

PROCEDURAL TENTATIVE RULING
ISSUED BY JUDGE LAURA S. TAYLOR

Debtor: BORREGO COMMUNITY HEALTH FOUNDATION

Number: 22-02384-LT11

Hearing: 02:00 PM Wednesday, December 7, 2022

Motion: MOTION FOR THE ENTRY OF (I) AN ORDER (1) APPROVING FORM OF ASSET PURCHASE AGREEMENT; (2) APPROVING AUCTION SALE FORMAT AND BIDDING PROCEDURES; (3) APPROVING PROCESS FOR DISCRETIONARY SELECTION OF STALKING HORSE BIDDER AND BID PROTECTIONS; (4) APPROVING FORM OF NOTICE TO BE PROVIDED TO INTERESTED PARTIES; (5) SCHEDULING A COURT HEARING TO CONSIDER APPROVAL OF THE SALE TO THE HIGHEST AND BEST BIDDER; AND (6) APPROVING PROCEDURES RELATED TO THE ASSUMPTION OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES; AND (II) AN ORDER AUTHORIZING THE SALE OF PROPERTY FREE AND CLEAR OF ALL CLAIMS, LIENS AND ENCUMBRANCES FILED ON BEHALF OF BORREGO COMMUNITY HEALTH FOUNDATION

1. A hearing has been noticed before the Honorable Laura S. Taylor to consider the Motion for the Entry of (i) An Order (1) Approving Form of Asset Purchase Agreement; (2) Approving Auction Sale Format and Bidding Procedures; (3) Approving Process For Discretionary Selection of Stalking Horse Bidder and Bid Protections; (4) Approving Form of Notice to be Provided to Interested Parties; (5) Scheduling a Court Hearing to Consider Approval of the Sale to the Highest and Best Bidder; and (6) Approving Procedures Related to the Assumption of Certain Executory Contracts and Unexpired Leases; and (ii) An Order Authorizing the Sale of Property Free and Clear of All Claims, Liens and Encumbrances filed on behalf of Borrego Community Health Foundation:

Date: December 7, 2022

Time: 2:00 p.m.

Location: Jacob Weinberger United States Courthouse, Department 3, Room 129, 325 West "F" Street, San Diego, California 92101-6991

2. Although the Court will conduct the hearing in person, any interested party may request to attend the hearing remotely using the services of Zoom Video Communications, Inc. ("Zoom"). To participate in the hearing remotely via Zoom, you must request a Zoom appearance in advance no later than 10:00 a.m., two



business days before the date of the hearing. To request a Zoom appearance, call our Courtroom Deputy, Russell Paluso, at (619) 557-5157.

3. Please consult the Hybrid Hearing Guidelines for Department Three (the "Guidelines") found on the Court's website, for a description of matters where Zoom attendance is typically allowed. The Court will otherwise allow Zoom appearance where justified on a case by case basis. In particular, the Court strongly prefers in-Court appearance for initial pre-trial status conferences and matters where significant argument is anticipated. Also note that a subsequent Tentative Ruling may state that a Zoom appearance is not allowed.

3. All participants (whether attending in person or remotely) must observe the formalities of the courtroom, exercise civility, and otherwise conduct themselves in a manner consistent with the dignity of the Court. This includes appropriate courtroom attire for those participants appearing by video.

4. PLEASE NOTE: No person may record the proceedings from any location by any means.

5. A further case specific Tentative will follow.