

So Ordered.

Dated: July 5th, 2019



Frank L. Kurtz
Bankruptcy Judge

**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 AUTHORIZING
RETENTION AND EMPLOYMENT
OF POLSINELLI PC *NUNC PRO
TUNC* TO MAY 23, 2019 AS CO-
COUNSEL TO THE OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS**

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), 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).

ORDER-1

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1 Upon the application of the Official Committee of Unsecured Creditors (the
2 “**Committee**”) appointed in the chapter 11 cases of Astria Health and its debtor
3 affiliates, the debtors in possession (the “**Debtors**”), for an order, pursuant to §§
4 328 and 1103 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule
5 2014 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and
6 Rule 2014-1 of the Local Rules of the United States Bankruptcy Court for the
7 Eastern District of Washington (the “**Local Rules**”), authorizing the Committee to
8 employ and retain Polsinelli PC (“**Polsinelli**”) as co-counsel to the Committee in
9 the Cases², *nunc pro tunc* to May 23, 2019 and the Application Supplement
10 (collectively, the “**Application**”); and upon the supporting declarations of Jane
11 Pearson and Justin Pitt (collectively, the “**Declarations**”); and the Court having
12 reviewed the Application, its supporting materials, and any responses thereto; and
13 the Court having found and concluded that (i) it has jurisdiction over this matter
14 pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this matter is a core proceeding
15 pursuant to 28 U.S.C. § 157(b)(2), (iii) venue is proper in this District pursuant to
16 28 U.S.C. §§ 1408 and 1409, (iv) notice of the Application was sufficient under the
17 circumstances and no further notice is necessary, and (v) the legal and factual
18 bases set forth in the Application and the Declarations establish just cause for the
19 relief granted in this Order; and this Court having determined that (a) granting the
20 relief requested in the Application as set forth in this Order is in the best interests
21 of the Committee and the bankruptcy estates, (b) Polsinelli does not represent any
22 entity having an adverse interest in connection with these cases, as required by 11

23
24 ² All capitalized terms not defined in this Order shall have the meanings ascribed to them in the Application.

25 ORDER-2

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1 U.S.C. § 1103(b), and it and its Members, Of Counsels, and Associates do not
2 represent or hold any interest adverse to the Committee or the bankruptcy estates
3 and are disinterested under 11 U.S.C. § 101(14), and (c) the Application and its
4 supporting materials are in compliance with the applicable provisions of the
5 Bankruptcy Code, the Bankruptcy Rules, and the Local Rules; and after due
6 deliberation; and sufficient cause appearing therefore;

7 **IT IS HEREBY ORDERED AS FOLLOWS**

8 1. The Application is granted.

9 2. The Committee is authorized to retain and employ Polsinelli as its co-
10 counsel pursuant to 11 U.S.C. § 1103, Bankruptcy Rule 2014, and Local Rule
11 2014-1 *nunc pro tunc* to May 23, 2019 on the terms set forth in the Application and
12 the Pearson Declaration.

13 3. Polsinelli shall be compensated for its services and reimbursed for any
14 related expenses in accordance with 11 U.S.C. §§ 330 and 331, the applicable
15 provisions of the Bankruptcy Rules and the Local Rules, and any Orders of this
16 Court.

17 4. The terms and conditions of this Order shall be effective and
18 enforceable immediately upon its entry.

19 5. The Court shall retain jurisdiction with respect to all matters arising
20 from or related to the implementation of this Order.

21 *///End of Order///*

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25 ORDER-3

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1 Presented by:

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17 *Proposed Co-Counsel for the Official*
18 *Committee of Unsecured Creditors*

25 ORDER-4

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