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7 Attorneys for Chapter 11 Debtor and  
 Debtor In Possession

8 **UNITED STATES BANKRUPTCY COURT**  
 9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 In re

Case No. 22-02384-11

11 BORREGO COMMUNITY HEALTH  
 FOUNDATION,

Chapter 11 Case

12 Debtor and Debtor In Possession.

**DISCLOSURE DECLARATION OF –  
 JONATHAN B. SOKOL ON BEHALF  
 OF ORDINARY COURSE  
 PROFESSIONAL GREENBERG  
 GLUSKER FIELDS CLAMAN &  
 MACHTINGER LLP**

Judge: Honorable Laura S. Taylor

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1 I, Jonathan B. Sokol, hereby declare that the following is true to the best of my  
2 knowledge, information and belief.

3 1. I am a partner of Greenberg Glusker Fields Claman & Machtinger LLP  
4 (the "Firm"), which maintains offices at 2049 Century Park East, Suite 2600, Los  
5 Angeles, CA 90067.

6 2. This Declaration is submitted in connection with an Order of the United  
7 States Bankruptcy Court for the Southern District of California [Docket No. 400],  
8 authorizing the above-captioned debtor and debtor in possession (the "Debtor") to  
9 retain certain professionals in the ordinary course of business (each an "Ordinary  
10 Course Professional") during the pendency of the Debtor's chapter 11 case, effective  
11 as of the September 12, 2022.

12 3. The Firm, through me, and members of the firm, have represented and  
13 advised the Debtor in connection with certain insurance recovery claims and litigation  
14 against Travelers Casualty and Surety Company of America ("Travelers"), currently  
15 pending in the United States District Court for the Southern District of California,  
16 Case No. 22cv0161-L-MDD (the "Insurance Action") since the Firm was first  
17 retained by the Debtor on or about February 20, 2021, to pursue insurance recovery  
18 claims and litigation, if necessary, against Travelers.

19 4. The Debtor has requested, and the Firm has agreed, to continue to  
20 provide services to the Debtor pursuant to § 327(b) of chapter 11 of title 11 of the  
21 United States Code. 11 U.S.C. §§ 101, et seq. (the "Bankruptcy Code") with respect  
22 to such matters. Additionally, the Debtor has requested, and the Firm proposes to  
23 render, continuing legal representation of the Debtor relating to the Insurance Action  
24 through the conclusion of the Insurance Action, whether by settlement, trial, or  
25 otherwise, including any appeals.

26 5. The Firm's current customary hourly rates, subject to change from time  
27 to time, vary from \$250 to \$1,850 per hour. I am the partner at my Firm primarily  
28 responsible for representing the Debtor in the Insurance Action. The Firm has



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1 established my hourly rate for 2023 for the Insurance Action at \$900. I will also be  
2 assisted in the Insurance Action by Ira Steinberg, another partner in my Firm, whose  
3 hourly rate is currently \$700. Other or additional attorneys and paralegals also may  
4 perform services, in our discretion, and the Debtor will be charged for their services  
5 at the rates established by our Firm. Our hourly rates are subject to change, and the  
6 applicable rates will be those in effect at the time the services are performed. We  
7 review our rates annually and changes, if any, normally become effective on January  
8 1 of each year. The Firm requests that effective January 1 of each year the  
9 aforementioned rates be revised to the regular hourly rates which will be in effect at  
10 that time.

11 6. The Firm understands the maximum monthly fee payable to the Firm as  
12 an Ordinary Course Professional is \$25,000 per month on a “rolling basis,” as set  
13 forth on page 10 of the Debtor’s Motion [Docket No. 271], and that any amount above  
14 the “Cap Amount” could only be paid upon the filing and granting of an application  
15 under §§ 330 and 331 of the Bankruptcy Code.

16 7. To the best of my knowledge, formed after due inquiry, neither I, the  
17 Firm, nor any employee thereof has any connection with the Debtor or currently  
18 represents any creditors, other parties-in-interest, the United States Trustee or any  
19 person employed by the Office of the United States Trustee with respect to the matters  
20 upon which it is to be engaged, and the Firm does not, by reason of any direct or  
21 indirect relationship to, connection with, or interest in the Debtor, hold or represent  
22 any interest adverse to the Debtor, the estate or any class of creditors or equity interest  
23 holders.

24 8. In addition, although unascertainable at this time after due inquiry, the  
25 Firm may have in the past represented, currently represent, and may in the future  
26 represent entities that are claimants of the Debtor in matters entirely unrelated to the  
27 Debtor and its estate. The Firm does not and will not represent any such entity in  
28 connection with this pending chapter 11 case and does not have any relationship with

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1 any such entity, attorneys or accountants that would be adverse to the Debtor or its  
2 estate.

