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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.<sup>1</sup>

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

**DEBTORS' NOTICE OF THIRD RENEWED  
 MOTION AND THIRD RENEWED MOTION  
 FOR ENTRY OF AN ORDER ENLARGING THE  
 TIME WITHIN WHICH THE DEBTORS MAY  
 REMOVE ACTIONS; DECLARATION OF  
 MICHAEL LANE**

<sup>1</sup> 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 (19-01200-11).

NOTICE AND THIRD  
 RENEWED MOTION TO  
 EXTEND REMOVAL  
 DEADLINE

DENTONS US LLP BUSH KORNFELD LLP  
 1 601 South Figueroa Street, Suite 2500 LAW OFFICES  
 Los Angeles, CA 90017-5701 601 Union St., Suite 5000



1901189200729000000000014

1 **TO: LIMITED MAILING LIST**

2 **TO: OFFICE OF UNITED STATES TRUSTEE**

3 **PLEASE TAKE NOTICE** that Astria Health ("Astria") and the above-  
4 referenced affiliated debtors (collectively, the "Debtors"), the debtors and debtors  
5 in possession in the above-captioned chapter 11 bankruptcy cases (collectively, the  
6 "Chapter 11 Cases"), hereby move (the "Motion") the United States Bankruptcy  
7 Court for the Eastern District of Washington (the "Court") for entry of an order  
8 pursuant to 28 U.S.C. § 1452 and Rules 9006 and 9027 of the Federal Rules of  
9 Bankruptcy Procedure (the "Bankruptcy Rules") further enlarging the period  
10 within which the Debtors may seek removal of claims or causes of action in civil  
11 actions (the "Actions") by an additional 120 days, up to and including November  
12 26, 2020 (the "Removal Period"), without prejudice to the Debtors' right to seek  
13 additional extensions. This is the Debtors' fourth request to extend the removal  
14 deadline.

15 **PLEASE TAKE FURTHER NOTICE** that the Motion is based on this  
16 Notice and Motion, the attached Memorandum of Points and Authorities and the  
17 Declaration of Michael Lane (the "Lane Declaration"), the *Debtors' Notice of*  
18 *Motion and Motion for Entry of an Order Enlarging the Time Within Which the*  
19 *Debtors May Remove Actions; Declaration Of Cary Rowan* [Docket No. 431], the  
20 *Debtors' Notice of Renewed Motion and Renewed Motion for Entry of an Order*  
*Enlarging the Time Within Which the Debtors May Remove Actions; Declaration*  
*Of Cary Rowan* [Docket No. 795], the *Debtors' Notice of Second Renewed Motion*  
*and Second Renewed Motion for Entry of an Order Enlarging the Time Within*  
*Which the Debtors May Remove Actions; Declaration Of Cary Rowan* [Docket No.  
1157], the Declaration of John M. Gallagher [Docket No. 21] (the "Gallagher  
Declaration") and the Declaration of Michael Lane [Docket No. 16] (together with

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1 the Gallagher Declaration, the “First Day Declarations”), both filed in conjunction  
2 with the “First Day Motions”, the arguments of counsel, and other admissible  
3 evidence properly brought before the Court at or before the hearing on this Motion,  
4 if any. In addition, the Debtors request that the Court take judicial notice of all  
documents filed with the Court in this case.

5 **PLEASE TAKE FURTHER NOTICE** that if you object to the entry of an  
6 order granting the relief requested in this Motion, please do so by filing a written  
7 objection with the Court and serve a copy upon the undersigned within twenty-one  
8 (21) days of the date of this Notice. Should you fail to timely and properly object  
9 to this Motion, the Court may enter an Order granting the relief requested herein  
without a hearing and without further notice to you.

10 **PLEASE TAKE FURTHER NOTICE** that failure to timely file and serve  
any opposition may be considered consent to the granting of the Motion.

