

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

SAMUEL R. MAIZEL (Bar No. 189301)
samuel.maizel@dentons.com
SONIA MARTIN (Bar No. 191148)
sonia.martin@dentons.com
TANIA M. MOYRON (Bar No. 235736)
tania.moyron@dentons.com
NICHOLAS A. KOFFROTH (Bar No. 287854)
nick.koffroth@dentons.com
DENTONS US LLP
601 South Figueroa Street, Suite 2500
Los Angeles, California 90017-5704
Tel: (213) 623-9300 / Fax: (213) 623-9924

Counsel to Verity Health Defendants,
DePaul Ventures, LLC and Chapter 11
Debtors and Debtors In Possession

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

In re

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

Debtors and Debtors in
Possession.

Case No.: 2:20-cv-02623-SVW

Bankr. Lead Case No.: 2:18-bk-20151-
ER

Adversary Proceeding Case No.: 2:20-ap-
1051-ER

Hon. Stephen V. Wilson

California Nurses Association CNA,

Plaintiff,

v.

Verity Health System of California, Inc., *et al.*

Defendant(s).

**AMENDED STIPULATION
CONTINUING HEARING DATE OF
MOTION TO WITHDRAW
REFERENCE AND RELATED
BRIEFING SCHEDULE**

Continued Hearing Date and Time:

Date: June 1, 2020

Time: 1:30 p.m.

Place: Courtroom 10A

350 W. 1st Street, 10th Floor
Los Angeles, California 90012



STIPULATION

Defendants Verity Health System of California, Inc., a California nonprofit public benefit corporation, St. Vincent Medical Center, a California nonprofit public benefit corporation, St. Vincent Dialysis Center, Inc., a California nonprofit public benefit corporation, and St. Francis Medical Center, a California nonprofit public benefit corporation, Seton Medical Center, a California nonprofit public benefit corporation, and Verity Holdings, LLC, a California limited liability company (collectively, “Verity”), DePaul Ventures, LLC, Richard Adcock, Steven Sharrer, and Plaintiff California Nurses Association (“CNA”), (collectively, the “Parties”), hereby enter into this stipulation (the “Stipulation”) based on the following recitals of fact:

RECITALS

A. On March 5, 2020, Plaintiff CNA filed its *Complaint For Damages, Civil Penalties, Attorneys Fees* [Docket No. 1] (the “Complaint”).

B. On March 20, 2020, Plaintiff CNA filed a *Notice of Motion and Motion of Plaintiff for Withdrawal of Reference of Adversary Proceedings Pending in Bankruptcy Court* [Docket No. 9] (the “Motion to Withdraw Reference”).

C. On March 26, 2020, the Parties filed a *Stipulation Continuing Hearing Date of Motion to Withdraw Reference and Related Briefing Schedule* [Docket No. 10].

D. On March 27, 2020, this Court entered its *Order Approving Stipulation to Continue Hearing Date of Motion to Withdraw Reference and Related Briefing Schedule* [Docket No. 11].

E. Pursuant to the *Order Approving Stipulation to Continue Hearing Date of Motion to Withdraw Reference and Related Briefing Schedule* [Docket No. 11]: (1) the Motion to Withdraw Reference is set for hearing on May 11, 2020, at 1:30 p.m., in Courtroom 10A, located at 350 W. 1st Street, 10th Floor, Los Angeles, California 90012; (2) the deadline for Defendants to file their Opposition briefs to the Motion to

1 Withdraw reference is April 20, 2020; and (3) the deadline for Plaintiff to file its Reply
2 brief to the Motion to Withdraw Reference is April 27, 2020.

3 F. The Debtors recently obtained approvals to sell several of their remaining
4 facilities to separate purchasers and are in the process of closing those transactions. In
5 connection with the St. Francis and Seton Medical Center sale closings, the Debtors and
6 the purchaser are engaging with the unions with respect to potential modifications of
7 collective bargain agreements, including Plaintiff CNA concerning Seton Medical
8 Center. Those negotiations are to occur, in the first instance within 30 days of the
9 approval of the sale to those purchasers.

10 G. Separately, the Defendants have filed a Motion to Dismiss the Adversary
11 Proceeding; the deadlines of which are also being extended and which the parties have
12 agreed should be heard either in this Court or the Bankruptcy Court after resolution of
13 the present Motion.

14 H. On April 15, 2020, the Parties filed a *Stipulation Continuing Hearing Date*
15 *of Motion to Withdraw Reference and Related Briefing Schedule* [Docket No. 12] and
16 inadvertently set the continued hearing date on a federal holiday, Memorial Day, May
17 25, 2020.

