UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

IN RE:

CELEBRATION POINTE HOLDINGS, LLC	CASE NO.: 24-10056-KKS
CELEBRATION POINTE HOLDINGS II, LLC	CASE NO.: 24-10057-KKS
SHD-CELEBRATION POINTE, LLC	CASE NO.: 24-10058-KKS
	CHAPTER: 11
Debtors.	*Jointly Administered under Case No. 24-10056-KKS*

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ORDER VACATING *ORDER CONDITIONALLY APPROVING DISCLOSURE STATEMENT, [SCHEDULING] HEARING TO CONSIDER FINAL APPROVAL OF DISCLOSURE STATEMENT AND CONFIRMATION OF THE PLAN, AND FIXING TIME FOR FILING ACCEPTANCE OR REJECTION OF PLAN* (ECF No. 584)

THIS CASE is before the Court *sua sponte.* In the interests of brevity, time and conservation of judicial resources, the Court enters this Order without citation to documents of record.

Debtors filed their petitions commencing their cases on March 14, 2024. The Court permitted Debtors' cases to proceed as jointly administered by an Order dated March 22, 2024. Debtors have been proceeding as debtors-in-possession.

After Debtors' efforts to confirm a consensual plan of reorganization failed due to their "plan sponsor's" inability or unwillingness to fund the joint plan of reorganization (the plan sponsor was Ms. Shively), on January 7, 2026, Debtors filed their first liquidating plan and supporting disclosure statement. Just prior to the scheduled hearing on the disclosure statement, on March 2, 2026, Debtors filed their second liquidating plan and disclosure statement. Creditors and parties in interest responded by filing no fewer than seven (7) objections to that amended disclosure statement.

The Court held a hearing on, among other things, approval of the amended disclosure statement, on March 10, 2026.[1] At that hearing, Debtors' counsel, in candor the Court appreciates, reiterated that the three Debtors own "a bunch of" SPEs (special purpose entities) that "ultimately own the dirt" underlying the development; that Debtors had not yet made a lot of progress on how they might consummate the liquidation contemplated in the newest plan; and that Debtors intended to further amend the disclosure statement. The intended amendments to the disclosure statement were to include, among other things, how the transfers of property owned by various SPEs to the Debtors was to be

[1] The hearing transcript is on the docket at ECF No. 530.

accomplished, whether the SPEs might have to file their own Chapter 11 cases, and what Debtors' amended liquidation plan might propose with respect to Hotel Indigo, which is owned by an SPE not controlled by Debtors.

Debtors requested conditional approval of the March amended disclosure statement. The U.S. Trustee objected, emphasizing that the problems with the amended disclosure statement were not technical or minor, but rather go the very heart of the issues in the case. The Indenture Trustee and others concurred, with some other parties raising additional objections.

At the conclusion of the hearing the Court 1) disapproved the March disclosure statement, 2) gave Debtors more time to file an amended disclosure statement (which they did in the form of a Second Amended Disclosure Statement on April 10, 2026), and 3) set a hearing for May 6, 2026, to consider approval of an amended disclosure statement. At the conclusion of the May 6 hearing, the Court reluctantly agreed to conditionally approve the April disclosure statement. The Order that did so forms the basis of this ruling.

The first sentence of the order conditionally approving Debtors' second amended disclosure statement states, in pertinent part: "[T]he

Disclosure Statement contains adequate information within the meaning of 11 U.S.C. § 1125 . . . .”

In preparation for the June 9, 2026, hearing scheduled in this case to consider status and several discovery-related motions, the Court has carefully reviewed the second amended plan and disclosure statement, the pending motions and responses, and a variety of other documents of record, including Debtors’ most recent monthly operating reports. That review, coupled with various parties’ objections to discovery, revealed more clearly the glaring deficiencies in Debtors’ second amended disclosure statement. That review also revealed that conditional approval of that disclosure statement was premature.

For the reasons stated, it is

ORDERED: The *Order Conditionally Approving Disclosure Statement, [Scheduling] Hearing to Consider Final Approval of Disclosure Statement and Confirmation of the Plan, and Fixing Time for Filing Acceptance or Rejection of Plan* (ECF No. 584) is VACATED.

DONE and ORDERED on June 9, 2026.

KAREN K. SPECIE
Chief U.S. Bankruptcy Judge

cc: All parties in interest.