1 2 3 4 5 6 7 8 9 IN THE UNITED STATES BANKRUPTCY COURT 10 EASTERN DISTRICT OF WASHINGTON 11 12 Case No. 19-01189-11 In re: 13 ASTRIA HEALTH, et al.<sup>1</sup> Chapter 11 (Lead Case) 14 Debtors. (Jointly Administered) 15 AGREED ORDER APPROVING 16 STIPULATION BETWEEN 17 REORGANIZED DEBTORS AND CERNER CORPORATION 18 **RESOLVING DEBTORS'** 19 MOTION TO ASSUME AND REJECT CONTRACTS 20 BETWEEN THE DEBTORS, 21 22 <sup>1</sup> The Debtors, along with their case numbers, are as follows: Astria Health (19-01189-11), Glacier Canyon, LLC 23 (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 (19-24 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 25 (19-01200-11). 26 AGREED ORDER RESOLVING DEBTORS' MOTION TO ASSUME AND REJECT CONTRACTS BETWEEN THE DEBTORS, CERNER 27 CORPORATION AND CERNER REVWORKS Page 1 28

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## CERNER CORPORATION AND CERNER REVWORKS

[RELATED DOCKET NOS. 2086, 2133, 2217, and 2269]

The Court, having read and considered the Stipulation Between Reorganized Debtors and Cerner Corporation Resolving Debtors' Motion to Assume and Reject Contracts Between the Debtors, Cerner Corporation and Cerner RevWorks (the "Stipulation"), filed as Docket No. [2269], entered between the above-captioned reorganized debtors (collectively, the "Debtors") and Cerner Corporation, on behalf of itself and its affiliates (collectively, "Cerner"), and good cause appearing therefor,

## **HEREBY ORDERS AS FOLLOWS:**

- 1. The Stipulation is approved.
- 2. The Cerner Business Agreement ("<u>CBA</u>") consists of the documents set forth on the list attached as Exhibit A to the Stipulation.
- 3. The CBA, as detailed on Exhibit A to the Stipulation, is assumed by the Debtors as of the Effective Date of the Modified Second Amended Joint Chapter 11 Plan of Reorganization of Astria Health and its Debtor Affiliates.
- 4. As directed in the Order Confirming Modified Second Amended Joint Chapter 11 Plan of Reorganization of Astria Health and its Debtor Affiliates [Dkt.

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No. 2217] (the "Confirmation Order"), a to-be-filed adversary proceeding (the "Adversary Proceeding") governs "all prepetition claims and postpetition claims, obligations causes of action or other rights existing between the Debtors and Cerner, including any cure and administrative claims" and this includes the cure amount for the Debtors' assumption of the CBA.

- 5. The Adversary Proceeding may be filed by the Debtors up to and including February 22, 2021.
- 6. The RevWorks Contract (as defined in the Motion referenced in the Stipulation) is not assumed and any claim, including rejection damages associated therewith, will be addressed in the Adversary Proceeding.
- 7. This Court shall retain jurisdiction for all matters arising from or relating to the terms of the Stipulation.

///End of Order///

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