

**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 EXPEDITED MOTION TO CONTINUE AND CONSOLIDATE HEARINGS**

The above-captioned debtor (the “**Debtor**”), by and through its undersigned counsel, files this expedited motion (this “**Motion**”) pursuant to section 105(a) of title 11 of the United States Code (the “**Bankruptcy Code**”), Rules 9006 and 9014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rules 9014-1 and 9075-1 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 continuing the hearing currently scheduled for June 24, 2025 at 9:30 am to be consolidated with the hearing scheduled for July 8, 2025 at 9:30 am.

Notice of this expedited Motion shall be given to the U.S. Trustee and all parties entitled to notice pursuant to Bankruptcy Rule 2002.

No hearing is needed for this Motion and it can be decided by the Court in the Court's discretion.

In further 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 9006 and 9014, and Local Rule 9014-1.

#### **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. On the Petition Date, the Debtor also filed two complaints commencing adversary proceedings (Adv. Pro. No. 2:25-ap-90051 and Adv. Pro. No. 2:25-ap-90052) (the “**Adversary Proceedings**”).

6. On May 12, 2015, the Debtor filed the *Debtor’s Motion To Employ Realtor* (Dkt. No. 14) (the “**Realtor Motion**”), which was set for hearing on June 24, 2025 at 9:30 a.m. (the “**Realtor Hearing**”).

7. A status conference was held on May 13, 2025 to discuss the Adversary Proceedings following which the Court subsequently entered an order in each Adversary Proceeding to continue the status conference for the Adversary Proceedings to July 8, 2025 at 9:30 a.m. (the “**Status Conference**”). (See A.P. Dkt. No. 4.)

8. On June 4, 2025, an *Objection to Debtor’s Motion to Employ Realtor* (Dkt. No. 31) (the “**Objection**”) was filed by Linda Simmons (“**Ms. Simmons**”).

9. On June 9, 2025, the Debtor filed *Debtor’s Application for Entry of an Order Approving the Employment and Retention of Holland & Knight LLP as Counsel for the Debtor and Debtor in Possession Retroactive to the Petition Date* (Dkt. No. 36) (the “**Retention Motion**”),

which is set for hearing (if necessary) on July 8, 2025 at 9:30 a.m. (the “**Retention Hearing**”), the same time as the Status Conference.

10. On June 11, 2025, Ms. Simmons filed the *Defendant’s Answer and Affirmative Defenses to Complaint to Sell Estate’s Interest and Co-Owner’s Interests in Real Property Pursuant to 11 U.S.C. § 363(h)* (the “**Answer**”) (A.P. Dkt. No. 11).

11. On June 16, 2025, Ms. Simmons filed the *Motion to Compel Debtor to Amend Schedule G to Disclose Executory Contract With Lemonjuice Solutions* (Dkt. No. 39) (the “**Motion to Compel**”), which has not been set for a hearing but to which the Debtor intends to respond.

#### **RELIEF REQUESTED**

12. By this Motion, the Debtor seeks entry of an order consolidating the hearings to consider the Realtor Motion and Motion to Compel, on the one hand, with the Status Conference and hearing to consider the Retention Motion, on the other hand, on July 8, 2025 at 9:30 a.m.

13. Consolidating each of the foregoing matters will: (a) permit Ms. Simmons, any witnesses the Debtor may need to call, and any other parties in interest to travel to the Court a single time rather than being required to attend multiple hearings; and (b) promote judicial efficiency by having multiple interrelated matters considered at the same time.

14. Debtor’s counsel alerted Ms. Simmons that it intended to make this request; however, Debtor’s counsel has not received a response as to whether Ms. Simmons consents to the relief sought in this motion.

#### **NOTICE**

15. 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**

16. 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 granting the relief requested herein and granting such other relief as is just and proper.

DATED: June 17, 2025  
Nashville, Tennessee

Respectfully submitted,  
**HOLLAND & KNIGHT LLP**

/s/ Blake D. Roth  
Blake D. Roth (Federal ID No. 2666808)  
C. Scott Kunde (TN Bar No. 040218)  
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Nashville, TN 37219  
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Email: Blake.Roth@hklaw.com  
Scott.Kunde@hklaw.com

*Proposed Counsel for the Debtor and Debtor in Possession*

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 17, 2025, a copy of the foregoing was sent via ECF to the U.S. Trustee and all parties registered to receive electronic notice and to all parties via U.S. mail, postage prepaid, on the attached matrix.

