

ADVERSARY PROCEEDING COVER SHEET

ADVERSARY PROCEEDING NO.

(Instructions on Reverse)

PLAINTIFF(S)

4 West Holdings, Inc., et al.
(See Exhibit A for complete list of Plaintiffs)

DEFENDANT(S)

Omega Healthcare Investors, Inc., et al.
(See Exhibit B for complete list of Defendants)

ATTORNEY(S) (Firm Name, Address, Telephone No.)

Andrew Zollinger
DLA Piper LLP (US)
1717 Main Street, Suite 4600
Dallas, Texas 75201-4629

ATTORNEY(S) (If Known)

PARTY (Check One Box Only)

- Debtor U.S. Trustee
 Creditor Trustee Other

PARTY (Check One Box Only)

- Debtor U.S. Trustee
 Creditor Trustee Other

CAUSE OF ACTION (Write a brief statement of cause of action, including all U.S. statutes involved.)

Declaratory Judgment for Recharacterization of the Master Leases as Financing Arrangements under 28 U.S.C. 2201 and 2202, and Federal Rule of Civil Procedure 57.

NATURE OF SUIT

(Number up to 5 boxes with the lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)

FRBP 7001(1) – Recovery of Money/Property

- 11 – Recovery of money/property - § 542 turnover of property
 12 – Recovery of money/property - § 547 preference
 13 – Recovery of money/property - § 548 fraudulent transfer
 14 – Recovery of money/property – other

FRBP 7001(2) – Validity, Priority or Extent of Lien

- 21 – Validity, priority or extent of lien or other interest in property

FRBP 7001(3) – Approval of Sale of Property

- 31 – Approval of sale of property of estate and of a co-owner - § 363(h)

FRBP 7001(4) – Objection/Revocation of Discharge

- 41 – Objection/revocation of discharge - § 727(c), (d), (e)

FRBP 7001(5) – Revocation of Confirmation

- 51 – Revocation of confirmation

FRBP 7001(6) – Dischargeability

- 66 – Dischargeability - § 523(a)(1), (14), (14A) priority tax claims
 62 – Dischargeability - § 523(a)(2), false pretenses, false representation, actual fraud
 67 – Dischargeability - § 523(a)(4), fraud as fiduciary, embezzlement, larceny

(continued next column)

Check if this case involves a substantive issue of state law

Check if a jury trial is demanded in complaint

FRBP 7001(6) – Dischargeability (continued)

- 61 – Dischargeability - § 523(a)(5), domestic support
 68 – Dischargeability - § 523(a)(6), willful and malicious injury
 63 – Dischargeability - § 523(a)(8), student loan
 64 – Dischargeability - § 523 (a)(15), divorce or separation obligation (other than domestic support)
 65 – Dischargeability – other

FRBP 7001(7) – Injunctive Relief

- 71 – Injunctive relief – imposition of stay
 72 – Injunctive relief – other

FRBP 7001(8) – Subordination of Claim or Interest

- 81- Subordination of claim or interest

FRBP 7001(9) – Declaratory Judgment

- 91 – Declaratory judgment

FRBP 7001(10) – Determination of Removed Action

- 01 – Determination of removed claim or cause

Other

- SS-SIPA Case – 15 U.S.C. §§ 78aaa et seq.
 02 – Other (e.g., other actions that would have been brought in state court if unrelated to bankruptcy case)

Check if this is asserted to be a class action under FRCP 23

Demand: \$

Other Relief Sought:

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES

NAME OF DEBTOR 4 West Holdings, Inc., et al.		BANKRUPTCY CASE NO. 18-30777	
DISTRICT IN WHICH CASE IS PENDING Northern District of Texas		DIVISION OFFICE Dallas	NAME OF JUDGE Harlin D. Hale
RELATED ADVERSARY PROCEEDING (IF ANY)			
PLAINTIFF	DEFENDANT		ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY PROCEEDING IS PENDING		DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF)		PRINT NAME OF ATTORNEY (OR PLAINTIFF)	
DATE July 27, 2018			

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also complete and file Form 104, the Adversary Proceeding Cover Sheet. When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff, if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

