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6 Attorneys for Creditors  
DRP Holdings, LLC, Inland Valley  
7 Investments, LLC, Premier Healthcare  
Management, Inc., and  
8 Promenade Square, LLC

9  
10 **UNITED STATES BANKRUPTCY COURT**  
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 In re

13 **BORREGO COMMUNITY**  
14 **HEALTH FOUNDATION,**

15 Debtor and Debtor in  
16 Possession.

Case No. 22-02384-11

Chapter 11 Case  
Honorable Laura S. Taylor

**CREDITORS DRP HOLDINGS, LLC,**  
**INLAND VALLEY INVESTMENTS,**  
**LLC, PREMIER HEALTHCARE**  
**MANAGEMENT, INC., AND**  
**PROMENADE SQUARE, LLC'S**  
**REQUEST FOR STATUS CONFERENCE**

17  
18 Date: December 6, 2023  
19 Time: 9:30 a.m. Pacific Time  
Location: Courtroom 3, Room 129



1 Creditors DRP Holdings, LLC, Inland Valley Investments, LLC, Premier  
2 Healthcare Management, Inc., and Promenade Square, LLC (collectively, the  
3 “Creditors”) filed a Response and Reservation of Rights (Doc. 1154) to the Joint  
4 Motion of the Debtor and Debtor in Possession, Borrego Community Health  
5 Foundation (“Debtor”), and the Office Committee of Unsecured Creditors  
6 (“Committee”) for Entry of an Order (i) Granting Interim Approval of the Adequacy  
7 of Disclosures in the Combined Joint Disclosure Statement and Plan (“Combined  
8 Plan”); (ii) Approving Solicitation Packages and Procedures; (iii) Approving the  
9 Forms of Ballots; (iv) Setting Related Deadlines; and (v) Granting Related Relief  
10 (Doc. 1092, the “Joint Motion”).

11 While the Debtor has circulated an amendment that would address the two  
12 concerns raised by the Creditors relating to certain deadlines the plan proponents’  
13 proposed, the Creditors respectfully submit that it would be in the best interests of  
14 the estate for the Court hold a status conference, even if a hearing on the Joint Motion  
15 is no longer necessary.<sup>1</sup> The Creditors have asked counsel for the Debtor and the  
16 Committee what their intended course of action is as to the Creditors’ claims, where  
17 the Creditors are defendants in the Debtors’ litigation pending in Federal District  
18 Court. The plan proponents’ liquidation analysis (Doc. 1140) estimates general  
19 unsecured claims totaling \$11.668 million, explaining that the number is “based on  
20 the mid-point of an estimated allowed claims range of \$6.2 million to \$17.1 million.”  
21 The claims asserted by the Creditors total more than \$13 million, and as such, it  
22 appears the plan proponents’ are making the unstated assumption that Creditors’  
23 claims will be disallowed in whole or in part. To date, the Creditors have not received  
24 a substantive response to their inquiry on the proponents’ intended approach  
25 (although the parties intend to have further discussions) and are of the view that it

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27 <sup>1</sup> The United States Trustee filed an Opposition to the Joint Motion (Doc. 1152).  
28 The Creditors are not aware, as of the time of preparation of this Request, whether  
the United States Trustee’s Opposition has been consensually resolved.

1 would be useful to discuss the procedural and economic context of this case so as to  
2 avoid unnecessary litigation expense.<sup>2</sup>

3 Respectfully submitted,

4 Dated: December 4, 2023

**BARNES & THORNBURG LLP**

6 By: /s/Ali M.M. Mojdehi

7 Ali M. M. Mojdehi

8 Allison M. Rego

9 Attorneys for Creditors DRP Holdings,  
10 LLC, Inland Valley Investments, LLC,  
11 Premier Healthcare Management, Inc.,  
12 and Promenade Square, LLC

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<sup>2</sup> Based on the liquidation analysis, the Debtor estimates there will be \$43.26 million in cash available for the payment of general unsecured creditors.

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**CERTIFICATE OF SERVICE**

I, Ali M.M. Mojdehi, hereby certify that the foregoing was filed and served via the CM/ECF System.

Dated: December 4, 2023

/s/ Ali M.M. Mojdehi  
Ali M.M. Mojdehi