11 Dated: July 29, 2020

12 /s/ Sam J. Alberts

13 JAMES L. DAY (WSBA #20474)  
14 THOMAS A. BUFORD (WSBA #52969)  
BUSH KORNFELD LLP

15 SAMUEL R. MAIZEL (Admitted *Pro Hac Vice*)  
16 SAM J. ALBERTS (WSBA #22255)  
DENTONS US LLP

17 *Attorneys for the Chapter 11 Debtors*  
18 *and Debtors In Possession*

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **RELIEF REQUESTED**

4 The Debtors respectfully request the entry of an order enlarging the period of  
5 time set forth in Bankruptcy Rule 9027(a)(2)(A) during which the Debtors may  
6 seek removal of Actions pursuant to 28 U.S.C. § 1452 and Bankruptcy Rules 9006  
7 and 9027 during the Removal Period by an additional 120 days, up to and including  
8 November 26, 2020, without prejudice to the Debtors' right to seek further  
9 extensions.<sup>2</sup> This is the Debtors' fourth request to extend the removal deadline.  
10 The Debtors submit the attached Lane Declaration in support of this Motion.

11 **II.**

12 **JURISDICTION AND VENUE**

13 The Court has subject matter jurisdiction to consider and determine this  
14 Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant  
15 to 28 U.S.C. § 157(b)(2). The Debtors consent to entry of final orders and  
16 judgments by the bankruptcy judge. Venue is proper before this Court pursuant to  
17 28 U.S.C. §§ 1408 and 1409.

18 The statutory bases for the relief requested herein are 28 U.S.C. § 1452 and  
19 Bankruptcy Rules 9006 and 9027.

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22 <sup>2</sup> All references to "§" or "section" herein are to sections of the Bankruptcy Code,  
unless otherwise noted.

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III.

**BACKGROUND FACTS**

**A. General Background.**

1. On May 6, 2019 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under the Bankruptcy Code. These Chapter 11 Cases are being jointly administered before this Court. [Docket No. 10]. The Debtors are operating their businesses as debtors in possession pursuant to §§ 1107 and 1108.

2. Debtor Astria, a Washington nonprofit corporation, is the direct or indirect corporate member of several entities that make it the largest non-profit healthcare system based in Eastern Washington. The Astria system is headquartered in the heart of Yakima Valley, Washington, with two operating hospitals in Sunnyside and Toppenish, Washington.

3. The Astria system includes two operating hospitals: Astria Sunnyside Hospital, a 38-bed critical access hospital in Sunnyside, Washington (“Sunnyside”), and Astria Toppenish Hospital, a 63-bed hospital in Toppenish, Washington (“Toppenish,” and referred to collectively with Sunnyside and ARMC as the “Hospitals”).

4. On May 24, 2019, the Office of the United States Trustee (the “U.S. Trustee”) appointed an Official Committee of Unsecured Creditors in these Chapter 11 Cases.

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1           5.     Additional background facts on the Debtors, including an overview of  
2 the Debtors' business, information on the Debtors' capital structure, and events  
3 leading up to these Chapter 11 Cases, are contained in the First Day Declarations.

4     **B.     Relevant Background to Motion.**

5           6.     The Debtors have requested three previous extensions, and now ask for  
6 a fourth extension of the Removal Period by an additional 120 days, up to and  
7 including November 26, 2020, without prejudice to the Debtors' right to seek  
8 further extensions. Lane Declaration at ¶ 5.

9           7.     The Debtors are involved in at least ten (10) Actions involving claims.  
10 Lane Declaration at ¶ 6. On June 19-20, 2019, the Debtors filed their Schedules of  
11 Assets and Liabilities (the "Schedules") and their Statements of Financial Affairs  
12 (the "SOFAs"). Lane Declaration at ¶ 6. As part of the Schedules and SOFAs, the  
13 Debtors identified two (2) Actions. *See* Case No. 19-01192, Docket No. 9, SOFAs,  
14 Part 3, 7; *see also* Lane Declaration at ¶ 6. The Debtors are also aware of another  
15 eight (8) Actions, and will update their SOFAs accordingly. Lane Declaration at ¶

16     6. These Actions include:

17           a.     CHG Healthcare Services, Inc., d/b/a Comphealth and Comphealth  
18 Medical Staffing, Inc. v. Astria Health d/b/a Astria Regional Medical Center,  
19 Third Judicial District Court of Salt Lake County, Utah, Case No. 19-  
20 0903546, filed May 2, 2019 (pending);

