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UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF WASHINGTON

In Re:

ASTRIA HEALTH, et al.¹

Debtors and Debtors in Possession,

ASTRIA HEALTH, et al.,

Plaintiffs,

v.

Lead Case No. 19-01189-11

Adv. Proc. Case No. 20-80016-WLH

NOTICE OF APPEAL

PRELIMINARY INJUNCTION
 APPEAL

¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189-11), Glacier Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings, LLC (19-01194-11), Oxbow Summit, LLC (19-01195-11), SHC Holdco, LLC (19-01196-11), SHC Medical Center - Toppenish (19-01190-11), SHC Medical Center - Yakima (19-01192-11), Sunnyside Community Hospital Association (19-01191-11), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197-11), Sunnyside Home Health (19-01198-11), Sunnyside Professional Services, LLC (19-01199-11), Yakima Home Care Holdings, LLC (19-01201-11), and Yakima HMA Home Health, LLC (19-01200-11).



1 UNITED STATES SMALL
2 BUSINESS ADMINISTRATION
3 and JOVITA CARRANZA, in her
4 capacity as Administrator for the
United States Small Business
Administration,

5 Defendants.

6
7 **NOTICE OF APPEAL UNDER 28 U.S.C. § 158(a)(1)**
8 **AND STATEMENT OF ELECTION**

9 **Part 1: Identify the appellant**

10 1. Name(s) of appellant(s):

11
12 United States Small Business Administration and Jovita Carranza, in her
13 capacity as Administrator for the United States Small Business
Administration

14 2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the
15 subject of this appeal:

16 For appeals in an adversary proceeding.

17 ☐ Plaintiff

18 ☒ Defendant

19 ☐ Other (describe)

20 **Part 2: Identify the subject of this appeal**

21 1. Describe the judgment, order, or decree appealed from:

22
23 *Order Granting Preliminary Injunction, Denying Stay Pending Appeal,*
24 *and Certifying Issues to the Ninth Circuit* (ECF No. 22); Transcript of
25 Hearing Held 06/03/2020 (ECF No. 22 at Exhibit A); Minute Entry Re;
26 Motion for Temporary Restraining Order and Use of PPP Funds. HELD
(ECF No. 19).

2. State the date on which the judgment, order, or decree was entered:

The preliminary injunction order was entered on June 10, 2020 (ECF No. 22).

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

Party:
See attached

Attorneys:
See attached

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

RESPECTFULLY SUBMITTED: June 23, 2020.

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/s/ Brian M. Donovan
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EXHIBIT A – LIST OF OTHER PARTIES TO THE APPEAL

Party:

Astria Health 900 W Chestnut Ave
Yakima, WA 98902;
Glacier Canyon, LLC 900 W.
Chestnut Ave. Yakima, WA 98902;
Kitchen and Bath Furnishings, LLC
900 W Chestnut Ave Yakima, WA
98902;
Oxbow Summit, LLC 900 W
Chestnut Ave Yakima, WA 98902;
SHC Holdco, LLC 900 W Chestnut
Ave Yakima, WA 98902;
SHC Medical Center - Toppenish
900 W Chestnut Ave Yakima, WA
98902;
SHC Medical Center – Yakima 900
W Chestnut Ave Yakima, WA
98902;
Sunnyside Community Hospital
Association 900 W Chestnut Ave
Yakima, WA 98902;
Sunnyside Community Hospital
Home Medical Supply, LLC 900 W
Chestnut Ave Yakima, WA 98902;
Sunnyside Home Health 900 W
Chestnut Ave Yakima, WA 98902;
Sunnyside Professional Services,
LLC 900 W Chestnut Ave Yakima,
WA 98902;
Yakima Home Care Holdings, LLC
7 S. 10th Ave., Suite 400 Yakima,
WA 98902;
Yakima HMA Home Health, LLC
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