### Case 2:18-bk-20151-ER Doc 2676 Filed 07/05/19 Entered 07/05/19 06:38:02 Desc Main Document Page 2 of 17

PLEASE TAKE NOTICE that, on June 24, 2019, the Court entered an Order Overruling
Objection to Proposed Form of Notice of Extended Bar Date [Docket No. 2607] (the "Order"). The
Order approved the Debtors' Proposed Form of Notice of Extended Bar Date Re April 27, 2016
Data Breach [Docket No. 2523] (the "Notice"). See Order at 3. The Debtors are required to serve
the Notice not later than July 8, 2019 as set forth in the Court's order entered on May 24, 2019
[Docket No. 2436] and accompanying Memorandum Decision Denying Motion of Iris Lara, Tanya
Llera, and Jarmaine Johns for Authorization to File a Class Proof of Claim [Docket No. 2435].

PLEASE TAKE FURTHER NOTICE that the Notice listed an address for the Debtors' Claims and Noticing Agent, Kurtzman Carson Consultants LLC ("KCC"). KCC's address, however, has recently changed from the address in the Notice, and its new mailing address for proofs of claim in the above-captioned cases to is 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245. Accordingly, the Debtors submit a modified version of the Notice (the "Modified Notice"), attached hereto as Exhibit A, reflecting KCC's change of address. The Debtors also submit, as Exhibit B hereto, a redline comparison of the Modified Notice against the version of the Notice approved by the Order.

**PLEASE TAKE FURTHER NOTICE** that, per the Court's request, the Debtors will lodge a proposed order approving the Modified Notice concurrently herewith.

Dated: July 5, 2019

DENTONS US LLP
SAMUEL R. MAIZEL
TANIA M. MOYRON
SAM J. ALBERTS

By /s/ Tania M. Moyron
Tania M. Moyron

Attorneys for the Chapter 11 Debtors and Debtors In Possession

# Exhibit A

**Modified Notice** 

DENTONS US LLP 601 SOUTH FIGUEROA STREET, SUITE 2500 LOS ANGELES, CALIFORNIA 90017-5704 (213) 623-9300

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#### TO POTENTIAL CLAIMANT:

### NOTICE OF EXTENDED BAR DATE FOR APRIL 27, 2016 DATA BREACH CLAIMS

You are receiving this notice because Verity Health System of California, Inc., a California nonprofit benefit corporation, and the above-referenced affiliated debtors, the debtors and debtors in possession in the above-captioned chapter 11 bankruptcy cases (collectively, the "Debtors") have determined that you potentially have a claim for damages against the Debtors as a result of the disclosure of personally identifiable information on April 27, 2016, which information was disclosed in error to an unauthorized party (a "Data Breach Claim").

The Bankruptcy Court had previously set a deadline of April 1, 2019 for creditors and holders of ownership interests in the Debtors to file proofs of claim against, or proofs of interest in, the Debtors' estates (the "Bar Date"). See Docket No. 1528. The Bankruptcy Court has now ordered an extension of this Bar Date for Data Breach Claims to September 30, 2019. See Docket No. 2435 at 10-11.

If you have not already filed a Data Breach Claim and believe you have such a Data Breach Claim, you must complete and return the Official Form 410 (Proof of Claim) attached hereto as "Exhibit A" by no later than September 30, 2019 and include all applicable supporting documentation. Additional copies of proof of claim forms may be obtained from the Debtors' Claims and Noticing Agent, Kurtzman, Carson Consultants LLC ("KCC"), located at 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245, (888) 249-2741, or by visiting KCC's website at http://www.kccllc.net/verityhealth.

Please be advised that all Proofs of Claim for Data Breach Claims, with all supporting documentation, must be submitted to KCC via mail or courier no later than September 30, 2019 at the following address:

> Verity Claims Processing Center c/o KCC 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245

Please take notice that, if you timely assert a Data Breach Claim, you may be entitled to receive free credit monitoring services in connection with a confirmed bankruptcy plan(s) for the Debtors.

Failure of a creditor or interest holder to file timely a proof of claim or interest on or before the deadline may result in disallowance of the claim or interest or subordination under the terms of a plan of reorganization or liquidation without further notice or hearing. 11 U.S.C. § 502(b)(9).