3 9. The Firm's process of ascertaining what, if any, connection it may have  
4 with any interest adverse to the Debtor, its estate or any class of creditors or equity  
5 interest holders, consists of the following: running a conflicts search for the top level  
6 creditors of the Debtor in the Firm's applicable database used for client conflicts  
7 purposes. Attached hereto as Exhibit A is a list of the creditors that we searched in  
8 our conflicts database. Due to the volume of creditors in this proceeding, it was not  
9 practical to run the names of all creditors in our conflicts database.

10 10. In light of the foregoing, I believe that the Firm does not hold or represent  
11 any interest materially adverse to the Debtor, its estate, its creditors, or its equity  
12 interest holders, as identified to the Firm, with respect to the matters in which the Firm  
13 will be engaged.

14 11. Except as set forth herein, no promises have been received by the Firm  
15 or any partner, associate, or other professional thereof as to compensation in  
16 connection with this chapter 11 case other than in accordance with the provisions of  
17 the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure ("Bankruptcy  
18 Rule"), the Local Rules of the United States Bankruptcy Court for the Southern  
19 District of California, and orders of this Court.

20 12. The Firm further states that it has not shared, nor agreed to share any  
21 compensation received in connection with this chapter 11 case with another party or  
22 person, other than as permitted by § 504(b) of the Bankruptcy Code and Bankruptcy  
23 Rule 2016.

24 13. The foregoing constitutes the statement of the Firm pursuant to §§ 329  
25 and 504 of the Bankruptcy Code and Bankruptcy Rules 2014 and 2016(b).

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I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed this 13<sup>th</sup> day of March, 2023.

Jonathan B Sokol  
Full Name

Granberg Glusker Field Channing  
Company Machtinger

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**Exhibit A**

*Exhibit A***Conflict of Interest Report**

Search ID: 48406

Run Date/Time: 1/27/2023 9:49:18 AM

Requested By:

Search Performed By: Parham, Ayiesha

Please report any incorrect information to the Conflicts email group

**Jon Sokol (Borrego Community - top creditors)**

SEARCH TERM SUMMARY					
Name	Affiliation	Role	Search Term(s) Used	Rank	# of Hits
Arthur Santos	Adverse	Party	Arthur Santos		0
California Department of Health Care Services (DHCS) Health Care Delivery Systems Department of Health Care Services	Adverse	Party	California Department of Health Care Services (DHCS) Health Care Delivery Systems Department of Health Care Services DHCS		0
Corona Family Dental Group	Adverse	Party	Corona Family Dental Group		0
Ehab Samaan	Adverse	Party	Ehab Samaan		0
Gallagher Benefit Services, Inc	Adverse	Party	Gallagher Benefit Services, Inc		0
Heritage Plaza Dental	Adverse	Party	Heritage Plaza Dental Heritage Dental		0
Mehrnaz Irani	Adverse	Party	Mehrnaz Irani Meh* Irani		0
Mohamed Dowaidari	Adverse	Party	Mohamed Dowaidari Moham?ed Dowaidari		0
Mustafa Bilal	Adverse	Party	Mustafa Bilal		0
Oz Group Inc d/b/a Customer Contact Services	Adverse	Party	"Oz Group" Customer Contact Services		0
Pourshirazi & Youssefi Dental Corporation	Adverse	Party	Pourshirazi & Youssefi Dental Corporation		0
Premier Healthcare Management	Adverse	Party	Premier Healthcare Management Premier Healthcare		0
Rajesh Shah	Adverse	Party	Rajesh Shah		0
Tejas Modi	Adverse	Party	Tejas Modi		0
Vista Village Family Dentistry	Adverse	Party	Vista Village Family Dentistry Vista Village Dentistry		0
Vitamin D Public Relations, LLC	Adverse	Party	Vitamin D Public Relations, LLC		0
We Klean Inc.	Adverse	Party	We Klean Inc.		0
Internal Revenue Service	Adverse	Party	Internal Revenue Service IRS	5	147
American Express	Adverse	Party	American Express AMEX	44	99
MPower TelePacific	Adverse	Party	MPower TelePacific MPower	44	12
McKesson Corporation	Adverse	Party	McKesson Corporation	47	19
Smile Dental	Adverse	Party	Smile Dental	47	4
Greenway Health, LLC	Adverse	Party	Greenway Health, LLC	57	1
Cardinal Health, Inc.	Adverse	Party	Cardinal Health, Inc.	60	4

All information in this report is confidential.