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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*,¹

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
IMPLEMENTATION OF PROCEDURES
TO PROTECT CONFIDENTIAL
PATIENT INFORMATION, 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

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.



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

18 **IT IS HEREBY ORDERED THAT:**

- 19 1. The Motion is GRANTED as set forth in this Order.
- 20 2. The Claims Agent shall prepare and maintain the Patient Matrix but shall not file it
21 with this Court or otherwise disclose it to any other person, except as provided herein.
- 22 3. The Claims Agent shall prepare and maintain the Patient Schedules but shall not file
23 them with this Court or otherwise disclose them to any other person, except as provided herein.
- 24 4. The Claims Agent shall prepare a redacted version of the Patient Schedules, which
25 shall (a) redact the names and addresses of current and former Patients and (b) assign a unique
26 identification number to each of the Patients (the "Redacted Patient Schedules").
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² Capitalized terms not defined in this Interim Order shall have the meanings given to them in the Motion.

1 5. The Debtors are ordered to file the Redacted Patient Schedules with this Court in
2 accordance with Federal Rule of Bankruptcy Procedure 1007.

3 6. The Debtors are ordered to make the Patient Matrix and the Patient Schedules
4 available to (a) this Court, (b) the United States Trustee, (c) any applicable state regulatory agency
5 (through the respective state attorney general), and (d) any other party in interest but only after this
6 Court, after notice and a hearing, enters an order authorizing such disclosure.

7 7. This Order does not apply to any information of Patients that have filed lawsuits
8 against the Debtors, and the Debtors shall disclose information about such Patients as required under
9 the Bankruptcy Rules.

10 8. The Debtors shall inform the U.S. Trustee and the Court promptly after denying any
11 request for an unredacted document pursuant to this Order. Nothing herein precludes a party in
12 interest's right to file a motion requesting that the Bankruptcy Court unseal the information redacted
13 by this Order. The rights of all parties in these chapter 11 cases to object to the relief set forth in
14 this Order, for any reason, including that the Debtors have not satisfied their burden under section
15 107(c) of the Bankruptcy Code, are hereby preserved.

16 9. The requirement under Local Bankruptcy Rule 9013-1(c) to file a memorandum of
17 law in connection with the Motion is waived.

18 10. Notice of the Motion as provided therein shall be deemed good and sufficient notice
19 of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Bankruptcy Rules
20 are satisfied by such notice.

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1 11. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order
2 are immediately effective and enforceable upon its entry.

3 12. The Debtors are authorized to take all actions necessary to effectuate the relief
4 granted in this Order in accordance with the Motion.

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

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23 Date: April 21, 2023


Sandra R. Klein
United States Bankruptcy Judge