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IS US LLP A Street, Suite 2500 Erorna, 90017-5704 23-9300	1	Creditors and interest holders may wish to consult an attorney to protect their rights.				
	2	You may also contact counsel for the Official Unsecured Creditors Committee with any questions regarding this matter. The appropriate contact information is provided below:				
	3	Attn: James C. Behrens				
	4	Milbank LLP 2029 Century Park East, 33rd Floor				
	5	Los Angeles, CA 90067 Telephone: (424) 386-4436 jbehrens@milbank.com				
	6					
	7					
	8 9	Dated: July 8, 2019  DENTONS US LLP  By:				
	10	Samuel R. Maizel Tania M. Moyron				
	11	Sam J. Alberts Attorneys for Chapter 11 Debtors and Debtors in				
LLP ET, SUE 9001	12	Possession				
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DENTON 601 South Figueroa Los Angeles , Call (213) 6	14					
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# Exhibit A

**Proof of Claim Form** 

#### Case 2:18-bk-20151-ER Doc 2676 Filed 07/05/19 Entered 07/05/19 06:38:02 Desc Main Document Page 8 of 17

United States Bankruptcy Court for the Central District of California			
Indicate Debtor against which you assert a claim by checking the appropriate box below. (Check only one Debtor per claim form.)			
☐ Verity Health System of California, Inc. (Case No.18-20151)	☐ St. Francis Medical Center of Lynwood Foundation (Case No. 18-20178)		
☐ De Paul Ventures – San Jose Dialysis, LLC (Case No. 18-20181)	☐ St. Louise Regional Hospital (Case No.18-20162)		
☐ De Paul Ventures, LLC (Case No. 18-20176)	☐ St. Vincent Dialysis Center, Inc. (Case No. 18-20171)		
☐ O'Connor Hospital (Case No. 18-20168)	☐ St. Vincent Foundation (Case No. 18-20180)		
☐ O'Connor Hospital Foundation (Case No. 18-20179)	☐ St. Vincent Medical Center (Case No. 18-20164)		
☐ Saint Louise Regional Hospital Foundation (Case No. 18-20172)	☐ Verity Business Services (Case No. 18-20173)		
☐ Seton Medical Center (Case No. 18-20167)	☐ Verity Holdings, LLC (Case No. 18-20163)		
☐ Seton Medical Center Foundation (Case No. 18-20175)	☐ Verity Medical Foundation (Case No. 18-20169)		
☐ St. Francis Medical Center (Case No. 18-20165)			

# Official Form 410

Proof of Claim 04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

Pa	Identify the Clair	n			
1.	Who is the current creditor?	Name of the current creditor (the person or entity to be paid for this claim)  Other names the creditor used with the debtor			
2.	Has this claim been acquired from someone else?	No Yes. From whom?			
3.	Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)		
	creditor be sent:	Name	Name		
	Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Number Street	Number Street		
	(11121) 2002(9)	City State ZIP Code	City State ZIP Code		
		Country	Country		
		Contact phone	Contact phone		
		Contact email	Contact email		
		Uniform claim identifier for electronic payments in chapter 13 (if you use one):			
4.	Does this claim amend one already filed?	No Yes. Claim number on court claims registry (if known)	Filed on		
5.	Do you know if anyone else has filed a proof of claim for this claim?	No Yes. Who made the earlier filing?			

Г	Give information Abo	out the Claim as of the Date the Case was riled	
6.	Do you have any number you use to identify the debtor?	□ No □ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:	
7.	How much is the claim?	\$ Does this amount include interest or other charges?  No  Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).	
8.	What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.	
9.	Is all or part of the claim secured?	No	
10.	Is this claim based on a lease?	<ul> <li>No</li> <li>Yes. Amount necessary to cure any default as of the date of the petition.</li> </ul>	
11.	Is this claim subject to a right of setoff?	No Yes. Identify the property:	

