, pursuant to their Designation Rights under Stalking Horse Agreement, the Stalking Horse Bidder informed the Debtors which executory contracts and/or unexpired leases they wished to assume or reject. Accordingly, on this same date, the Stalking Horse Bidder filed the Notice of Assumption and/or Rejection [Docket No. 458] and served the notice on all relevant executory contract and/or unexpired lease counterparties.

13. The TSA period has now expired. Without any further funding via the TSA for these Chapter 11 Cases, the Debtors are unable to confirm a Chapter 11 plan due to the lack of funds available to Debtors' estates. Accordingly, the Debtors have determined that they have no choice but to, and that it is in the best interest of all creditors to, seek to convert these Chapter 11 Cases to cases under chapter 7 of the Bankruptcy Code in order to preserve potential claims and causes of action for a chapter 7 trustee, who would be best equipped to complete the administration of the Debtors' estates.

14. In addition, given these developments, the Debtors are left unable to perform the corporate actions necessary to effectuate a confirmable plan in these Chapter 11 Cases, and conversion is necessary at this juncture.

C. The Committee Settlement

15. On November 11, 2024, the Debtors filed the *Joint Motion of Debtors and Creditors' Committee to Approve Settlement Term Sheet Among Debtors, Creditors' Committee, and AHS Acquisition Holdings, LLC* [Docket No. 215] (the "**9019 Motion**").²

² Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the 9019 Motion or Settlement Order (defined herein), as applicable.

16. On November 22, 2024, the Court entered the *Order Approving Settlement Term Sheet Among Debtors, Creditors' Committee, and AHS Acquisition Holdings, LLC* [Docket No. 287] (the “**Settlement Order**”), which approved the 9019 Motion.

17. Pursuant to the Settlement Order, and the Settlement Term Sheet attached thereto, certain Estate Assets, including certain claims and causes of action specified in the Settlement Term Sheet, are preserved for the Debtors' estates to be pursued for the benefit of general unsecured creditors upon conversion of these Chapter 11 Cases.

RELIEF REQUESTED

18. By this Motion, the Debtors request entry of (i) the Proposed Order, pursuant to Bankruptcy Code section 1112(a), Bankruptcy Rule 1017(f), and Local Rule 2002-1: (a) converting the Chapter 11 Cases to cases under chapter 7 of the Bankruptcy Code, (b) establishing a deadline for filing final chapter 11 professional fee applications and setting a date for a hearing thereon, and (b) granting related relief.

19. The Debtors also request that the Court approve the following procedures in connection with the conversion of these Chapter 11 Cases to chapter 7 of the Bankruptcy Code (the “**Conversion Procedures**”):

- a. **Professional Fees.** To the extent professionals retained in the Chapter 11 Cases have not already submitted final fee applications to the Court (the “**Final Fee Applications**”), all professionals shall have submitted Final Fee Applications in accordance with the Bankruptcy Code, Bankruptcy Rules, Local Rules, and orders of this Court no later than May 28, 2025 (the “**Final Fee Application Deadline**”). Objections, if any, to the Final Fee Applications shall be filed and served not later than twenty-one (21) days after the Final Fee Application Deadline. The Court will hold a hearing on Final Fee Applications on June 25, 2025. To the extent no objections are filed to a given professional's Final Fee Application, such professional may file a Certificate of No Objection, and the Court may, in its sole discretion, enter an order approving such fees.

