

In re:
Beverly Community Hospital Association
Debtor

Case No. 23-12359-SK
Docket #138 Date Filed: 04/26/2023

CERTIFICATE OF NOTICE

District/off: 0973-2
Date Rcvd: Apr 24, 2023

User: admin
Form ID: pdf042

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 26, 2023:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
db	+ Email/PDF: acheng@beverly.org	Apr 24 2023 23:59:00	Beverly Community Hospital Association, 309 West Beverly Blvd, Montebello, CA 90640-4308

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 26, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 21, 2023 at the address(es) listed below:

Name	Email Address
Alexandria Lattner	on behalf of Debtor Beverly Community Hospital Association alattnr@sheppardmullin.com ehwalters@sheppardmullin.com
Evan Gershbein	on behalf of Other Professional Kurtzman Carson Consultants LLC ECFpleadings@kccllc.com
Evelina Gentry	on behalf of Creditor Advantis Medical Staffing evelina.gentry@akerman.com rob.diwa@akerman.com
Howard Steinberg	on behalf of Creditor U.S. Bank Trust Company National Association as Master Trustee steinbergh@gtlaw.com, pearsallt@gtlaw.com;howard-steinberg-6096@ecf.pacerpro.com
Jennifer L Nassiri	on behalf of Debtor Beverly Community Hospital Association JNassiri@sheppardmullin.com



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Joseph P Buchman

on behalf of Creditor Montebello Land and Water Company jbuchman@bwslaw.com gmitchell@bwslaw.com

Marc A Levinson

on behalf of Debtor Beverly Community Hospital Association MAMLevinson@orrick.com borozco@orrick.com

Michael Jones

on behalf of U.S. Trustee United States Trustee (LA) michael.jones4@usdoj.gov

Nathan A Schultz

on behalf of Creditor Hanmi Bank nschultzesq@gmail.com

Ron Maroko

on behalf of U.S. Trustee United States Trustee (LA) ron.maroko@usdoj.gov

Sharon Z. Weiss

on behalf of Interested Party Hilco Real Estate LLC sharon.weiss@bclplaw.com,
raul.morales@bclplaw.com,REC_KM_ECF_SMO@bclplaw.com

Sharon Z. Weiss

on behalf of Interested Party HRE Montebello LLC sharon.weiss@bclplaw.com,
raul.morales@bclplaw.com,REC_KM_ECF_SMO@bclplaw.com

United States Trustee (LA)

ustpreion16.la.ecf@usdoj.gov

TOTAL: 13

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
JUSTIN R. BERNBROCK (admitted *pro hac vice*)
CATHERINE JUN (admitted *pro hac vice*)
ROBERT B. McLELLARN (admitted *pro hac vice*)
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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,

- ☒ 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, 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

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 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")² 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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² 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