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7 Attorneys for the Chapter 11 Debtors and
Debtors In Possession

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

10 In re
11 VERITY HEALTH SYSTEM OF
CALIFORNIA, INC., *et al.*,
12 Debtors and Debtors In Possession.

Lead Case No. 2:18-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

- 13 Affects All Debtors
- 14 Affects Verity Health System of California,
Inc.
- 15 Affects O'Connor Hospital
- 16 Affects Saint Louise Regional Hospital
- 17 Affects St. Francis Medical Center
- 18 Affects St. Vincent Medical Center
- 19 Affects Seton Medical Center
- 20 Affects O'Connor Hospital Foundation
- 21 Affects Saint Louise Regional Hospital
Foundation
- 22 Affects St. Francis Medical Center of Lynwood
Foundation
- 23 Affects St. Vincent Foundation
- 24 Affects St. Vincent Dialysis Center, Inc.
- 25 Affects Seton Medical Center Foundation
- 26 Affects Verity Business Services
- 27 Affects Verity Medical Foundation
- 28 Affects Verity Holdings, LLC
- Affects De Paul Ventures, LLC
- Affects De Paul Ventures - San Jose ASC,
LLC

Chapter 11 Cases
Hon. Judge Ernest M. Robles

**STIPULATION BETWEEN THE DEBTORS AND
SWINERTON BUILDERS RESOLVING INFORMAL
CONFIRMATION OBJECTION**

**[RELATES TO DOCKET NOS. 4993, 4997, 5301, 5339,
5304]**

Hearing Date and Time:
Date: August 12, 2020
Time: 10:00 a.m. (Pacific Time)
Place: Courtroom 1568
255 E. Temple St.
Los Angeles, CA 90012

Debtors and Debtors In Possession.

DENTONS US LLP
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LOS ANGELES, CALIFORNIA 90017-5704
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1 **STIPULATION**

2 This stipulation is entered into between Verity Health System Of California, Inc. and the
3 above-referenced affiliated debtors and debtors in possession in the above captioned chapter 11
4 bankruptcy cases (collectively, the “Debtors”), on the one hand, and Swinerton Builders
5 (“Swinerton” and, together with the Debtors, the “Parties”), on the other hand.

6 **RECITALS**

7 A. On July 2, 2020, the Debtors filed the *Second Amended Joint Chapter 11 Plan of*
8 *Liquidation (Dated July 2, 2020) of the Debtors, the Prepetition Secured Creditors, and the*
9 *Committee* [Docket No. 4993] (the “Plan”)¹ and related *Disclosure Statement Describing Second*
10 *Amended Joint Chapter 11 Plan of Liquidation (Dated July 2, 2020) of the Debtors, the*
11 *Prepetition Secured Creditors, and the Committee* [Docket No.4994].

12 B. On July 2, 2020, the Court entered the *Order Granting Joint Motion for an Order*
13 *Approving: (I) Proposed Disclosure Statement; (II) Solicitation and Voting Procedures; (III)*
14 *Notice and Objection Procedures for Confirmation of Amended Joint Plan; (IV) Setting*
15 *Administrative Claims Bar Date; and (V) Granting Related Relief* [Docket No. 4997] (the
16 “Order”), setting the hearing on confirmation of the Plan (the “Confirmation Hearing”) on August
17 12, 2020, at 10:00 a.m. (Pacific Time). *See* Order at 14. The Court also set July 30, 2020, as the
18 deadline to file objections to confirmation of the Plan (the “Objection Deadline”) and August 5,
19 2020, as the deadline to file replies (the “Reply Deadline”) in support of the Plan. *See id.* at 15-
20 16.

21 C. On July 30, 2020, the Parties entered into a stipulation [Docket No. 5289] to
22 continue the Objection Deadline and Reply Deadline to allow additional time to engage in
23 negotiations concerning any objection to confirmation of the Plan asserted by Swinerton (an
24 “Objection”). On July 31, 2020, the Court entered an order [Docket No. 5304] approving the
25 stipulation.

26 D. The Parties’ negotiations have resulted in a resolution of Swinerton’s informal
27

28 ¹ Unless otherwise defined herein, all capitalized terms shall have the definitions set forth in the Plan.

1 Objection, pursuant to the terms set forth herein.

2 **AGREEMENT**

3 NOW, THEREFORE, all of the Parties to this Stipulation hereby stipulate and agree as
4 follows:

5 1. Swinerton shall hold an Allowed Secured Claim in the amount of \$1,206,886.22,
6 which shall be in full and final satisfaction of any Claims held by Swinerton, including, but not
7 limited to, any Claim for interest on Swinerton's Secured Claim.

8 2. The Debtors and the Debtors' bankruptcy estates hereby release and waive any and
9 all Avoidance Actions held by them against Swinerton.

10 3. Subject to approval of this Stipulation, Swinerton waives any Objection to
11 confirmation of the Plan.

12 Dated: August 11, 2020

DENTONS US LLP

14 By: /s/ Tania M. Moyron

Tania M. Moyron

16 Counsel to the Debtors and Debtors in Possession

17 Dated: August 11, 2020

FOX ROTHSCHILD LLP

19 By: _____

Robert Amkraut

20 Counsel to Swinerton Builders

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Objection, pursuant to the terms set forth herein.

AGREEMENT

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1. Swinerton shall hold an Allowed Secured Claim in the amount of \$1,206,886.22, which shall be in full and final satisfaction of any Claims held by Swinerton, including, but not limited to, any Claim for interest on Swinerton's Secured Claim.

2. The Debtors and the Debtors' bankruptcy estates hereby release and waive any and all Avoidance Actions held by them against Swinerton.

3. Subject to approval of this Stipulation, Swinerton waives any Objection to confirmation of the Plan.


Dated: August 11, 2020

DENTONS US LLP

By: _____
Tania M. Moyron
Counsel to the Debtors and Debtors in Possession

Dated: August 11, 2020

FOX ROTHSCHILD LLP

By:  _____
Robert Amkraut
Counsel to Swinerton Builders