- b. **Books and Records.** As soon as reasonably practicable, but in no event more than fourteen (14) days after the appointment of the interim chapter 7 trustee, the Debtors shall turn over or provide access to the chapter 7 trustee the books and records of the Debtors in the Debtors' possession and control, as required by Bankruptcy Rule 1019(d). For purposes hereof, the Debtors may provide copies (including electronic copies) of such books and records to the chapter 7 trustee, or instructions for locating and accessing such books and records, and may retain copies of such books and records to the extent necessary to complete the reports required herein.
- c. **Schedule of Unpaid Debts.** Within fourteen (14) days of the Conversion Date, the Debtors shall file a schedule of unpaid debts incurred on and after the Petition Date, including the name and address of each creditor, as required by Bankruptcy Rule 1019(e)(1)(A).
- d. **Final Report.** Within thirty (30) days after the Conversion Date, the Debtors shall file and transmit to the chapter 7 trustee a final report and account in accordance with Bankruptcy Rule 1019(e)(1)(B).
- e. **Claims.** In accordance with Local Rule 2002-1(e)(x), within the earlier of (i) fourteen (14) days of the Conversion Date and (ii) entry of a termination order, Omni Agent Solutions, Inc. ("**Omni**") —the Debtors' claims and noticing agent—shall (i) forward to the Clerk of this Court an electronic version of all proofs of claim, (ii) upload the publicly available portions of the creditor matrix into CM/ECF, (iii) forward to the Clerk the sealed portions of the creditor matrix in the format requested by the Clerk, (iv) docket a final claims register in the Debtors' Chapter 11 Cases, and (iv) forward to the chapter 7 trustee an electronic version of all proofs of claim.

BASIS FOR RELIEF REQUESTED

A. The Chapter 11 Cases Should be Converted.

20. The Debtors have liquidated substantially all of their assets, have no operating business to save, and lack the funding to move forward with any plan in these Chapter 11 Cases. Accordingly, the Debtors have no alternative but to convert the Chapter 11 Cases to chapter 7 pursuant to section 1112(a) of the Bankruptcy Code, which provides:

The debtor may convert a case under this chapter to a case under chapter 7 of this title unless —

- (1) the debtor is not a debtor in possession;

- (2) the case originally was commenced as an involuntary case under this chapter; or
- (3) the case was converted to a case under this chapter other than on the debtor's request.

11 U.S.C. § 1112(a).

21. The legislative history for section 1112(a) states that this subsection “gives the debtor the absolute right to convert a voluntarily commenced chapter 11 case in which the debtor remains in possession to a liquidation case.” *See In re Schuler*, 119 B.R. 191, 192 (Bankr. W.D. Mo. 1990) (quoting H.R. Rep. No. 595, 95th Cong., 1st Sess. 405 (1977); S. Rep. No. 989, 95th Cong., 2nd Sess. 117 (1978)). Other courts have also suggested that, provided the exceptions set forth in section 1112(a) do not exist, a debtor has an absolute right to convert its case from Chapter 11 to Chapter 7. *See In re Texas Extrusion Corp.*, 884 F.2d 1142, 1161 (5th Cir. 1988); *In re Marrill Alarm Systems, Inc.*, 100 B.R. 606, 607 (Bankr. S.D. Fla. 1989); *In re Dieckhaus Stationers of King of Prussia, Inc.*, 73 B.R. 969, 971 (Bankr. E.D. Pa. 1987) (Section 1112(a) “gives the debtor an absolute right to convert”).

22. As a threshold matter, none of the limitations provided in section 1112(a) on a debtor's right to convert is present because (a) the Debtors are debtors in possession, (b) the case was commenced by filing a voluntary petition for relief, and (c) there have been no prior conversions. Furthermore, no extreme or unusual circumstances exist that would warrant denial of this Motion.

23. Moreover, the Debtors currently do not have sufficient funds available to pursue confirmation of a plan, and it is therefore the Debtors' judgment that in the particular circumstances of these Chapter 11 Cases, the goal of maximizing net recoveries for creditors will best be achieved through an orderly process administered by a chapter 7 trustee.

24. Accordingly, the Debtors respectfully request that the Court enter an order converting the Chapter 11 Cases to chapter 7.

B. The Conversion Procedures and Related Relief Should be Approved.

25. Pursuant to Local Rule 2002-1(e)(xi), “[u]pon conversion of a chapter 11 case to a chapter 7 case, if there are more than 200 creditors, the claims agent appointed in the chapter 11 case shall . . . submit a termination order.”

26. Accordingly, the Debtors request that the Proposed Order provide for the termination of Omni’s services as claims and noticing agent in these Chapter 11 Cases.

27. The Debtors also believe that the Conversion Procedures are appropriate under the facts of this case and should be approved.

