

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

IN RE:

ASTRIA HEALTH, et al.

Debtors.¹

Lead Case No. 19-01189-11

Jointly Administered

**ORDER GRANTING MOTION TO
REJECT, PURSUANT TO 11 U.S.C. §
365(A), CERTAIN AGREEMENTS
WITH FIRST CHOICE HEALTH
NETWORK *NUNC PRO TUNC* TO
NOVEMBER 18, 2019**

[RELATED DOCKET NO. 761]

¹ The Debtors, along with their case numbers, are as follows: 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), SHC 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 (19-19-01200-11).

Order Approving Rejection
Of First Choice Agreements

BUSH KORNFELD LLP



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1 The Court, having read and considered, the *Debtors' Motion to Reject,*
2 *Pursuant to 11 U.S.C. § 365(A), Certain Agreements with First Choice Health*
3 *Network Nunc Pro Tunc to November 18, 2019* [Docket No. 761] (the "Motion"),
4 and the accompanying Declaration of John M. Gallagher and finding that the Notice
5 of Motion was properly and timely filed; the *Limited Objection to Debtor's Motion*
6 *to Reject Certain Agreements With First Choice Health Network* [Docket No. 832]
7 (the "Objection") and the *Debtors' Response to the Limited Objection* [Docket No.
8 852], and finding that the Objection was not filed timely and otherwise finding the
9 Objection is without merit; and finding no other objections were filed; and good and
10 sufficient cause having been shown,

11 IT IS HEREBY ORDERED:

- 12 1. The Motion is granted in its entirety.
- 13 2. The Objection is stricken and otherwise overruled.
- 14 3. The Debtors are deemed have rejected the Agreements (as defined in
15 the Motion), *nunc pro tunc* effective on November 18, 2019.
- 16 4. Any claim(s) for rejection damages sought by First Choice Health
17 Network is/are required to be filed with 30 days after the date of entry of this Order.
- 18 5. The Debtors are required to serve a copy of this Order on First Choice
19 Health Network.

20 ///End of Order//

21 PRESENTED BY:

22 /s/ Samuel R. Maizel
SAMUEL R. MAIZEL (*Pro Hac Vice*)
SAM J. ALBERTS (WSBA #22255)
DENTONS US LLP

Attorneys for the Chapter 11
Debtors and Debtors In Possession
Order Approving Rejection

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