

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

WORDSWORTH ACADEMY, *et al.*¹,

Debtors.

Chapter 11

Case No. 17-14463 (AMC)

JOINDER OF CREDITORS' COMMITTEE TO DEBTORS' MOTION FOR (A) COURT DETERMINATION THAT NONE OF THE DEBTORS IS A HEALTH CARE BUSINESS, AND, ALTERNATIVELY (B) COURT DETERMINATION THAT AN OMBUDSMAN IS UNNECESSARY IF THE COURT DETERMINES THAT ANY OF THE DEBTORS IS A HEALTH CARE BUSINESS

The Official Committee of Unsecured Creditors (the "**Committee**") appointed in the cases (the "**Chapter 11 Cases**") of the above-captioned debtors and debtors-in-possession (collectively, the "**Debtors**"), by and through its proposed counsel, joins in the Debtors' *Motion for (a) Court Determination that None of the Debtors is a Health Care Business, and, Alternatively (b) Court Determination that an Ombudsman is Unnecessary if the Court Determines that any of the Debtors is a Health Care Business* (the "**Motion**"), and respectfully represents as follows:

BACKGROUND

1. On June 30, 2017 (the "**Petition Date**"), the each of the Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the "**Bankruptcy Code**") with the United States Bankruptcy Court for the Eastern District of Pennsylvania.

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: Wordsworth Academy (9031); Wordsworth CUA 5, LLC (0983); and Wordsworth CUA 10, LLC (5980). Wordsworth Academy has an address at 3300 Henry Ave., Philadelphia, PA 19129.

2. The Debtors are operating their businesses and managing their properties as debtors-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. On July 14, 2017, the United States Trustee for Region 3 appointed the Committee.

4. The Debtors filed the Motion on August 7, 2017, in which they seek a determination by the Court that none of the Debtors is a health care business as defined in section 101(27A) of the Bankruptcy Code and, alternatively, that if the Court finds any of the Debtors to be a health care business, that a health care ombudsman is unnecessary in these cases.

5. For the reasons set forth herein, the Committee joins the Motion and supports the relief requested therein.

JOINDER

6. The Debtors produced information to the United States Trustee with respect to the United States Trustee's inquiry into whether the Debtors' operations constitute a health care business. The Committee has received and reviewed substantially all of the information that the Debtors provided to the United States Trustee. Additionally, the Committee independently reviewed information regarding the Debtors' operations and the Committee's professionals discussed the issue at length with the Debtors' professionals. Based on this diligence, the Committee is satisfied that the Debtors are not "primarily engaged in offering the general public facilities or services" for the diagnosis or treatment of medical conditions or diseases. *See* 11 U.S.C. § 101(27A).

7. Accordingly, the Committee urges the Court to find that the Debtors do not operate a health care business and that the appointment of an ombudsman is unnecessary.

Appointing an ombudsman under the circumstances of these cases would impose unnecessary delay and cost constraints, which is in the best interests of neither the Debtors nor their creditors.

8. The Committee reserves the right to present additional issues at the hearing on the Motion and/or to examine any witnesses at the hearing.

WHEREFORE, for the reasons set forth herein, the Committee joins the Motion and respectfully urges the Court to grant the relief requested therein.

Respectfully submitted,

Dated: August 14, 2017

WEIR & PARTNERS LLP

By: */s/ Jeffrey S. Cianciulli* _____

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Wordsworth Academy, et al.*

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CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2017, I caused a true and correct copy of the foregoing Joinder Of Creditors' Committee To Debtors' Motion on behalf of the Official Committee of Unsecured Creditors of Wordsworth Academy, *et al.*, to be electronically filed with the Clerk of the Bankruptcy Court, and served upon all parties registered for electronic service in the above-captioned case, using this Court's CM/ECF system.

Date: August 14, 2017

By: /s/ Jeffrey S. Cianciulli
Jeffrey S. Cianciulli, Esquire