NOTICE

28. Notice of this Motion will be given to the following parties: (a) the U.S. Trustee; (b) counsel to the DIP Agent; (c) counsel to the Committee; and (d) any party that has requested notice pursuant to Bankruptcy Rule 2002 (collectively, the “**Notice Parties**”). The Debtors submit that, under the circumstances, no other or further notice is required.

WHEREFORE, the Debtors respectfully request that the Court enter (i) the Proposed Order, in substantially the form attached as Exhibit A, granting the relief requested in the Motion and for such other and further relief as may be just and proper.

Dated: May 23, 2025
Wilmington, Delaware

Respectfully submitted,

POLSINELLI PC

/s/ Christopher A. Ward

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*Counsel to the Debtors and
Debtors in Possession*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

JORDAN HEALTH PRODUCTS I, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-12271 (TMH)

(Jointly Administered)

Hearing Date: June 25, 2025 at 10:00 a.m. (ET)

Obj. Deadline: June 18, 2025 at 4:00 p.m. (ET)

NOTICE OF MOTION

PLEASE TAKE NOTICE that the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) have filed the *Debtors’ Motion for Entry of an Order (I) Converting Their Chapter 11 Cases to Chapter 7 Pursuant to 11 U.S.C. § 1112(a), (II) Establishing a Deadline for Filing Final Chapter 11 Fee Applications and Setting a Hearing Thereon, and (III) Granting Related Relief* (the “**Motion**”) with the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”).

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion must be filed on or before **June 18, 2025 at 4:00 p.m. (ET)** (the “**Objection Deadline**”) with the Clerk of the Bankruptcy Court, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801 and served so actually to be received by the Objection Deadline upon the undersigned counsel to the Debtors.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the relief requested in the Motion will be held on **June 25, 2025 at 10:00 a.m. (ET)** before the Honorable Thomas M. Horan, at the Bankruptcy Court, 824 N. Market Street, 3rd Floor, Courtroom No. 7, Wilmington, Delaware 19801. Only those objections made in writing and timely filed and served in accordance with the above procedures will be considered by the Bankruptcy Court at such hearing.

PLEASE TAKE FURTHER NOTICE THAT IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Jordan Health Products I, Inc. (9981); Global Medical Imaging, LLC (8828); D.R.E. Medical Group, Inc. (2356); Oncology Services International, Inc. (2514); Technical Options of Georgia, Inc. (5488); Jordan Health Products III, Inc. (9350); Transtate Equipment Company, Inc. (4201); Equipment Maintenance Solutions, Inc. (7216); Ultra Solutions Holdings, Inc. (2305); Ultra Solutions, LLC (3425); Pacific Medical Group, Inc. (4339); and Pacific Medical Holdings, Inc. (2135). The Debtors’ service address is 1040 Derita Road, Suite A, Concord, NC 28027. Debtor Jordan Health Products I, Inc. is doing business as Avante Health Solutions.

Dated: May 23, 2025
Wilmington, Delaware

Respectfully submitted,

POLSINELLI PC

/s/ Christopher A. Ward

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EXHIBIT A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

JORDAN HEALTH PRODUCTS I, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-12271 (TMH)

(Jointly Administered)

Re: Docket No. ____

**ORDER (I) CONVERTING CASES FROM
CHAPTER 11 TO CHAPTER 7, (II) ESTABLISHING A
DEADLINE FOR FILING FINAL CHAPTER 11 FEE APPLICATIONS
AND SETTING A HEARING THEREON, AND (III) GRANTING RELATED RELIEF**

Upon the motion (the “**Motion**”)² of the above-captioned debtors and debtors-in-possession (the “**Debtors**”) for entry of an order, pursuant to section 1112(a) of title 11 of the United States Code (the “**Bankruptcy Code**”), (i) converting the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”) to cases under chapter 7 of the Bankruptcy Code, (ii) establishing a deadline for filing final chapter 11 fee applications, and (iii) granting related relief; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court being able to issue a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Jordan Health Products I, Inc. (9981); Global Medical Imaging, LLC (8828); D.R.E. Medical Group, Inc. (2356); Oncology Services International, Inc. (2514); Technical Options of Georgia, Inc. (5488); Jordan Health Products III, Inc. (9350); Transtate Equipment Company, Inc. (4201); Equipment Maintenance Solutions, Inc. (7216); Ultra Solutions Holdings, Inc. (2305); Ultra Solutions, LLC (3425); Pacific Medical Group, Inc. (4339); and Pacific Medical Holdings, Inc. (2135). The Debtors’ service address is 8700 W Bryn Mawr Ave., Suite 720S, Chicago, IL 60631. Debtor Jordan Health Products I, Inc. is doing business as Avante Health Solutions.

