IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE:	)	Case No. 26-31894
LOURDES UNIVERSITY and LOURDES PROPERTIES, LLC,[1] Jointly Administered Debtors-in-Possession	)	CHAPTER 11 Judge Mary Ann Whipple

MOTION (A) TO REMOVE AND REPLACE CREDITOR MATRIX OR, IN THE ALTERNATIVE, FOR LEAVE TO AMEND CREDITOR MATRIX; AND (B) TO AUTHORIZE LIMITED NOTICE FOR SERVICE

Lourdes University, one of the above-captioned debtors and debtors-in-possession (the "**Debtor**"), hereby moves this Court (the "**Motion**") for entry of an order (the "**Order**"), substantially in the form attached hereto as **Exhibit A**, pursuant to 11 U.S.C. §§ 105(a), 521, Federal Rules of Bankruptcy Procedure 1007, 1008, 1009, 9013, (the "**Bankruptcy Rules**") and Local Bankruptcy Rule 1007-2; (the "**Local Rules**") (a) (i) authorizing the clerk of the court to remove the Debtor's current creditor matrix (the "**Existing Matrix**") and (ii) authorizing the Debtor to file a new matrix in its place or, in the alternative, (b) authorizing the Debtor to amend its Existing Matrix; and (c) authorizing limited notice of the Motion and the hearing thereon.

Background

1. On August 10, 2026 (the "**Petition Date**"), the Debtor as well as Lourdes Properties, LLC, filed voluntary petitions for relief under chapter 11 of title 11, United States Code (the "**Bankruptcy Code**") in this Court.

[1]The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are: Lourdes University (6547); and Lourdes Properties, LLC (8998). The location of the Debtors' principal place of business is 6832 Convent Blvd., Sylvania, Ohio 43560.

2. The Debtor continues to manage and operate its business as a debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. No trustee, examiner, or official committee has been appointed in this chapter 11 case, and no request for appointment of a trustee or examiner has been made.

4. Simultaneously with the filing of their petitions, the Debtors filed the Declaration of Sister Nancy Linenkugel, OSF, DM, and on August 12, 2026, filed the Declaration of John Hillyer (together, the "**First Day Declarations**"). A detailed factual background of the Debtors' businesses and operations, as well as the events leading to the filing of these chapter 11 cases, is more fully set forth in the First Day Declarations, which are incorporated herein by reference.

5. On August 11, 2026, the Court entered an order authorizing the joint administration of the Debtors' cases.

6. On August 10, 2026, the Debtors filed a *Motion for Entry of an Order Establishing Notice Procedures and a Master Service List* (Doc. 7), which was granted. *See Order Establishing Notice Procedures and a Master Service List* dated August 13, 2026 (the "**Noticing Procedures Order**" at Doc. 60).

7. Simultaneously with the filing of the case, the Debtor uploaded a limited matrix with the petition pursuant to Local Bankruptcy Rule 1007-2.

8. Shortly before the filing of the Debtor's case, and as set forth in the Declaration of Geri Gregor (the "**Gregor Decl.**") attached hereto as **Exhibit B**, Geri Gregor ("**Gregor**") was asked by Debtor's counsel to compile a list of entities who were owed money by the Debtor or with whom the Debtor was transacting business. Due to a miscommunication, Gregor believed that such list should include any entity with whom the Debtor had transacted business, no matter

how long ago. As a result, Gregor prepared from the Debtor's database and books and records a creditor list that contained more than 3300 persons or entities. *See*, Gregor Decl., ¶3.

9. It is this list, together with contract parties and governmental entities, that was uploaded by Debtor's counsel as the matrix for the case (the "**Existing Matrix**").

10. In preparing the Debtor's Schedules and Statement of Financial Affairs for filing, it became apparent that a mistake was made in the content of the Existing Matrix. Specifically, the Existing Matrix contained considerably more entities than needed to be included based on a misunderstanding between counsel and the Debtors as to who needed to be included in that list. Because of that miscommunication, the Existing Matrix contained more than 3300 persons or entities, which largely included vendors which have been inactive for many years.

11. After realizing this error, the Debtor requested that Gregor compile a list containing only creditors who are owed money and other vendors with whom the Debtor still conducts business but who may not have been owed any money from the Debtor (the "**Active Entities**"). *See*, Gregor Decl., ¶5. This list, together with other appropriate parties (the "**Amended Matrix**"), removed those parties with whom the Debtor no longer conducts business and to whom the Debtor does not owe money (the "**Subject Entities**"). The Amended Matrix contains roughly 350 entities.

12. The Debtor sought to file and upload the Amended Matrix but were informed by the Clerk's office that the removal of the Subject Entities from the Existing Matrix must be sought through Motion. By this Motin, the Debtor seeks that relief.