Filed 07/05/19 Entered 07/05/19 06:38:02 Case 2:18-bk-20151-ER Doc 2676 Main Document Page 10 of 17 12. Is all or part of the claim Nο entitled to priority under Amount entitled to priority 11 U.S.C. § 507(a)? Yes. Check all that apply: A claim may be partly Domestic support obligations (including alimony and child support) under priority and partly 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). nonpriority. For example, in some categories, the Up to \$2,850\* of deposits toward purchase, lease, or rental of property or law limits the amount services for personal, family, or household use. 11 U.S.C. § 507(a)(7). entitled to priority. Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends. whichever is earlier. 11 U.S.C. § 507(a)(4). Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). Other. Specify subsection of 11 U.S.C. § 507(a)(\_\_) that applies. \* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment. Part 3: Sign Below The person completing Check the appropriate box: this proof of claim must I am the creditor. sign and date it. FRBP 9011(b). I am the creditor's attorney or authorized agent. If you file this claim I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004. electronically, FRBP 5005(a)(2) authorizes courts I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005. to establish local rules specifying what a signature is. I understand that an authorized signature on this Proof of Claim serves as an acknowledgement that when calculating A person who files a fraudulent claim could be the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt. fined up to \$500,000, imprisoned for up to 5 I have examined the information in this Proof of Claim and have reasonable belief that the information is true and correct. years, or both. 18 U.S.C. §§ 152, 157, and I declare under penalty of perjury that the foregoing is true and correct. 3571. Executed on date MM / DD / YYYY Signature Print the name of the person who is completing and signing this claim: Name First name Middle name Last name Title Company Identify the corporate servicer as the company if the authorized agent is a servicer. Address Number Street City State ZIP Code Country

Email

Contact phone

### Official Form 410

# **Instructions for Proof of Claim**

United States Bankruptcy Court

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney. especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.

18 U.S.C. §§ 152, 157 and 3571

#### How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form. Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).

- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

# PLEASE SEND COMPLETED PROOF(S) OF CLAIM

04/16

Verity Claims Processing Center c/o KCC 222 N Pacific Coast Highway, Suite 300 El Segundo, CA 90245

- A Proof of Claim form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth. See Bankruptcy Rule 9037.
- For a minor child, fill in only the child's initials and the full name and address of the child's parent or quardian. For example, write A.B., a minor child (John Doe, parent, 123) Main St., City, State). See Bankruptcy Rule 9037.

### Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at http://www.kccllc.net/verityhealth.

#### Understand the terms used in this form

**Administrative expense:** Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate. 11 U.S.C. § 503

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Creditor:** A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

**Debtor:** A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

**Evidence of perfection:** Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

**Priority claim:** A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

**Proof of claim:** A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

**Redaction of information:** Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

**Setoff:** Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

**Uniform claim identifier:** An optional 24-character identifier that some creditors use to facilitate electronic payment.

**Unsecured claim:** A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

#### Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

# Exhibit B

**Redline Comparison** 

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TO POTENTIAL CLAIMANT:

### **NOTICE OF EXTENDED BAR DATE FOR APRIL 27, 2016 DATA BREACH CLAIMS**

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The Bankruptcy Court had previously set a deadline of April 1, 2019 for creditors and holders of ownership interests in the Debtors to file proofs of claim against, or proofs of interest in, the Debtors' estates (the "Bar Date"). See Docket No. 1528. The Bankruptcy Court has now ordered an extension of this Bar Date for Data Breach Claims to **September 30, 2019.** See Docket No. 2435 at 10-11.

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Please be advised that all Proofs of Claim for Data Breach Claims, with all supporting documentation, must be submitted to KCC via mail or courier no later than September 30, 2019 at the following address:

Verity Claims Processing Center c/o KCC 2335 Alaska Avenue 222 N. Pacific Coast Highway, Suite 300 El Segundo, CA 90245

Please take notice that, if you timely assert a Data Breach Claim, you may be entitled to receive free credit monitoring services in connection with a confirmed bankruptcy plan(s) for the Debtors.

Failure of a creditor or interest holder to file timely a proof of claim or interest on or before the deadline may result in disallowance of the claim or interest or subordination under the terms of a plan of reorganization or liquidation without further notice or hearing. 11 U.S.C. § 502(b)(9).

Document comparison by Workshare 9.5 on Wednesday, July 03, 2019 4:47:27 PM

Input:	
Document 1 ID	interwovenSite://USDMS/US_Active/112726607/1
Description	#112726607v1 <us_active> - Data Breach Bar Date Notice</us_active>
Document 2 ID	interwovenSite://USDMS/US_Active/112726607/2
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Legend:		
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