² Capitalized terms used in this Order but not otherwise defined in this Order shall have the meanings ascribed to such terms in the Motion.

the Motion in this District is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been given; and it appearing that no other or further notice of the Motion is required; and this Court having found that the relief requested by the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is GRANTED, as set forth herein.
2. The Chapter 11 Cases are hereby converted to cases under chapter 7 of the Bankruptcy Code as of the date of the entry of this Order (the "**Conversion Date**").
3. For the avoidance of doubt, the Estate Assets, including those claims and causes of action specified in the Settlement Term Sheet, are preserved for the Debtors' estates to be pursued by a chapter 7 trustee for the benefit of general unsecured creditors.
4. The following Conversion Procedures are hereby approved:
 - a. **Professional Fees.** To the extent professionals retained in the Chapter 11 Cases have not already submitted final fee applications to the Court (the "**Final Fee Applications**"), all professionals shall have submitted Final Fee Applications in accordance with the Bankruptcy Code, Bankruptcy Rules, Local Rules, and orders of this Court no later than May 28, 2025 (the "**Final Fee Application Deadline**"). Objections, if any, to the Final Fee Applications shall be filed and served not later than twenty-one (21) days after the Final Fee Application Deadline. The Court will hold a hearing on Final Fee Applications on June 25, 2025. To the extent no objections are filed to a given professional's Final Fee Application, such professional may file a Certificate of No Objection, and the Court may, in its sole discretion, enter an order approving such fees.
 - b. **Books and Records.** As soon as reasonably practicable, but in no event more than fourteen (14) days after the appointment of the interim chapter 7 trustee, the Debtors shall turn over or provide access to the chapter 7 trustee the books and records of the Debtors in the Debtors' possession and control, as required by Bankruptcy Rule 1019(d). For purposes hereof, the Debtors may provide copies (including electronic copies) of such books and records to the chapter 7

trustee, or instructions for locating and accessing such books and records, and may retain copies of such books and records to the extent necessary to complete the reports required herein.

- c. **Schedule of Unpaid Debts.** Within fourteen (14) days of the Conversion Date, the Debtors shall file a schedule of unpaid debts incurred on and after the Petition Date, including the name and address of each creditor, as required by Bankruptcy Rule 1019(e)(1)(A).
- d. **Final Report.** Within thirty (30) days after the Conversion Date, the Debtors shall file and transmit to the chapter 7 trustee a final report and account in accordance with Bankruptcy Rule 1019(e)(1)(B).
- e. **Claims.** In accordance with Local Rule 2002-1(e)(x), within the earlier of (i) fourteen (14) days of the Conversion Date and (ii) entry of a termination order, Omni Agent Solutions, Inc. (“**Omni**”) —the Debtors’ claims and noticing agent—shall (i) forward to the Clerk of this Court an electronic version of all proofs of claim, (ii) upload the publicly available portions of the creditor matrix into CM/ECF, (iii) forward to the Clerk the sealed portions of the creditor matrix in the format requested by the Clerk, (iv) docket a final claims register in the Debtors’ Chapter 11 Cases, and (iv) forward to the chapter 7 trustee an electronic version of all proofs of claim.

5. Subject to its compliance with Local Rule 2002-1(e)(x)-(xi), on the Conversion Date, Omni shall be relieved of its responsibilities as the Debtors’ claims and noticing agent in these Chapter 11 Cases and will have no further obligations to the Court, the Debtors, the chapter 7 trustee (once appointed), or any party in interest with respect to the Debtors’ Chapter 11 Cases or the chapter 7 cases.

6. This Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.