18 I. This *Amended Stipulation Continuing Hearing Date of Motion to*
19 *Withdraw Reference and Related Briefing Schedule* amends the hearing date to June 1,
20 2020, at 1:30 p.m., but keeps all other briefing deadlines the same as in the *Stipulation*
21 *Continuing Hearing Date of Motion to Withdraw Reference and Related Briefing*
22 *Schedule* [Docket No. 12].

23 J. In summary, the Parties have agreed to continue the hearing for the Motion
24 to Withdraw Reference from May 11, 2020 at 1:30 p.m., to June 1, 2020, at 1:30 p.m.
25 in Courtroom 10A, located at 350 W. 1st Street, 10th Floor, Los Angeles, California
26 90012, and the Parties have agreed that Defendants' Opposition briefs to the Motion to
27

Withdraw Reference are due on May 4, 2020, and Plaintiff's Reply brief to the Motion to Withdraw Reference is due on May 11, 2020.

AGREEMENT

NOW, THEREFORE, the Parties to this Stipulation hereby agree and stipulate as follows:

1. The deadline for Defendants to file their Opposition briefs to the Motion to Withdraw Reference shall be extended from April 20, 2020 to May 4, 2020.

2. The deadline for Plaintiff to file its Reply brief to the Motion to Withdraw Reference shall be extended from April 27, 2020 to May 11, 2020.

3. The hearing on the Motion to Withdraw Reference shall be continued from May 11, 2020 at 1:30 p.m. to June 1, 2020 at 1:30 p.m.

4. The Stipulation shall be without prejudice to any party seeking further extensions of time from the Court.

IT IS SO STIPULATED.

Dated: April 16, 2020

DENTONS US LLP
SAMUEL R. MAIZEL
SONIA R. MARTIN
TANIA M. MOYRON
NICHOLAS A. KOFFROTH

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

Counsel for Verity Health Systems of
 California, Inc., *et al.* and DePaul
 Ventures, LLC

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

1 Dated: April 16, 2020

BARTKO ZANKEL BUNZEL
AN N. RUDA
LOUISE ANN FERNANDEZ

2
3
4 By: /s/Louise Ann Fernandez
5 Louise Ann Fernandez

6 Counsel for Richard Adcock and Steven
7 Sharrer

8 Dated: April 16, 2020

CALIFORNIA NURSES
ASSOCIATION
CAROL A. IGOE
KYRSTEN B. SKOGSTAD
NICOLE J. DARO

9
10
11 By: /s/Kyrsten B. Skogstad
12 Kyrsten B. Skogstad

13 Counsel for California Nurses Association

14
15 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, Tania M. Moyron, attest that all other
16 signatories listed, and on whose behalf this filing is submitted, concur in the filing's
17 content and have authorized the filing.

18 /s/ Tania M. Moyron

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

In re

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

Debtors and Debtors in
Possession.

California Nurses Association CNA,

Plaintiff,

v.

Verity Health System of California, Inc., *et al.*

Defendant(s).

Case No.: 2:20-cv-02623-SVW

Bankr. Lead Case No.: 2:18-bk-20151-
ER

Adversary Proceeding Case No.: 2:20-
ap-1051-ER

Hon. Stephen V. Wilson

**[PROPOSED] ORDER APPROVING
AMENDED STIPULATION TO
CONTINUE HEARING DATE OF
MOTION TO WITHDRAW
REFERENCE AND RELATED
BRIEFING SCHEDULE**

1 The Court having considered the “*Amended Stipulation Continuing Hearing Date*
2 *Of Motion To Withdraw Reference And Related Briefing Schedule*”¹ entered into by and
3 between Defendants Verity Health System, Inc., *et al.* (“Verity”), DePaul Ventures, LLC,
4 Richard Adcock, Steven Sharrer, and Plaintiff California Nurses Association (“CNA”),
5 and good cause appearing,

6 **HEREBY ORDERS AS FOLLOWS:**

7 A. The deadline for Defendants to file their Opposition briefs to the Motion to
8 Withdraw Reference shall be extended from April 20, 2020 to May 4, 2020.

9 B. The deadline for Plaintiff to file its Reply brief to the Motion to Withdraw
10 Reference shall be extended from April 27, 2020 to May 11, 2020.

11 C. The hearing on the Motion to Withdraw Reference shall be continued from
12 May 11, 2020 at 1:30 p.m. to June 1, 2020 at 1:30 p.m.

13 D. The Stipulation shall be without prejudice to any party seeking further
14 extensions of time from the Court.

15 IT IS SO ORDERED.

16
17 Dated: April __, 2020

18 Hon. Stephen V. Wilson
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26
27

28 ¹ All Capitalized but undefined terms herein shall have the same meanings ascribed to them in the Stipulation.