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1 b. Delta Locum Tenens, LLC and Delta Flex Partners, LLC v. Astria  
2 Health d/b/a Yakima Medical and Cardia Center, Texas District Court, Dallas  
3 County, Case No. DC-19-05294, filed April 12, 2019 (pending);

4 c. Thoracic and Cardiovascular Surgery, Inc. (Sharma) v. SHC Medical  
5 Center - Yakima, Superior Court of Yakima County, Washington, Case No.  
6 19-20066939, filed February 22, 2019 (pending);

7 d. Bertha Maribel Fernandez v. SHC Medical Center d/b/a Yakima  
8 Regional Medical and Cardiac Center, Superior Court of Yakima County,  
9 Washington, Case No. 18-20459239, filed December 21, 2018 (pending);

10 e. 8gency Limited d/b/a The Field Group v. Astria Health, Superior  
11 Court of Yakima County, Washington, Case No 18-20403539, filed  
12 November 15, 2018 (settled but still pending);

13 f. Orthopedics Northwest, PLLC v. SHC Medical Center – Yakima,  
14 Superior Court of Yakima County, Washington, Case No. 18-20399339, filed  
15 November 7, 2018 (pending);

16 g. PPC Solutions, Inc. v. Astria Health and Astria Health Management,  
17 Inc., Superior Court of Yakima County, Washington, Case No. 18-20381039,  
18 filed October 26, 2018 (pending);

19 h. Maria Ricardo v. Miguel A. Brizuela, M.D., Yakima Valley Farm  
20 Workers Clinic, and Sunnyside Community Hospital & Clinics, d/b/a

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1 Sunnyside Community Hospital Association, Superior Court of Yakima  
2 County, Washington, Case No. 17-20210339, filed June 20, 2017 (pending -  
3 automatic stay lifted);

4 i. Derek Weaver, D.O., and Brittany Weaver v. John Gallagher, Jane  
5 Doe Gallagher, and Sunnyside Community Hospital, Superior Court of  
6 Yakima County, Washington, Case No. 16-20219139, filed August 8, 2016  
7 (pending); and

8 j. Frank v. Sunnyside Community Hospital Superior Court of Yakima  
9 County, Washington, Case No. 20-00354-39, filed January 31, 2020  
10 (pending).

11 Lane Declaration at ¶ 6.

12 8. At present, it is premature for the Debtors in these Chapter 11 Cases to  
13 make a determination as to the benefits and burdens relating to the removal and  
14 litigation of any Actions against the Debtors. Lane Declaration at ¶ 8. The Debtors  
15 need more time to analyze the Actions to determine whether the Debtors will seek  
16 to remove any of the Actions. Lane Declaration at ¶ 8. In addition, it is premature  
17 to determine if litigation is the prudent means to resolve these potential claims,  
18 pending greater clarity on the details surrounding the Debtors' exit strategy. Lane  
19 Declaration at ¶ 8. The Debtors are not yet prepared to decide which, if any,  
20 Actions they will seek to remove. Lane Declaration at ¶ 8.

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IV.

**LEGAL ARGUMENT**

The Debtors seek an extension of the Removal Period under 28 U.S.C. § 1452 and Bankruptcy Rule 9027, which govern the removal of pending civil actions related to chapter 11 cases. Specifically, 28 U.S.C. § 1452(a) provides:

A party may remove any claim or cause of action in a civil action other than a proceeding before the United States Tax Court or a civil action by a governmental unit to enforce such governmental unit's police or regulatory power, to the district court for the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under section 1334 of this title.

28 U.S.C. § 1452(a).

Bankruptcy Rule 9027 sets forth the time periods for filing notices to remove claims or causes of action. Specifically, Bankruptcy Rule 9027(a)(2) provides, in pertinent part:

If the claim or cause of action in a civil action is pending when a case under the [Bankruptcy] Code is commenced, a notice of removal may be filed only within the longest of (A) 90 days after the order for relief in the case under the [Bankruptcy] Code, (B) 30 days after entry of an order terminating a stay, if the claim or cause of action in a civil action has been stayed under § 362 of the [Bankruptcy] Code, or (C) 30 days after a trustee qualifies in a chapter 11 reorganization case but not later than 180 days after the order for relief.

