

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

<p>IN RE: ASTRIA HEALTH, <i>et al.</i>  Debtors.</p>	<p>Lead Case No. 19-01189-11  Adv. Pro. Case No. 20-80005 – WLH</p>
<p>Washington State Nurses Association,  Plaintiff,  v. SHC Medical Center–Yakima, Astria Health,  Defendants</p>	<p><b>[PROPOSED] ORDER ON DEFENDANTS’ MOTION TO DISMISS &amp; MODIFYING SCHEDULING ORDER</b></p>

THIS MATTER having come before the Court on Defendants’ *Motion to Dismiss the Adversary Proceeding* filed on March 4, 2020 [Docket No. 6]<sup>1</sup> and

<sup>1</sup> All references to the Docket are to the docket contained in the Adversary Proceeding.

**ORDER ON MOTION TO DISMISS  
& MODIFYING SCHEDULING ORDER**

20-80005-WLH  
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having considered *the Motion to Dismiss the Adversary Proceeding and supporting Memorandum of Points and Authorities* [Docket No. 6], *Adversary Proceeding Complaint* [Docket No. 1] (the “Complaint”), *WSNA’s Objection to Defendants’ Motion to Dismiss* [Docket No. 13], *Defendants’ Reply to WSNA’s Objection* [Docket No. 19], and the arguments of counsel during the April 15, 2020 hearing, for the reasons stated on the record during the April 21, 2020 hearing, the Court

1. DENIES the Motion to Dismiss as to the First Cause of Action of the Complaint for alleged violations of the Worker Adjustment and Retraining Notification Act, 29 U.S.C. § 2101 *et seq.*,

2. GRANTS the Motion to Dismiss with prejudice as to the Second and Third Causes of Action of the Complaint for alleged violations of the Washington Wage Payment and Collection Act, RCW § 49.48.010 *et seq.*, and Washington Rebate Act, RCW § 49.52.010, *et seq.*, and

3. MODIFIES the *Jointly Proposed Scheduling Order* [Docket No. 18], which is reflected on Exhibit 1 hereto, as follows:

a. In paragraph 4.c., the Discovery Cut Off date will be 105 days from April 21, 2020, or August 4, 2020;

b. In paragraph 4.d., the deadline for WSNA’s Motion for Summary Judgment will be 119 days from April 21, 2020, or August 18, 2020.

///End of Order//

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