Legal Analysis

The Subject Entities are not Creditors under the Bankruptcy Code.

13. A creditor, as defined under 11 U.S.C. § 101(1), is an:

> (A) entity that has a claim against the debtor that arose at the time of or before the order for relief concerning the debtor;
> (B) entity that has a claim against the estate of a kind specified in section 348(d), 502(f), 502(g), 502(h) or 502(i) of this title; or
> (C) entity that has a community claim."

11 U.S.C. § 101.

14. The Code further defines "claim" as a right to payment or right to an equitable remedy for breach of performance. 11 U.S.C. § 101(5). "As the definition makes clear, an entity must presently possess a claim against the debtor on the petition date in order to be a creditor. Notably, an entity ceases to be a creditor upon satisfaction of a claim, or upon assignment of all interest in a claim." *In re Fairmont Gen. Hosp., Inc*., 546 B.R. 659, 665 (Bankr. N.D.W. Va. 2016). Here, the Subject Entities are not creditors as defined under the Bankruptcy Code.

15. As set forth above, the Subject Entities are not owed money, have not transacted business with the Debtor in many years and will not be transacting any further business given the status of the Debtor's operations. *See*, Gregor Decl, *Id*. But for the miscommunication, such entities would not be included in the Existing Matrix, and their inclusion in this case was inadvertent. *See id.*

The Debtor Requests that the Court Remove the Matrix, and Authorize the Debtor to File the Amended Matrix

16. Section 105(a) states that "The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a).

17. "[C]ourts have the 'inherent power to control their dockets' and 'strike material from the docket ... reflecting procedural impropriety or lack of compliance with court rules or orders.'" *In re Matter of Certain Claims & Noticing Agents' Receipt of Fees in Connection with Unauthorized Arrangements with Xclaim Inc*., 647 B.R. 269, 281 (Bankr. S.D.N.Y. 2022) (citing

Jones v. Metro. Life Ins. Co., No. C-08-03971-JW (DMR), 2010 WL 4055928, at *6 (N.D. Cal. Oct. 15, 2010); *Harris Corp. v. Fed. Express Corp*., Case No. 6:07–cv–1819–Orl–28KRS, 2010 WL 11474444, at *1 (M.D. Fla. Mar. 3, 2010)).

18. In this case the Existing Matrix contains more than 3000 entities that would ordinarily not have been on a matrix but for a misunderstanding between counsel and the Debtor. This has unfortunately already led to an unnecessary drain on estate resources. There are several mailings which already went to the Subject Entities at considerable costs. Upon information and belief, all of the Subject Entities were sent notice of the filing of this case and notice of the Section 341 Meeting, as well as other notices, by the Court, presumably taking time out of someone's day to do so. In any event, the cost of those mailings is ultimately borne by the Debtor. In addition, pursuant to the Notice Procedure Order, the Debtor served the entirety of the Existing Matrix with notice of the Bar Date for filing claims. *See, e.g.*, *Certificate of Service of Bar Date Order, Notice and Claim Form* (Doc. 138). This required several days of time expended by multiple members of counsel's staff at significant cost.

19. Striking the Existing Matrix and granting leave to file the Amended Matrix under section 105(a) of the Bankruptcy Code therefore preserves estate assets while at the same time enabling the Debtor to provide notices to the proper parties.

Alternatively, the Debtor Should be Authorized to Amend the Existing Matrix

20. In the alternative, the Debtor seeks leave to amend the Existing Matrix under Bankruptcy Rule 1009 and Local Rule 1007-2.

21. Pursuant to Local Bankruptcy Rule 1007-2, "[m]odifications to a previously filed matrix (i) *shall be treated as an amendment to the list of creditors*; (ii) will require debtor

verification pursuant to Fed. R. Bankr. P. 1008; and (iii) may require payment of additional fees." L.B.R. 1007-2 (emphasis added).

22. Bankruptcy Rule 1009 states "[a] debtor may amend a voluntary petition, list, schedule, or statement *at any time before the case is closed*. The debtor must give notice of the amendment to the trustee and any affected entity." Fed. R. Bankr. P. 1009 (emphasis added).

23. "In the Sixth Circuit, a debtor may freely amend schedules." *In re OBrien*, 443 B.R. 117, 140 (Bankr. W.D. Mich. 2011). Further, amendments are, as a general rule, a right of the debtor. *See, e.g.*, *In re Wilmoth*, 412 B.R. 791, 796 (Bankr. E.D. Va. 2009) ("Rule 1009 of the Federal Rules of Bankruptcy Procedure provides a debtor the general right to amend a schedule as a matter of course . . . . [t]his right is liberally construed, and courts generally will not deny a motion to amend."); *In re Goswami*, 304 B.R. 386, 392–93 (B.A.P. 9th Cir. 2003) ("Rule 1009(a) states that the debtor has the absolute right to amend any 'list, schedule, or statement' prior to closure of the case"). This case is still pending before the Court, and therefore the Debtor has a right to amend the Existing Matrix to remove the Subject Entities.

