UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:	)	
ST. MARGARET'S HEATLH – PERU and ST. MARGARET'S HEALTH – SPRING VALLEY,	)	Case No. 23 B 11641 (Jointly administered)
	)	Chapter 11
Debtors.	)	
MICHAEL A. BRANDESS, solely as Trustee of the SMH Creditor Trust,	)	Adv. No. 25 A 221
Plaintiff,	)	
v.	)	Judge David D. Cleary
SPRING VALLEY CITY BANK,	)	
Defendant.	)	

ORDER GRANTING IN PART AND DENYING IN PART MOTION TO DISMISS

This matter having come before the court on the motion of Spring Valley City Bank to dismiss ("Motion to Dismiss") in part the complaint filed by Michael A. Brandess, solely as Trustee of the SMH Creditor Trust ("Plaintiff"), the court having set forth its ruling on the record in open court, **IT IS ORDERED THAT**:

1. The Motion to Dismiss is **DENIED** as to Counts One, Two, Three and Four;
2. The Motion to Dismiss is **GRANTED** as to Count Five;
3. Plaintiff is allowed leave to amend the complaint as described in the court's ruling on or before **April 15, 2026**; and
4. This matter is set for status on **April 22, 2026 at 9:30 a.m**.

ENTERED:

Date: March 18, 2026



DAVID D. CLEARY
United States Bankruptcy Judge