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CLERK U.S. BANKRUPTCY COURT  
Central District of California  
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Proposed Counsel to Debtors and  
Debtors in Possession

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*,<sup>1</sup>

Debtors,

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, RENEW, OR  
SUPPLEMENT THEIR INSURANCE  
POLICIES AND HONOR ALL  
OBLIGATIONS IN RESPECT THEREOF,  
AND (II) GRANTING RELATED RELIEF**

Date: April 21, 2023

Time: 2:00 p.m.

Judge: Hon. Sandra R. Klein

Place: Zoom.Gov – or - Courtroom 1575  
255 E. Temple St.  
Los Angeles, CA 90012

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

<sup>1</sup> 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.



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

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28 <sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

1           **IT IS HEREBY ORDERED THAT:**

2           1.       The Motion is GRANTED as set forth in this Order.

3           2.       The Debtors shall serve a copy of the Motion and this Order on each Insurance  
4 Carrier listed on **Exhibit B** to the Motion within two business days after the date this Order is  
5 entered.

6           3.       The Debtors are authorized, but not directed, to: (a) continue the Insurance Policies  
7 and pay any prepetition or postpetition obligations related to the Insurance Policies, including the  
8 payment of premiums, in accordance with the same practices and procedures as were in effect prior  
9 to the commencement of the Debtors' chapter 11 cases; and (b) renew, amend, supplement, extend,  
10 or purchase insurance policies to the extent that the Debtors determine that such action is in the best  
11 interest of their estates.

12          4.       Any payment made pursuant to this Order is not intended and should not be construed  
13 as an admission as the validity of any particular claim or a waiver of the Debtors' rights to  
14 subsequently dispute such claim.

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

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

24          7.       Nothing in this Order or the Motion shall be construed as prejudicing the rights of  
25 the Debtors to dispute or contest the amount of or basis for any claims against the Debtors in  
26 connection with or relating to the Debtors' Insurance Policies.

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

1           9.       Notice of the Motion as provided therein shall be deemed good and sufficient notice  
2 of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Bankruptcy Rules  
3 are satisfied by such notice.


4           10.      Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order  
5 are immediately effective and enforceable upon its entry.

6           11.      The Debtors are authorized to take all actions necessary to effectuate the relief  
7 granted in this Order.

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

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23   Date: April 21, 2023

  
Sandra R. Klein  
United States Bankruptcy Judge