

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Ernest Robles, Presiding  
Courtroom 1568 Calendar**

**Tuesday, November 12, 2019**

**Hearing Room 1568**

10:00 AM

**2:18-20151 Verity Health System of California, Inc.**

**Chapter 11**

Adv#: 2:19-01002 ST. VINCENT MEDICAL CENTER, a California nonprofit v. LOCAL

**#7.00 Status Hearing**

RE: [1] Adversary case 2:19-ap-01002. Complaint by ST. VINCENT MEDICAL CENTER, a California nonprofit public benefit corporation, ST. FRANCIS MEDICAL CENTER, a California nonprofit public benefit corporation against LOCAL INITIATIVE HEALTH AUTHORITY FOR LOS ANGELES COUNTY DBA L.A. CARE HEALTH PLAN, an independent local public agency. (Charge To Estate). /COMPLAINT FOR BREACH OF WRITTEN CONTRACTS, TURNOVER, UNJUST ENRICHMENT, DAMAGES FOR VIOLATION OF THE AUTOMATIC STAY, AND INJUNCTIVE RELIEF (Attachments: # 1 Exhibit Exhibit A # 2 Exhibit Exhibit B # 3 Exhibit Exhibit C # 4 Exhibit Exhibit D # 5 Exhibit Exhibit E # 6 Adversary Proceeding Cover Sheet # 7 Notice of Required Compliance Bk Rule 7026) Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)),(14 (Recovery of money/property - other)),(71 (Injunctive relief - reinstatement of stay)) (Kahn, Steven)

fr: 3-12-19;fr. 4-2-19; 4-3-19; 6-19-19

Docket 1

**Matter Notes:**

11/12/2019

**The tentative ruling will be the order.  
Court to prepare the order.**

**POST PDF OF TENTATIVE RULING TO CIAO**

**Tentative Ruling:**

11/7/2019

On April 15, 2019, the Court stayed this action pending the completion of arbitration of the claims for relief asserted in the Complaint. Doc. No. 38 and 42. The Court



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found that it lacked discretion to decline to enforce an arbitration provision with respect to the non-core claims for breach of contract, unjust enrichment, and turnover. With respect to the remaining core claims for violation of the automatic stay and injunctive relief, the Court found that arbitration would not conflict with the purposes of the Bankruptcy Code, given that the amount at issue in connection with the core claims (approximately \$360,000) was inconsequential when compared to the amount at issue in connection with the non-core claims (approximately \$25 million). Consequently, the Court found that it was required to enforce the arbitration provision even with respect to the core claims.

Plaintiffs have filed an arbitration demand with JAMS. An arbitrator has been selected, and arbitration is set to convene on April 20, 2020.

A continued Status Conference shall be held on **May 12, 2020, at 10:00 a.m.** A Joint Status Report, which should discuss the status of the arbitration, shall be submitted by no later than fourteen days prior to the hearing.

The Court will prepare and enter an order setting the continued Status Conference.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Carlos Nevarez or Daniel Koontz at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, no later than one hour before the hearing.

<b>Party Information</b>
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**Debtor(s):**

Verity Health System of California,

Represented By

Samuel R Maizel

John A Moe II

Tania M Moyron

Claude D Montgomery

Sam J Alberts

Shirley Cho

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**Defendant(s):**

LOCAL INITIATIVE HEALTH

Pro Se

**Plaintiff(s):**

ST. VINCENT MEDICAL

Represented By  
Steven J Kahn

ST. FRANCIS MEDICAL

Represented By  
Steven J Kahn