

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

Minute Order

Hearing Information:

Debtor: BORREGO COMMUNITY HEALTH FOUNDATION,
Case Number: 22-02384-LT11 **Chapter:** 11
Date / Time / Room: WEDNESDAY, MARCH 01, 2023 10:00 AM DEPARTMENT 3
Bankruptcy Judge: LAURA S. TAYLOR
Courtroom Clerk: RUSSELL PALUSO
Reporter / ECR: LYNETTE ALVES

Matters:

- 1) STATUS CONFERENCE ON CHAPTER 11 PETITION (fr 2/22/23)

- 2) NOTICE OF SALE PROCEDURES, AUCTION DATE AND SALE HEARING FILED ON BEHALF OF BORREGO COMMUNITY HEALTH FOUNDATION (fr 2/22/23)

- 3) MOTION FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSES FILED ON BEHALF OF MCKESSON CORPORATION ON BEHALF OF ITSELF AND CERTAIN CORPORATE AFFILIATES (fr 2/22/23)

- 4) NOTICE AND MOTION TO APPROVE COMPROMISE AMONG DEBTOR, OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9019 FILED ON BEHALF OF BORREGO COMMUNITY HEALTH FOUNDATION (ON SHORTENED TIME)

Appearances:



UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

Minute Order

(continue).. 22-02384-LT11

WEDNESDAY, MARCH 01, 2023 10:00 AM

SAMUEL MAIZEL, ATTORNEY FOR BORREGO COMMUNITY HEALTH FOUNDATION
TANIA M. MOYRON, ATTORNEY FOR BORREGO COMMUNITY HEALTH FOUNDATION
SHAWN CHRISTIANSON, ATTORNEY FOR ORACLE AMERICA, INC. (video)
KELLY SINGER, ATTORNEY FOR INLAND EMPIRE HEALTH PLAN (video)
LESLIE GARDNER, ATTORNEY FOR U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
DAVID ORTIZ, ATTORNEY FOR U.S. TRUSTEE
ANTHONY DUTRA, ATTORNEY FOR DESERT AIDS PROJECT DBA DAP HEALTH
RICHARD GLUCK, ATTORNEY FOR PREMIER HEALTHCARE MANAGEMENT
IVAN KALLICK, ATTORNEY FOR ALTA MED
DARIN L. WESSEL, ATTORNEY FOR CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES
GERALD N. SIMS, ATTORNEY FOR BETA HEALTHCARE GROUP, BETA RISK MANAGEMENT AUTHORITY (video)
VAN DURRER, ATTORNEY FOR THE BOARD OF BORREGO COMMUNITY HEALTH FOUNDATION (video)
MONICA KIM, ATTORNEY FOR THE PATIENT CARE OMBUDSMAN, DR. JACOB NATHAN RUBIN (video)
DR. JACOB NATHAN RUBIN, PATIENT CARE OMBUDSMAN, PRESENT (video)
STEVE GOLDEN, ATTORNEY FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

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(continue).. 22-02384-LT11

WEDNESDAY, MARCH 01, 2023 10:00 AM

Disposition:

1) Off calendar as set forth on the record.

2) Sale approved pursuant to the Court's Tentative Ruling and as set forth on the record. Mr. Maizel is to send to the Chambers Law Clerk a clean copy of the final sale order, as well as a red-lined copy of the final sale order as compared to the proposed sale order, as stated on the record.

DHCS's objection is resolved by its settlement with the Debtor as set forth on the record.

HHS's HRSA objections will be resolved through language in the sale order as set forth on the record.

Dr. Sarah Rogers' objection is overruled as abandoned and lacking standing as set forth on the record.

IEHP's objection has been resolved with agreed to language in the sale order as set forth on the record.

BETA's objection to be resolved through language in the sale order as set forth on the record.

Oracle America, Inc. objection is resolved as set forth on the record.

Starr Indemnity & Liability Company's objection is moot as set forth on the record.

A settlement disposition conference regarding the disputed funds held by HHS will take place on 3/29/23 at 3:00 p.m. as stated on the record. Mr. Maizel is to provide the settlement document to HHS by 3/20/23 as stated on the record. The sale order will include these dates.

3) Continued to 4/12/23 at 10:00 a.m. pursuant to the Court's Tentative Ruling. Stipulated Order entered 2/28/23 via docket #516.

4) Granted subject to the reservations of rights of DAP Health and Premier Health as set forth on the record. Order to be submitted by Mr. Maizel.