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FILED & ENTERED

APR 21 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY may DEPUTY CLERK

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Proposed Counsel to Debtors and
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION

In re:

BEVERLY COMMUNITY HOSPITAL
ASSOCIATION, dba BEVERLY HOSPITAL
(A NONPROFIT PUBLIC BENEFIT
CORPORATION), *et al.*¹

Debtors,

- ☒ Affects all Debtors
☐ Affects Beverly Community
Hospital Association
☐ Montebello Community Health
Services, Inc.
☐ Beverly Hospital Foundation

Lead Case No.: 2:23-bk-12359-SK

Jointly administered with:

Case No: 2:23-bk-12360-SK

Case No: 2:23-bk-12361-SK

Hon. Sandra R. Klein

Chapter 11 Case

**ORDER (I) AUTHORIZING THE
DEBTORS TO MAINTAIN,
ADMINISTER, MODIFY, AND RENEW
THEIR REFUND PROGRAMS AND
PRACTICES AND HONOR
OBLIGATIONS RELATED THERETO,
AND (II) GRANTING RELATED RELIEF**

Date: April 21, 2023

Time: 2:00 p.m.

Judge: Sandra R. Klein

Place: Zoom.Gov – or - Courtroom 1575

¹ The Debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number, are: Beverly Community Hospital Association d/b/a Beverly Hospital (6005), Montebello Community Health Services, Inc. (3550), and Beverly Hospital Foundation (9685). The mailing address for the Debtors is 309 W. Beverly Blvd., Montebello, California 90640.



255 E. Temple St.
Los Angeles, CA 90012

Upon the *Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Maintain, Administer, Modify, and Renew Their Refund Programs and Practices and Honor Obligations Related Thereto, and (II) Granting Related Relief* (the "Motion")² of the above-captioned debtors and debtors in possession (collectively, the "Debtors") filed on April 19, 2023; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is permissible pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court on April 21, 2023 at 2:00 p.m.; and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein and is necessary to avoid immediate and irreparable harm pursuant to Bankruptcy Rule 6003; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth in this Order.
2. The Debtors are authorized, but not directed, to maintain, administer, modify, and renew the Refund Program and to pay or otherwise honor any Refund Program Obligation in the ordinary course of business, without further order of the Court.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

1 3. The banks and financial institutions on which checks were drawn or electronic
2 payment requests made in payment of the prepetition obligations approved herein are authorized to
3 receive, process, honor, and pay all such checks and electronic payment requests when presented
4 for payment, and all such banks and financial institutions are authorized to rely on the Debtors'
5 designation of any particular check or electronic payment request as approved by this Order.

6 4. The Debtors are authorized to issue postpetition checks, or to effect postpetition fund
7 transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a
8 consequence of these chapter 11 cases with respect to prepetition amounts owed in connection with
9 the relief granted herein.

10 5. The requirement under Local Bankruptcy Rule 9013-1(c) to file a memorandum of
11 points and authorities in connection with the Motion is waived.

12 6. Notice of the Motion as provided therein shall be deemed good and sufficient notice
13 of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Bankruptcy Rules
14 are satisfied by such notice.


15 7. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order
16 are immediately effective and enforceable upon its entry.

17 8. The Debtors are authorized to take all actions necessary to effectuate the relief
18 granted in this Order.

19 9. This Court retains exclusive jurisdiction with respect to all matters arising from or
20 related to the implementation, interpretation, and enforcement of this Order.

21 ###

22
23 Date: April 21, 2023

24 
Sandra R. Klein
United States Bankruptcy Judge