Fed. R. Bankr. P. 9027(a)(2).

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1 Bankruptcy Rule 9006 permits the Court to extend the period to remove  
2 actions provided by Bankruptcy Rule 9027. Specifically, Bankruptcy Rule  
3 9006(b)(1) provides, in pertinent part:

4 [W]hen an act is required or allowed to be done at or  
5 within a specified period by these rules or by a notice  
6 given thereunder or by order of court, the court for cause  
7 shown may at any time in its discretion . . . with or  
8 without motion or notice order the period enlarged if the  
request therefor is made before the expiration of the  
period originally prescribed or as extended by a previous  
order . . . .

9 Fed. R. Bankr. P. 9006(b)(1).

10 It is well-settled that the Court is authorized to enlarge the Removal Period.  
11 *See Pacor, Inc. v. Higgins*, 743 F.2d 984, n.17 (3d Cir. 1984), *overruled on other*  
12 *grounds by Things Remembered, Inc. v. Petrarca*, 516 U.S. 124, 134–35 (1995)  
13 (holding the bankruptcy court’s power to grant an extension of the removal period  
14 pursuant to Bankruptcy Rule 9006(b) is “clear”); *Caperton v. A.T. Massey Coal*  
15 *Co.*, 251 B.R. 322, 325 (S.D. W. Va. 2000) (Bankruptcy Rule 9006 provides  
16 authority to enlarge time periods for removing actions under Bankruptcy Rule  
17 9027); *In re Jandous Elec. Constr. Corp.*, 106 B.R. 48, 50 (Bankr. S.D.N.Y. 1989)  
18 (period in which to file motion to remove may be expanded pursuant to Bankruptcy  
19 Rule 9006); *In re World Fin. Servs. Ctr., Inc.*, 81 B.R. 33, 39 (Bankr. S.D. Cal.  
20 1987) (United States Supreme Court intended to give bankruptcy judges the power

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1 to enlarge the filing periods under Bankruptcy Rule 9027(a) pursuant to Bankruptcy  
2 Rule 9006(b)); *Raff v. Gordon*, 58 B.R. 988, 990 (E.D. Pa. 1986) (an expansion of  
3 time to file notices of removal is authorized under the Bankruptcy Rules).

4 The Debtors' decision regarding whether to seek removal of any particular  
5 Action depends on a number of factors, including: (a) the importance of the Action  
6 to the expeditious resolution of these Chapter 11 Cases; (b) the time required to  
7 complete the Action in its current venue; (c) the presence of federal subject matter  
8 jurisdiction in the proceeding that may allow for one or more aspects thereof to be  
9 heard by a federal court; (d) the relationship between the Action and matters to be  
10 considered in connection with the Debtors' Chapter 11 Cases, the claims allowance  
11 process, and the assumption or rejection of executory contracts and unexpired  
12 leases; and (e) the progress made to date in the Action. To make the appropriate  
13 determination, the Debtors must analyze each Action in light of such factors.

14 To date, the Debtors have not yet had an opportunity to conclusively  
15 determine which Actions they will seek to remove. Since the commencement of  
16 these Chapter 11 Cases, the Debtors' Boards of Trustees, officers, staff, and  
17 advisors have been focused on, among other things, negotiating the terms of critical  
18 postpetition financing and a plan of reorganization; preparing monthly operating  
19 reports; preparing and marketing the Debtors' assets for a possible sale; closing  
20 ARMC; rejecting contracts and leases related thereto; preparing an updated cure

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1 amounts list; responding to the infectious disease Severe Acute Respiratory  
2 Syndrome Coronavirus 2, which is the cause of the ongoing 2019 coronavirus  
3 global pandemic (“COVID-19”); leasing ARMC to the DOH; searching for special  
4 counsel to assert claims against former accounts receivable vendor; providing  
5 continuous reporting to major creditors and the Official Committee of Unsecured  
6 Creditors; drafting the plan of reorganization and disclosure statement and working  
7 with various parties in interest to effectuate the same; litigating with various parties  
8 in adversary proceedings and on appeal; and addressing an unusual number of  
9 creditors threatening to violate the automatic stay through attempts to change  
10 contract terms or to terminate services contrary to contract terms. Lane Declaration  
11 at ¶ 7.

