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Debtors In Possession

FILED & ENTERED

JAN 16 2019

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY gonzalez DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re

VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., *et al.*,

Debtors and Debtors In Possession.

Lead Case No. 18-bk-20151-ER

Jointly Administered With:

Case No. 2:18-bk-20162-ER
Case No. 2:18-bk-20163-ER
Case No. 2:18-bk-20164-ER
Case No. 2:18-bk-20165-ER
Case No. 2:18-bk-20167-ER
Case No. 2:18-bk-20168-ER
Case No. 2:18-bk-20169-ER
Case No. 2:18-bk-20171-ER
Case No. 2:18-bk-20172-ER
Case No. 2:18-bk-20173-ER
Case No. 2:18-bk-20175-ER
Case No. 2:18-bk-20176-ER
Case No. 2:18-bk-20178-ER
Case No. 2:18-bk-20179-ER
Case No. 2:18-bk-20180-ER
Case No. 2:18-bk-20181-ER

Hon. Ernest M. Robles

ORDER APPROVING STIPULATION
RESERVING RIGHTS REGARDING
OWNERSHIP OF CERTAIN EQUIPMENT

☒ Affects All Debtors

- ☐ Affects Verity Health System of
California, Inc.
☐ Affects O'Connor Hospital
☐ Affects Saint Louise Regional Hospital
☐ Affects St. Francis Medical Center
☐ Affects St. Vincent Medical Center
☐ Affects Seton Medical Center
☐ Affects O'Connor Hospital Foundation
☐ Affects Saint Louise Regional Hospital
Foundation
☐ Affects St. Francis Medical Center of
Lynwood Foundation
☐ Affects St. Vincent Foundation
☐ Affects St. Vincent Dialysis Center, Inc.
☐ Affects Seton Medical Center Foundation
☐ Affects Verity Business Services
☐ Affects Verity Medical Foundation
☐ Affects Verity Holdings, LLC
☐ Affects De Paul Ventures, LLC
☐ Affects De Paul Ventures - San Jose ASC,
LLC

Debtors and Debtors In Possession.

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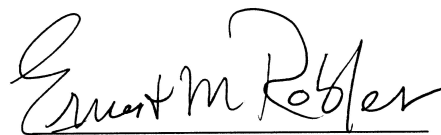
The Court, having reviewed the *Stipulation Reserving Rights Regarding Ownership of Certain Equipment* (the “Stipulation”), filed as Docket Number No. 1260, entered between Verity Health System Of California, Inc. (“VHS”) and the above-referenced affiliated debtors, the debtors and debtors in possession in the above-captioned chapter 11 bankruptcy cases (collectively, the “Debtors”), in the above-referenced jointly administered Chapter 11 bankruptcy cases, on the one hand, and Smith & Nephew, Inc. (“Smith & Nephew,” together with the Debtors, the “Parties”), on the other, and good cause appearing,

HEREBY ORDERS AS FOLLOWS:

1. The Stipulation is approved.
2. The Parties shall retain the right to assert all of their rights, claims, defenses and arguments with respect to ownership and possession of the NAVIO System (as defined in the Stipulation) under applicable law, subject to the automatic stay, notwithstanding the entry of the Order (A) *Authorizing the Sale of Certain of the Debtors’ Assets to Santa Clara County Free and Clear of Liens, Claims, Encumbrances, and Other Interest*; (B) *Approving the Assumption and Assignment of an Unexpired Lease Related Thereto*; and (C) *Granting Related Relief* [Docket No. 1153] (the “Sale Order”).
3. The entry of the Sale Order shall not bar, estop, or enjoin Smith & Nephew from raising or asserting any claim or defense against the Debtors relating to the Agreement or the NAVIO System, subject to all other rights and defenses of the Debtors or other holders of interests in the Agreement or the NAVIO System, including, without limitation, the automatic stay.

IT IS SO ORDERED.

Date: January 16, 2019



Ernest M. Robles
United States Bankruptcy Judge