The Debtor Seeks an Order from the Court Limiting Notice of the Amendment

24. Any amendment to the Existing Matrix must, as a general rule, be made on "notice of the amendment… to the trustee and any affected entity." Fed. R. Bankr. P. 1009.

25. As other courts have held, "debtors amending [a schedule] must notify those creditors who have a *sufficient stake* in the issue that they would be likely to object." *In re Rolland*, 317 B.R. 402, 418 fn. 27 (Bankr. C.D. Cal. 2004) (emphasis supplied).

26. In conjunction with this Motion, the Debtor has filed a Motion to Shorten and Limit Notice of the hearing, wherein the Debtor argues that notice of the hearing on the Motion need not be given to more than 3000 entities that have no further connection with the Debtor. That same

argument applies to notice of the amendment of the matrix. First, the Debtor believes that the Subject Entities do not have any stake, let alone a sufficient stake, in this case, since they have not transacted business with the Debtor any time recently and in some cases, more than 2 decades ago. Nor are they owed any money by the Debtor.

27. There is no prejudice to the Subject Entities in limiting notice so that they will not receive the Motion or the amendment, if permitted. Ordinarily, the Subject Entities would not have received any notices. Here, they actually received notice of the case filing, 341 meeting and bar date. They are already in a position to participate in this case if they believe they are entitled to. The harm to the estate by continuing to incur costs, at the expense of the actual creditors, is considerably greater than any prejudice that may arise if notice was not provided to the Subject Entities.

Notice

28. As set forth in the Motion to Shorten, the Debtor requested that notice of the hearing on this Motion be given only to those parties on the Master Service List. Likewise, the Debtor is requesting that notice of the Amendment of the Matrix only be given to the parties on the Master Service List. For the reasons set forth herein and therein, the Debtor submits that limited notice is also warranted once the matrix is amended.

No Prior Request

29. No prior application or motion for the relief requested herein has been made by the Debtor to this or any other Court.

WHEREFORE, the Debtor respectfully requests that this Court enter an Order (a) (i) striking the Existing Matrix and authorizing the Debtor to file the Amended Matrix within two

(2) business days of the entry of such order or, in the alternative (ii) granting leave for the Debtor to amend the Existing Matrix; and (b) limiting notice of the amendment as requested herein.

Dated: Uniondale, New York
October 20, 2026

Cullen and Dykman LLP

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EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE:	)	Case No. 26-31894
LOURDES UNIVERSITY and LOURDES PROPERTIES, LLC, [2], Jointly Administered Debtors-in-Possession	)	CHAPTER 11 Judge Mary Ann Whipple

ORDER PURSUANT TO FED. R. BANKR. P. 9019 AUTHORIZING THE DEBTOR (A) TO REMOVE AND REPLACE THE EXISTING CREDITOR MATRIX OR, IN THE ALTERNATIVE, FOR LEAVE TO AMEND THE EXISTING CREDITOR MATRIX; AND (B) AUTHORIZING LIMITED NOTICE FOR SERVICE

Upon consideration of the Motion dated October 12, 2026 (the "**Motion**") of Lourdes University and Lourdes Properties, LLC, debtors and debtors-in-possession in the above-captioned chapter 11 cases (collectively, the "**Debtors**"), for entry of an order (i) authorizing the clerk of the court to remove the Debtor's Existing Matrix and (ii) authorizing the Debtor to file a new matrix in its place or, in the alternative, (b) authorizing the Debtor to amend its Existing Matrix; and (c) authorizing limited notice of the Motion and the hearing thereon, pursuant to

[2] The Debtors in these chapter 11 cases along with the last four digits of each Debtor's federal tax identification number are: Lourdes University (6547); and Lourdes Properties, LLC (8998). The location of the Debtors' principal place of business is 6832 Convent Blvd., Sylvania, Ohio 43560.

Rule 9019 of the Federal Rules of Bankruptcy Procedure ("**Bankruptcy Rule 9006(c)**"), as well as granting related relief on an expedited basis; and it appearing that the relief requested is in the best interests of the Debtors' estates, creditors, and other parties in interest; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and the Court having reviewed the Motion, the Declaration of Geri Gregor, and any other pleadings in connection with the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT

1. The Motion is granted to the extent set forth herein.

2. The Clerk of the Court shall remove the Existing Matrix of creditors from the docket of the above-captioned case; and the Debtor shall replace the Existing Matrix with the Amended Matrix within two (2) business days of entry of this order, or two (2) business days of the removal of the Existing Matrix from the docket of the case, whichever is later.