EXHIBIT A

Names of Plaintiffs

4 West Holdings, Inc.
Orianna Health Systems, LLC f/k/a Covenant Dove, LLC
Aiken RE, LLC
Anderson RE, LLC
Ark III Real Estate, LLC
Ark Holding Company, Inc.
Ark Mississippi Holding Company, LLC
Ark Real Estate, LLC
Ark South Carolina Holding Company, LLC
Charlottesville RE, LLC
Cleveland RE, LLC
Clinton RE, LLC
Collierville RE, LLC
Columbia RE, LLC
Connersville RE, LLC
Corinth RE, LLC
Easley RE II, LLC
Easley RE, LLC
Edgefield RE, LLC
Farmville RE, LLC
Great Oaks RE, LLC
Greenville RE II, LLC
Greenville RE, LLC
Greenwood RE, LLC
Greer RE, LLC
Grenada RE, LLC
Hillsville RE, LLC
Holly Springs RE, LLC
Indianola RE, LLC
Iva RE, LLC
Marietta RE, LLC

McCormick RE, LLC

Memphis RE, LLC

Moultrie RE, LLC

Natchez RE, LLC

Orianna Investment, Inc. f/k/a New Ark Investment, Inc.

Orianna Holding Company, LLC f/k/a Covenant Dove Holding Company, LLC

Orianna SC Operator Holdings, Inc. f/k/a New Ark SC Operator Holdings, Inc.

Olive Leaf Holding Company, LLC

Olive Leaf, LLC

Picayune RE, LLC

Pickens RE II, LLC

Pickens RE, LLC

Piedmont RE, LLC

Rocky Mount RE, LLC

Simpsonville RE II, LLC

Simpsonville RE, LLC

Snellville RE, LLC

Vicksburg RE, LLC

Wadesboro RE, LLC

Yazoo City RE, LLC

EXHIBIT B

Names of Defendants

Omega Healthcare Investors, Inc.
OHI Asset RO, LLC
OHI Asset (GA) Moultrie, LLC
OHI Asset (GA) Snellville, LLC
OHI Asset (IN) Connerville, LLC
OHI Asset (MS) Byhalia, LLC
OHI Asset (MS) Cleveland, LLC
OHI Asset (MS) Clinton, LLC
OHI Asset (MS) Columbia, LLC
OHI Asset (MS) Corinth, LLC
OHI Asset (MS) Greenwood, LLC
OHI Asset (MS) Grenada, LLC
OHI Asset (MS) Holly Springs, LLC
OHI Asset (MS) Indianola, LLC
OHI Asset (MS) Natchez, LLC
OHI Asset (MS) Picayune, LLC
OHI Asset (MS) Vicksburg, LLC
OHI Asset (MS) Yazoo City, LLC
OHI Asset (NC) Wadesboro, LP f/k/a OHI Asset (NC) Wadesboro, LLC
OHI Asset (SC) Aiken, LLC
OHI Asset (SC) Anderson, LLC
OHI Asset (SC) Easley Anne, LLC
OHI Asset (SC) Easley Crestview, LLC
OHI Asset (SC) Edgefield, LLC
OHI Asset (SC) Greenville Griffith, LLC
OHI Asset (SC) Greenville Laurens, LLC
OHI Asset (SC) Greenville North, LLC
OHI Asset (SC) Greer, LLC
OHI Asset (SC) Marietta, LLC
OHI Asset (SC) McCormick, LLC
OHI Asset (SC) Pickens East Cedar, LLC

OHI Asset (SC) Pickens Rosemond, LLC

OHI Asset (SC) Piedmont, LLC

OHI Asset (SC) Simpsonville SE Main, LLC

OHI Asset (SC) Simpsonville West Curtis, LLC

OHI Asset (SC) Simpsonville West Broad, LLC

OHI Asset (TN) Bartlett, LLC

OHI Asset (TN) Collierville, LLC

OHI Asset (TN) Memphis, LLC

OHI Asset (VA) Charlottesville, LLC

OHI Asset (VA) Farmville, LLC

OHI Asset (VA) Hillsville, LLC

OHI Asset (VA) Rocky Mount, LLC