

1 SAMUEL R. MAIZEL (Bar No. 189301)
samuel.maizel@dentons.com
2 TANIA M. MOYRON (Bar No. 235736)
tania.moyron@dentons.com
3 REBECCA M. WICKS (Bar No. 313608)
rebecca.wicks@dentons.com
4 DENTONS US LLP
601 South Figueroa Street, Suite 2500
5 Los Angeles, California 90017-5704
Telephone: 213 623-9300
6 Facsimile: 213 623-9924

7 Attorneys for the Chapter 11
Debtor and Debtor in Possession

8 JEFFREY N. POMERANTZ (Bar No. 143717)
jpomerantz@pszjlaw.com
9 STEVEN W. GOLDEN (Admitted *Pro Hac Vice*)
sgolden@pszjlaw.com
10 PACHULSKI STANG ZIEHL & JONES LLP
11 10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
12 Telephone: 310-227-6910
13 Facsimile: 310-201-0760

14 Attorneys for the Official Committee of Unsecured Creditors

15 **UNITED STATES BANKRUPTCY COURT**
16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 In re
18 BORREGO COMMUNITY
19 HEALTH FOUNDATION,
20 Debtor and Debtor in
21 Possession.

Case No. 22-02384-11
Chapter 11 Case
Honorable Laura S. Taylor

**JOINT NOTICE OF MOTION AND
MOTION OF THE DEBTOR AND THE
OFFICIAL COMMITTEE OF
UNSECURED CREDITORS FOR
ENTRY OF AN ORDER (I) GRANTING
INTERIM APPROVAL OF THE
ADEQUACY OF DISCLOSURES IN
THE COMBINED JOINT DISCLOSURE
STATEMENT AND PLAN; (II)
APPROVING SOLICITATION
PACKAGES AND PROCEDURES;
25 (III) APPROVING THE FORMS OF
26 BALLOTS; (IV) SETTING RELATED
27 DEADLINES AND (V) GRANTING
28 RELATED RELIEF; MEMORANDUM
OF POINTS AND AUTHORITIES IN**

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



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

SUPPORT THEREOF; DECLARATION OF ISAAC LEE

Date: December 6, 2023
Time: 2:00 p.m. Pacific Time
Location: Department 3

PLEASE TAKE NOTICE that at the above referenced date, time and location, Borrego Community Health Foundation, the debtor and debtor in possession in the above-captioned chapter 11 bankruptcy case (the “Debtor”), and the Official Committee of Unsecured Creditors (the “Committee”) will jointly move (the “Motion”) the Court for entry of an order (a) granting interim approval of the disclosures (the “Disclosures”) contained in the *Joint Combined Disclosure Statement and Chapter 11 Plan of Borrego Community Health Foundation and the Official Committee of Unsecured Creditors* [Docket No. 1092], (including all exhibits thereto and as amended, supplemented, or otherwise modified from time to time, the “Combined Plan”); (b) approving the solicitation procedures set forth herein (the “Solicitation Procedures”); (c) approving the forms of ballots for the voting classes and the forms of notices to non-voting classes; (d) setting related deadlines; and (e) granting related relief.

PLEASE TAKE FURTHER NOTICE that this Motion is based on this Notice and Motion, its Memorandum, the Declaration of Isaac Lee, the *Declaration of Isaac Lee, Chief Restructuring Officer, in Support of Debtor’s Emergency First Day Motions* [Docket No. 7], supporting statements, arguments and representations of counsel who will appear at the hearing on the Motion, the record in this case, and any other evidence properly brought before the Court in all other matters of which this Court may properly take judicial notice.

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

1 PLEASE TAKE FURTHER NOTICE that any opposition or other response
2 to the Motion must be served upon the undersigned, and the original and one copy of
3 such papers with proof of service must be filed with the Clerk of the United States
4 Bankruptcy Court at 325 West F Street, San Diego, California 92101-6691, not later
5 than **November 28, 2023**, pursuant to this Court’s *Order on Debtor’s Motion for*
6 *Entry of an Order (I) Authorizing the Debtor to File the Combined Disclosure*
7 *Statement and Plan; (II) Scheduling a Combined Confirmation Hearing and Setting*
8 *Deadlines Related Thereto; and (III) Granting Related Relief* [Docket No. 1041].

9 PLEASE TAKE FURTHER NOTICE that, pursuant to Local Bankruptcy
10 Rule 9013-7(b)(2), the failure to file and serve a timely objection to the Motion may
11 be deemed by the Court to be consent to the relief requested herein.

12
13 Dated: November 17, 2023

DENTONS US LLP
SAMUEL R. MAIZEL
TANIA M. MOYRON

14
15 By /s/ Tania M. Moyron
Tania M. Moyron

16
17 Attorneys for the Chapter 11 Debtor and
Debtor in Possession
18 PACHULSKI STANG ZIEHL &
JONES LLP
19 Jeffrey N. Pomerantz
Steven W. Golden

20
21 Dated: November 17, 2023

22
23 By /s/ Steven W. Golden
STEVEN W. GOLDEN

24
25 Attorneys for the Official Committee of
Unsecured Creditors
26
27
28

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