/s/ Blake D. Roth

Blake D. Roth (Federal ID No. 2666808)

C. Scott Kunde (TN Bar No. 040218)

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*Proposed Counsel for the Debtor and Debtor in Possession*

Label Matrix for local noticing  
0650-2  
Case 2:25-bk-01916  
MIDDLE DISTRICT OF TENNESSEE  
Cookeville  
Tue Jun 17 14:51:26 CDT 2025  
  
701 Broadway Room 170  
Nashville, TN 37203-3979

Ford Motor Credit Company LLC, c/o AIS Portf  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118-7901

Hiawatha Manor Association, Inc.  
7380 W SAND LAKE RD SUITE 130  
ORLANDO, FL 32819-5285

CROWN RESORTS MANAGEMENT LLC  
PMB 28046  
548 MARKET ST  
SAN FRANCISCO CA 94104-5401

CUMBERLAND CO TN ASSESSOR OF PROPERTY  
2 S MAIN ST 101  
CROSSVILLE TN 38555-4508

FRONTIER  
PO BOX 211579  
SAINT PAUL MN 55121-2879

FRONTIER COMMUNICATIONS  
PO BOX 740407  
CINCINNATI OH 45274-0407

Ford Motor Credit Company LLC  
AIS Portfolio Services, LLC  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118-7901

Ford Motor Credit Company LLC c/o AIS Portfo  
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Oklahoma City, OK 73118-7901

LAKE TANSI POA  
5050 SHOSHONE LOOP  
CROSSVILLE TN 38572-6416

MADDOX COMPANY MECHANICAL  
170 CITY LAKE ROAD  
CROSSVILLE TN 38572-1704

SELK SANITATION  
544 EAST LANE  
CROSSVILLE TN 38555-2859

SOUTH CUMBERLAND UTILITY DISTRICT  
139 UTILITY DRIVE  
CROSSVILLE TN 38572-6739

(p)SMB BANKRUPTCIES  
1600 DUBLIN RD  
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COLUMBUS OH 43215-2095

US TRUSTEE  
OFFICE OF THE UNITED STATES TRUSTEE  
701 BROADWAY STE 318  
NASHVILLE, TN 37203-3966

VACATIA  
PMB 28046  
548 MARKET ST  
SAN FRANCISCO CA 94104-5401

VOLUNTEER ENERGY COOPERATIVE  
PO BOX 22222  
DECATUR TN 37322-2222

BLAKE ROTH  
Holland & Knight LLP  
511 UNION STREET, SUITE 2700  
NASHVILLE, TN 37219-1791

Christopher Scott Kunde Jr  
Holland & Knight LLP  
511 Union St  
Suite 2700  
Nashville, TN 37219-1791

Linda (Lindstrom) Simmons  
9643 Chanteclair Circle  
Highlands Ranch, CO 80126-3079

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

SPECTRUM ENTERPRISE  
CHARTER COMMUNICATIONS  
BOX 223085  
PITTSBURGH PA 15251

(u)Lake Tansi Village Property Owners Associa

(u)CLEAN CUT LAWN CARE

End of Label Matrix	
Mailable recipients	20
Bypassed recipients	2
Total	22



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

In re:

Chapter 11

Hiawatha Manor Association, Inc.,

Case No. 25-01916

Debtor.

Judge Randal S. Mashburn

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**MOTION TO APPEAR VIA ZOOM VIDEO  
AT JULY 8, 2025 HEARING**

Linda (Lindstrom) Simmons (the “*Movant*”) and a party in interest in the above-captioned Chapter 11 case, the pro se filer of (i) an Objection to the Debtor’s Motion to Employ Realtor (Doc. 31), and (ii) a Motion to Compel Debtor to Amend Schedule G to Disclose Executory Contract with Lemonjuice Solutions (Doc. 39), respectfully moves this Court for leave to appear by Zoom video at the hearing scheduled for July 8, 2025 at 9:30 a.m.

In support of this request, Movant states as follows:

1. Movant resides in Highlands Ranch, Colorado, approximately 1,100 miles from Nashville, Tennessee. Personal attendance would impose a significant time, cost and logistical burden.
2. Movant is the sole objector to the Debtor’s Motion to Employ Realtor and the sole movant on the Motion to Compel. She respectfully seeks to participate directly and fully at both hearings via Zoom video.
3. She is also the only respondent who has filed an Answer in Adversary Proceeding No. 2:25-ap-90051, a proceeding affecting more than 1,500 co-owners.
4. Movant does not intend to offer live testimony or examine witnesses, but seeks only to present legal argument on pleadings already of record.

5. She purchased her timeshare interest in 1982 and has taken early and active steps to protect both her own interests and those of fellow co-owners, many of whom are elderly, deceased, or otherwise unable to participate – particularly given persistent deed record issues that have likely hampered complete or reliable contact.

6. Movant possesses the necessary equipment and internet connectivity to appear via Zoom video without difficulty and affirms that her participation will not impede the orderly conduct of the hearing.

WHEREFORE, Ms. Simmons respectfully requests that the Court grant her leave to appear remotely via Zoom video at the hearing scheduled for July 8, 2025, and grant such other and further relief as the Court deems just and proper.

Dated: June 19, 2025

Respectfully submitted,

/s/ Linda (Lindstrom) Simmons  
Linda (Lindstrom) Simmons, Pro Se  
9643 Chanteclair Circle  
Highlands Ranch, CO 80126  
Telephone: (615) 594-2866  
Email: lindasimmons2866@gmail.com

#### **CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2025, a true and correct copy of the foregoing *Motion to Appear Via Zoom Video at July 8, 2025 Hearing* was filed and served via the Court's CM/ECF system on all parties receiving electronic notice in this case, in accordance with Bankruptcy Rule 2002 and Local Rule 9013-1.