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*Attorneys for the Chapter 11 Debtors
and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

IN RE:

ASTRIA HEALTH, et al.

Debtors and Debtors in
Possession.¹

Lead Case No. 19-01189-11
(Jointly Administered)

**EXECUTED DECLARATION IN
SUPPORT OF ADDING FREIMUND
JACKSON & TARDIF PLLC AS AN
ORDINARY COURSE PROFESSIONAL
NUNC PRO TUNC AS OF AUGUST 1, 2019**

[No Hearing Required Pursuant to
LBR 2002-1(c)(1) and 2014-1(a)(1)]

¹ The Debtors, along with their case numbers, are: Astria Health (19-01189-11), Glacier Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings, LLC (19-01194-11), Oxbow Summit, LLC (19-01195-11), SHS Holdco, LLC (19-01196-11), SHC Medical Center - Toppenish (19-01190-11), SHC Medical Center - Yakima (19-01192-11), Sunnyside Community Hospital Association (19-01191-11), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197-11), Sunnyside Home Health (19-01198-11), Sunnyside Professional Services, LLC (19-01199-11), Yakima Home Care Holdings, LLC (19-01201-11), and Yakima HMA Home Health, LLC (19-01200-11).

EXECUTED DECLARATION IN
SUPPORT OF ADDING OCP FIRM

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1 On June 7, 2019, the Debtors filed a *Notice of Motion* [Docket No. 229],
2 *Motion for an Order Authorizing the Debtors to Retain and Compensate Profes-*
3 *sionals Utilized by the Debtors in the Ordinary Course of Business Nunc Pro Tunc*
4 *as of May 6, 2019, a Memorandum of Points and Authorities* and a *Declaration of*
5 *Cary Rowan* [Docket No. 228], on June 15, 2019, the Debtors filed an *Addendum to*
6 *the Motion for an Order Authorizing the Debtors to Retain and Compensate*
7 *Professionals Utilized by the Debtors in the Ordinary Course of Business Nunc Pro*
8 *Tunc as of May 6, 2019* [Docket No. 277], and on June 19, 2019, the Debtors filed a
9 *Declaration of No Objection* [Docket No. 299], on the basis of all of which the
10 Court entered an Order approving the Motion on June 21, 2019 [Docket No. 306].

11 In accordance with the representations made in the documents identified
12 hereinabove, and on the basis of the Order entered by the Court approving the
13 Motion, the Debtors file the attached Declaration in support of adding as an
14 Ordinary Course Professionals and retaining Freimund Jackson & Tardif, PLLC
15 *nunc pro tunc* as of August 1, 2019.

16
17 Dated: August 15, 2019

/s/ Sam J. Alberts

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EXECUTED DECLARATION IN
SUPPORT OF ADDING OCP FIRM

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*Proposed Attorneys for the Chapter 11
Debtors and Debtors In Possession*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

IN RE:

ASTRIA HEALTH, et al.

Debtors and Debtors in
Possession.¹

Lead Case No. 19-01189-11
(Jointly Administered)

**DISCLOSURE DECLARATION OF
JEFFREY A.O. FREIMUND IN
SUPPORT OF THE RETENTION OF
FREIMUND JACKSON & TARDIF PLLC
AS AN ORDINARY COURSE
PROFESSIONAL**

[No Hearing Required Pursuant to
LBR 2002-1(c)(1)]

¹ The Debtors, along with their case numbers, are: Astria Health (19-01189-11), Glacier Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings, LLC (19-01194-11), Oxbow Summit, LLC (19-01195-11), SHS Holdco, LLC (19-01196-11), SHC Medical Center - Toppenish (19-01190-11), SHC Medical Center - Yakima (19-01192-11), Sunnyside Community Hospital Association (19-01191-11), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197-11), Sunnyside Home Health (19-01198-11), Sunnyside Professional Services, LLC (19-01199-11), Yakima Home Care Holdings, LLC (19-01201-11), and Yakima HMA Home Health, LLC (19-01200-11).

DISCLOSURE DECLARATION
OF JEFFREY A.O. FREIMUND

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1 I, Jeffrey A.O. Freimund, hereby declare that the following is true to the best
2 of my knowledge, information and belief.

3 1. I am a partner in the law firm of Freimund Jackson & Tardif, PLLC (the
4 “Firm”), which maintains offices at 711 Capitol Way South, Suite 602, Olympia,
5 Washington 98501, and at 900 Southwest 16th Street, Suite 215, Renton, Washington
6 98057.