12 The Debtors thus have been focused on addressing these time critical matters  
13 and have been unable to fully analyze each of the Actions and make the appropriate  
14 determinations concerning their removal. In addition, the Debtors may become  
15 aware of further Actions in connection with proofs of claim that are filed in these  
16 Chapter 11 Cases.

17 The Debtors believe the extension requested herein will provide the Debtors  
18 with sufficient time to make well informed decisions concerning the removal of the  
19 Actions, and will ensure that the Debtors’ rights provided by 28 U.S.C. § 1452 can  
20 be exercised in an appropriate manner. Moreover, the rights of parties to the

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1 Actions will not be unduly prejudiced by the Debtors' requested extension of the  
2 Removal Period. If the Debtors ultimately seek to remove Actions pursuant to  
3 Bankruptcy Rule 9027, parties will retain their rights to seek to have such Actions  
4 remanded pursuant to 28 U.S.C. § 1452(b). Accordingly, the Debtors submit that  
5 cause exists for the relief requested herein.

6 V.

7 **CONCLUSION**

8 For the foregoing reasons, the Debtors respectfully request that this Court  
9 grant the Motion and enter an order further enlarging the period of time set forth in  
10 Bankruptcy Rule 9027(a)(2)(A) during which the Debtors may seek removal of  
11 Actions pursuant to 28 U.S.C. § 1452 and Bankruptcy Rule 9027 by an additional  
12 120 days, up to and including November 26, 2020, and grant such further relief as  
13 the Court deems appropriate.

14 Dated: July 29, 2020

/s/ Sam J. Alberts

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1. I am the Chief Restructuring Officer of Astria Health (“CRO”). I was appointed CRO by the Astria Health Board of Directors as required by the subordinated promissory note dated January 18, 2019.

3. The statements herein are based upon my personal knowledge of the facts and information gathered by me in my capacity as CFO for Astria Health.

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1 operating their businesses as debtors in possession pursuant to §§ 1107 and 1108.  
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3 appointed an Official Committee of Unsecured Creditors in these Chapter 11 Cases.

4 5. The Debtors have requested three previous extensions, and now ask for  
5 a fourth extension of the Removal Period by an additional 120 days, up to and  
6 including November 26, 2020, without prejudice to the Debtors’ right to seek  
7 further extensions.

8 6. The Debtors are involved in at least ten (10) Actions involving claims.  
9 On June 19-20, 2019, the Debtors filed their Schedules of Assets and Liabilities  
10 (the “Schedules”) and their Statements of Financial Affairs (the “SOFAs”). As part  
11 of the Schedules and SOFAs, the Debtors identified two (2) Actions. *See* Case No.  
12 19-01192, Docket No. 9, SOFAs, Part 3, 7. The Debtors are also aware of another  
13 eight (8) Actions, and will update their SOFAs accordingly. These Actions include:

14 a. CHG Healthcare Services, Inc., d/b/a Comphealth and Comphealth  
15 Medical Staffing, Inc. v. Astria Health d/b/a Astria Regional Medical Center,  
16 Third Judicial District Court of Salt Lake County, Utah, Case No. 19-  
17 0903546, filed May 2, 2019 (pending);

18 b. Delta Locum Tenens, LLC and Delta Flex Partners, LLC v. Astria  
19 Health d/b/a Yakima Medical and Cardia Center, Texas District Court, Dallas  
20 County, Case No. DC-19-05294, filed April 12, 2019 (pending);

21 NOTICE AND THIRD  
RENEWED MOTION TO  
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DEADLINE

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1 c. Thoracic and Cardiovascular Surgery, Inc. (Sharma) v. SHC Medical  
2 Center - Yakima, Superior Court of Yakima County, Washington, Case No.  
3 19-20066939, filed February 22, 2019 (pending);