3. [Alternate Relief] The Clerk of the Court shall accept the Amended Matrix for filing by the Debtor; and the Debtor shall file the Amended Matrix within two (2) business days of entry of this order.

4. The Debtor shall provide notice of this Order and the Motion to Shorten to all parties on the Master Service List prepared pursuant to the Order Limiting Notice in this case,

entered on August 14, 2026, and shall upload this Order and the Motion to Shorten to the Lourdes University website. No further notice shall be required.

5. The Debtors are authorized to take all actions necessary or appropriate to implement the terms of this Order.

6. This Order shall be effective and enforceable immediately upon entry, notwithstanding any possible applicability of Federal Rule of Bankruptcy Procedure 6004(h), and the fourteen (14) day stay provided therein is hereby waived.

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

EXHIBIT B

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE:	)	Case No. 26-31894
	)	
LOURDES UNIVERSITY and	)	CHAPTER 11
LOURDES PROPERTIES, LLC, [3],	)	
Jointly Administered Debtors-in-Possession	)	Judge Mary Ann Whipple

DECLARATION IN FURTHERANCE OF MOTION TO REPLACE OR AMEND CREDITOR MATRIX AND TO LIMIT NOTICE

Geri A. Gregor, declares under penalty of perjury as follows:

1. I am the managing member of Geri A. Gregor, CPA, PLLC ("**Gregor**"). Gregor acted as the fractional Chief Financial Officer for the above-captioned Debtors both prior to and for a very short transition time after, the filing of the cases. On September 1, 2026, certain employees of Gregor, including myself, were brought on by Hillyer Group, LLC ("**Hillyer**"), Chief Restructuring Officer in this case, as independent contractors. In connection with the services that Gregor performed as fractional Chief Financial Officer as well as through Hillyer, I was the person which was most involved in compiling the creditor lists and creditor matrix.

2. I make this declaration (the "**Declaration**") in further support of the motion (the "**Motion**") of Lourdes University, one of the above-captioned Debtors (the "**Debtor**") for entry of an order (a)(i) striking the current Existing Matrix (defined below), and authorizing the Debtor to file an Amended Matrix (defined below) within two (2) business days of the entry of such order or, in the alternative (ii) granting leave for the Debtor to amend the Existing Matrix; and (b) limiting notice of any such amendment.

[3] The Debtors in these chapter 11 cases along with the last four digits of each Debtors' federal tax identification number are: Lourdes University (6547); and Lourdes Properties, LLC (8998). The location of the Debtors' principal place of business is 6832 Convent Blvd., Sylvania, Ohio 43560.

3. Shortly before the filing of the Debtor's case, Gregor was asked by Debtor's counsel to compile a list of entities who were owed money by the Debtor or with whom the Debtor was transacting business. Due to a miscommunication, Gregor believed that such list should include any entity with whom the Debtor had transacted business, no matter how long ago. As a result, we prepared from the Debtor's database and books and records a creditor list that contained more than 3300 persons or entities. It is my understanding that toward the beginning of this case, the Debtor uploaded that list (which also included other entities such as contract parties and governmental entities) as the matrix for the case (the "**Existing Matrix**").

4. It is my understanding that recently, as Hillyer was working with the Debtor's counsel to prepare the Schedules and Statement of Financial Affairs for each Debtor and in reviewing those creditors to be included in either the schedules of claims and contracts and leases, they realized the mistake made as to the content of the Existing Matrix. Specifically, the Existing Matrix includes approximately 3000 persons or entities which have not transacted business with the Debtor in many years, and none of them were owed money by the Debtor (the "**Subject Entities**"). But for the original miscommunication, the Subject Entities would never have been on any creditor list in the case, and they were inadvertently included in the Existing Matrix.

5. Debtor's counsel then requested that I compile a list including only creditors who are owed money and other vendors with whom the Debtor still conducts business who may not have been owed any money from the Debtor (the Debtor is not likely to ever transact business with these vendors due to the status of the Debtor's operations). I am advised that the list I provided in response to this request, together with additional contract parties and governmental

entities (the "**Amended Matrix**"), includes approximately 350 entities, and is the matrix that the Debtor is seeking to file in replacement of the Existing Matrix.

I so declare under penalty of perjury this 19th day of October, 2026.

Geri A. Gregor, CPA, PLLC

By: *Geri Gregor*
Geri Gregor