7 2. This Declaration is submitted in connection with an Order of the United
8 States Bankruptcy Court for the Eastern District of Washington, dated June 21, 2019
9 [Docket No. 306], authorizing the above-captioned debtors and debtors in possession
10 (the “Debtors”) to retain certain professionals in the ordinary course of business
11 during the pendency of the Debtors’ chapter 11 cases, effective as of the Petition
12 Date.

13 3. The Firm, through me, has represented and advised the Debtors as
14 attorneys with the following aspects of the Debtors’ businesses or legal affairs:
15 compliance with Washington State Certificate of Need laws set forth in chapter 70.38
16 RCW and chapter 246-310 WAC, since May 2017.

17 4. The Debtors have requested, and the Firm has agreed, to continue to
18 provide services to the Debtors pursuant to section 327(b) of chapter 11 of title 11 of
19 the United States Code (the “Bankruptcy Code”) with respect to such matters and no
20 other matters. More specifically, the Firm has been requested to continue to represent
21

1 and advise the Debtors on compliance with Washington State Certificate of Need
2 laws set forth in chapter 70.38 RCW and chapter 246-310 WAC.

3 5. The Firm's current customary rates, subject to change from time to time,
4 are \$385 per hour. In the normal course of business, the Firm periodically revises its
5 hourly rates each year and requests that, effective January 1st of each year, the
6 aforementioned rates be revised to the hourly rates which will be in effect at that
7 time.

8 6. The Firm understands the maximum monthly fee payable to the Firm as
9 an Ordinary Course Professional is \$40,000 per month on a "rolling basis," and that
10 any amount above the "Cap Amount" could only be paid upon the filing and granting
11 of an Application under sections 330 and 331 of the Bankruptcy Code.

12 7. To the best of my knowledge, formed after due inquiry, neither I, the
13 Firm, nor any employee thereof has any connection with the Debtors or currently
14 represents any creditors, other parties-in-interest, the United States Trustee or any
15 person employed by the Office of the United States Trustee with respect to the
16 matters upon which it is to be engaged, and the Firm does not, by reason of any direct
17 or indirect relationship to, connection with, or interest in the Debtors, hold or
18 represent any interest adverse to the Debtors, the estates or any class of creditors or
19 equity interest holders.
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DISCLOSURE DECLARATION
OF JEFFREY A.O. FREIMUND

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8. In addition, although unascertainable at this time after due inquiry, the Firm may have in the past represented, currently represent, and may in the future represent entities that are claimants of the Debtors in matters entirely unrelated to the Debtors and the Estates. The Firm does not and will not represent any such entity in connection with these pending chapter 11 cases and does not have any relationship with any such entity, attorneys or accountants that would be adverse to the Debtors or the Estates.

9. The Firm's process of ascertaining what, if any, connection it may have with any interest adverse to the Debtors, the Estates or any class of creditors or equity interest holders, consists of the following: reviewing the names of clients previously represented by the firm and comparing that to the Debtors' list of the top thirty general unsecured creditors and the Debtors' list of parties who may have secured claims.

10. In light of the foregoing, I believe that the Firm does not hold or represent any interest materially adverse to the Debtors, the estates, creditors, or equity interest holders, as identified to the Firm, with respect to the matters in which the firm will be engaged.

11. Except as set forth herein, no promises have been received by the Firm or any partner, associate or other professional thereof as to compensation in connection with these chapter 11 cases other than in accordance with the provisions

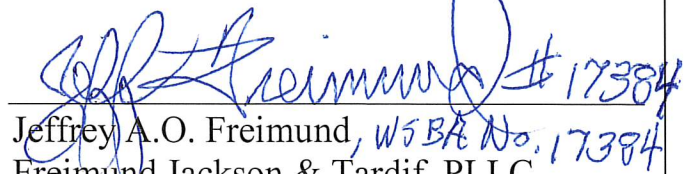
1 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure ("Bankruptcy
2 Rule"), the Local Rules of the United States Bankruptcy Court for the Eastern District
3 of Washington, and orders of this Court.

4 12. The Firm further states that it has not shared, nor agreed to share any
5 compensation received in connection with this chapter 11 case with another party or
6 person, other than as permitted by section 504(b) of the Bankruptcy Code and
7 Bankruptcy Rule 2016.

8 13. The foregoing constitutes the statement of the Firm pursuant to sections
9 329 and 504 of the Bankruptcy Code and Bankruptcy Rules 2014 and 2016(b).

10 I declare under penalty of perjury under the laws of the United States of
11 America, that the foregoing is true and correct.

12 Executed this 13th day of August, 2019, at Olympia, Washington.

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14  #17384
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