4 d. Bertha Maribel Fernandez v. SHC Medical Center d/b/a Yakima  
5 Regional Medical and Cardiac Center, Superior Court of Yakima County,  
6 Washington, Case No. 18-20459239, filed December 21, 2018 (pending);

7 e. 8gency Limited d/b/a The Field Group v. Astria Health, Superior  
8 Court of Yakima County, Washington, Case No 18-20403539, filed  
9 November 15, 2018 (settled but still pending);

10 f. Orthopedics Northwest, PLLC v. SHC Medical Center – Yakima,  
11 Superior Court of Yakima County, Washington, Case No. 18-20399339, filed  
12 November 7, 2018 (pending);

13 g. PPC Solutions, Inc. v. Astria Health and Astria Health Management,  
14 Inc., Superior Court of Yakima County, Washington, Case No. 18-20381039,  
15 filed October 26, 2018 (pending);

16 h. Maria Ricardo v. Miguel A. Brizuela, M.D., Yakima Valley Farm  
17 Workers Clinic, and Sunnyside Community Hospital & Clinics, d/b/a  
18 Sunnyside Community Hospital Association, Superior Court of Yakima  
19 County, Washington, Case No. 17-20210339, filed June 20, 2017 (pending -  
20 automatic stay lifted);

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1 i. Derek Weaver, D.O., and Brittany Weaver v. John Gallagher, Jane  
2 Doe Gallagher, and Sunnyside Community Hospital, Superior Court of  
3 Yakima County, Washington, Case No. 16-20219139, filed August 8, 2016  
4 (pending); and

5 j. Frank v. Sunnyside Community Hospital Superior Court of Yakima  
6 County, Washington, Case No. 20-00354-39, filed January 31, 2020  
7 (pending).

8 7. To date, the Debtors have not yet had an opportunity to conclusively  
9 determine which Actions they will seek to remove. Since the commencement of  
10 these Chapter 11 Cases, the Debtors' Boards of Trustees, officers, staff, and  
11 advisors have been focused on, among other things, negotiating the terms of critical  
12 postpetition financing and a plan of reorganization; preparing monthly operating  
13 reports; preparing and marketing the Debtors' assets for a possible sale; closing a  
14 214-bed hospital in Yakima, Washington ("ARMC") currently leased (pending  
15 Court approval) to the Washington State Department of Health (acting through the  
16 Department of Enterprise Services ) (the "DOH") (*see* Docket No. 1150); rejecting  
17 contracts and leases related thereto; preparing an updated cure amounts list;  
18 responding to the infectious disease Severe Acute Respiratory Syndrome  
19 Coronavirus 2, which is the cause of the ongoing 2019 coronavirus global  
20 pandemic ("COVID-19"); leasing ARMC to the DOH; searching for special

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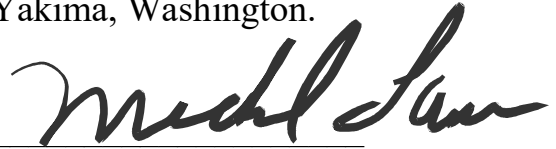
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1 counsel to assert claims against former accounts receivable vendor; providing  
2 continuous reporting to major creditors and the Official Committee of Unsecured  
3 Creditors; drafting the plan of reorganization and disclosure statement and working  
4 with various parties in interest to effectuate the same; litigating with various parties  
5 in adversary proceedings and on appeal; and addressing an unusual number of  
6 creditors threatening to violate the automatic stay through attempts to change  
7 contract terms or to terminate services contrary to contract terms.

8 8. At present, it is premature for the Debtors in these Chapter 11 Cases to  
9 make a determination as to the benefits and burdens relating to the removal and  
10 litigation of any Actions against the Debtors. The Debtors need more time to  
11 analyze the Actions to determine whether the Debtors will seek to remove any of  
12 the Actions. In addition, it is premature to determine if litigation is the prudent  
13 means to resolve these potential claims, pending greater clarity on the details  
14 surrounding the Debtors' exit strategy. The Debtors are not yet prepared to decide  
15 which, if any, Actions they will seek to remove.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct.

18 Executed this 29th day of July 2020, in Yakima, Washington.

19   
20 Michael Lane

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