

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

In re:

Hiawatha Manor Association, Inc.

Debtor.

Chapter 11

Case No. 25-01916

Judge Randal S. Mashburn

**DEBTOR'S MOTION FOR ENTRY
OF AN ORDER EXTENDING TIME FOR FILING SCHEDULES OF
ASSETS AND LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS**

The above-captioned debtor (the “**Debtor**”), by and through its undersigned counsel, files this motion (this “**Motion**”) pursuant to sections 105(a) and 521 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rules 1007(c) and 9006(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule 1007-1 of the Local Rules of Court for the United States Bankruptcy Court for the Middle District of Tennessee (the “**Local Rules**”), seeking entry of an order, substantially in the form attached hereto as **Exhibit A** (the “**Proposed Order**”), extending the deadline by which the Debtor must file required Schedules and Statements (as defined below) by ten (10) days. In support of the Motion, the Debtor, by and through its undersigned proposed counsel, respectfully represents:

Jurisdiction and Venue

1. This Court has jurisdiction to consider this Motion under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. §157(b).
2. Venue of this case and the Motion in this district is proper under 28 U.S.C. §§ 1408 and 1409.
3. The statutory predicates for the relief requested herein are Bankruptcy Code sections 105(a) and 521, Bankruptcy Rules 1007(c) and 9006(b), and Local Rule 1007-1.

Background

4. On May 6, 2025 (the “***Petition Date***”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code commencing this chapter 11 case (the “***Chapter 11 Case***”).

5. No request for the appointment of a trustee or examiner has been made in this Chapter 11 Case and no committee of unsecured creditors has been appointed.

6. On the Petition Date, the Debtor filed two complaints commencing adversary proceedings (Adv. Pro. No. 2:25-ap-90051 and Adv. Pro. No. 2:25-ap-90052) (the “***Adversary Proceedings***”) in which the Debtor is seeking authority, pursuant to section 363(h) of the Bankruptcy Code, to sell (i) that certain 47-unit development located at 8005 Cherokee Trail, Crossville, Tennessee 37863, which is commonly known as the “Hiawatha Manor Resort” and (ii) that certain 70-unit development located at 8007 Cherokee Trail, Crossville, Tennessee 37863, which is commonly known as the “Hiawatha Manor West at Lake Tansi Village” (collectively, the “***Properties***”), including the interests held by non-debtors as tenants in common (the “***Defendants***”).

7. On the May 12, 2015, the Debtor filed the *Debtor’s Motion To Employ Realtor* [Dkt. No. 14] (the “***Realtor Motion***”). Upon the granting of the Realtor Motion, the Debtor will work with its hired realtor to market the Properties.

8. Following the successful marketing of the Properties and the consummation of an approved sale contemplated by the Adversary Proceedings, the Debtor intends to file a plan of liquidation proposing to distribute the net sales proceeds to the Defendants and other creditors in accordance with the Bankruptcy Code, after payment of administrative claims, taxes, secured debts, and other obligations.

Relief Requested

9. By this Motion, the Debtor seeks entry of an order pursuant to Bankruptcy Rule 1007(c) extending the deadline to file its (a) schedules of assets and liabilities, (b) schedules of executory contracts and unexpired leases, and (c) statements of financial affairs (collectively, the “*Schedules and Statements*”) by an additional ten (10) days, from the date such Schedules and Statements are otherwise required to be filed, to 24 total days from the Petition Date, without prejudice to the Debtor’s ability to request additional time to file the Schedules and Statements should it become necessary.

Basis for Relief

10. Bankruptcy Code section 521 and Bankruptcy Rule 1007(c) require a debtor to file, among other things, its schedules of assets and liabilities, schedules of current income and current expenditures, and a statement of financial affairs within fourteen days of the petition date. Bankruptcy Rule 1007(c) also allows an extension “on motion for cause shown.”

11. Here, good and sufficient cause exists under Bankruptcy Rule 1007(c) to grant the Motion. Prior to the Petition Date, the Debtor and its advisors focused extensively on preparing for the filing and transitioning the business into the chapter 11 process. However, given the extensive list of Defendants in the Adversary Proceedings, and the time and attention to service related matters therein, the Debtor does not anticipate finalize its Schedules and Statements within the current specified time.

12. The Debtor is working expeditiously to prepare and file its Schedules and Statements, however, given the nature of the Debtor’s case and the amount of information required

to adequately prepare such Schedules and Statement, the Debtor respectfully requests an extension of ten days, without prejudice to the Debtor's right to request further extension, for cause shown.

13. Further, the meeting of creditors pursuant to section 341 of the Bankruptcy Code is scheduled to occur on June 3, 2025. The requested extension will ensure the Debtor has filed the Statements and Schedules in advance of the meeting of creditors. The Debtor has consulted with the Office of the United States Trustee for the Middle District of Tennessee (the "***U.S. Trustee***") regarding the relief sought herein and the U.S. Trustee does not oppose the requested extension.

Notice

14. Notice of this Motion will be provided to the U.S. Trustee and all parties entitled to notice pursuant to Bankruptcy Rule 2002. Due to the nature of the relief requested herein, the Debtor submits that no other or further notice is required.

No Prior Request

15. No previous request for relief sought herein has been made to this Court or any other court.

[Remainder of page intentionally left blank.]

WHEREFORE, the Debtor respectfully requests entry of an order, substantially in the form of the proposed order attached hereto as **Exhibit A** granting the relief requested herein and granting such other relief as is just and proper.

DATED: May 19, 2025
Nashville, Tennessee

Respectfully submitted,
HOLLAND & KNIGHT LLP

/s/ Blake D. Roth

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Proposed Counsel for the Debtor and Debtor in Possession

CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2025, a copy of the foregoing was sent via ECF to the U.S. Trustee and all parties registered to receive electronic notice.

/s/ Blake D. Roth

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Proposed Counsel for the Debtor and Debtor in Possession

Exhibit A

Proposed Order

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**ORDER EXTENDING TIME FOR FILING SCHEDULES OF ASSETS
AND LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS**

Upon the motion (the “*Motion*”)¹ of the Debtor for an order, under Bankruptcy Rule 1007(c), extending the deadline by which the Debtor must file its Schedules and Statements by ten (10) days, which is a total of 24 days from the Petition Date; and the Court having reviewed the Motion; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors, and other parties in interest; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED, AND DECLARED THAT:

1. The Motion is GRANTED, as set forth herein.
2. The time by which the Debtor must file its Schedules and Statements shall be and hereby is extended through and including May 30, 2025, without prejudice to the Debtor’s right to seek additional extensions upon notice and hearing.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

3. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or interpretation of this Order.

APPROVED FOR ENTRY:

HOLLAND & KNIGHT LLP

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