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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

California Nurses Association CNA,
Plaintiff,
v.
Verity Health System of California, Inc., *et*
al.
Defendant(s).

Hon. Stephen V. Wilson
**JOINT STIPULATION TO
CONTINUE MOTION TO
WITHDRAW REFERENCE
HEARING PENDING
MEDIATION**



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”), 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 and April 16, 2020, the Parties filed stipulations to continue the hearing date for the Motion to Withdraw Reference and extend time to file Opposition and Reply briefs [Docket No. 10 and Docket No. 14]. The Court entered orders approving those stipulations on March 27, 2020 and April 17, 2020 [Docket No. 11 and Docket No. 15].

D. Pursuant to the *Order Approving Amended Stipulation to Continue Hearing Date of Motion to Withdraw Reference and Related Briefing Schedule* [Docket No. 15]: (1) the Motion to Withdraw Reference is set for hearing (the “Hearing”) on June 1, 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

1 briefs to the Motion to Withdraw reference was May 4, 2020; and (3) the deadline for
2 Plaintiff to file its Reply brief to the Motion to Withdraw Reference was May 11, 2020.

3 E. The Defendants filed Opposition briefs to the Motion to Withdraw
4 Reference on May 4, 2020 [Docket No. 16 and Docket No. 17].

5 F. Plaintiff filed its Reply brief to the Motion to Withdraw Reference on May
6 11, 2020 [Docket No. 22].

7 G. On May 18, 2020, Verity filed the *Notice of Intent to Mediate* [Docket No.
8 24], to apprise the Court of the Parties' plan to participate in mediation.

9 H. The Parties have agreed to stay the hearing on the Motion to Withdraw for
10 45 days while the parties participate in Mediation. Separately, the Parties will enter
11 into a stipulation to be filed in the Bankruptcy Court to stay the Adversary Proceeding.

12 AGREEMENT

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

16 1. The hearing on the Motion to Withdraw Reference is continued from June
17 1, 2020 at 1:30 p.m. to July 13, 2020 at 1:30 p.m., or to a date convenient for the Court
18 after July 13, 2020.

19 2. The Stipulation shall be without prejudice to any party seeking further
20 extensions of time continuing the Hearing from the Court.

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22 **IT IS SO STIPULATED.**

DENTONS US LLP
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1 Dated: May 26, 2020

DENTONS US LLP
SAMUEL R. MAIZEL
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NICHOLAS A. KOFFROTH

2
3
4
5 By: /s/Tania M. Moyron
Tania M. Moyron

6 Counsel for Verity Health Systems of
7 California, Inc., *et al.*

8 Dated: May 26, 2020

BARTKO ZANKEL BUNZEL
AN N. RUDA
LOUISE ANN FERNANDEZ

9
10
11 By: /s/Louise Ann Fernandez
Louise Ann Fernandez

12 Counsel for Richard Adcock and Steven
13 Sharrer

14 Dated: May 26, 2020

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

15
16
17
18 By: /s/Kyrsten B. Skogstad
Kyrsten B. Skogstad

19 Counsel for California Nurses Association

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

24 /s/Tania M. Moyron

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

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VERITY HEALTH SYSTEM OF
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Debtors and Debtors in
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California Nurses Association CNA,

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ER

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

Hon. Stephen V. Wilson

**[PROPOSED] ORDER FOR JOINT
STIPULATION TO CONTINUE
MOTION TO WITHDRAW
REFERENCE PENDING
MEDIATION**

1 The Court having considered the “*Joint Stipulation for Stay of Adversary*
2 *Proceeding*”¹ entered into by and between Defendants Verity Health System, Inc., *et al.*
3 (“Verity”), Richard Adcock, Steven Sharrer, and Plaintiff California Nurses Association
4 (“CNA”), and good cause appearing,

5 **HEREBY ORDERS AS FOLLOWS:**

6 A. The hearing on the Motion to Withdraw Reference shall be continued from
7 June 1, 2020 at 1:30 p.m. to July 13, 2020 at 1:30 p.m, or to _____, at 1:30
8 p.m.

9 B. The Stipulation shall be without prejudice to any party seeking further
10 extensions of time continuing the Motion to Withdraw Reference Hearing from the Court.

11 IT IS SO ORDERED.

12
13 Dated: May __, 2020

14 _____
15 Hon. Stephen V. Wilson
16 UNITED STATES DISTRICT JUDGE
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28 ¹ All Capitalized but undefined terms herein shall have the same meanings ascribed to them in the Stipulation.