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*Attorneys for the Chapter 11 Debtors
and Debtors In Possession*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

ASTRIA HEALTH, et al.,

Debtors and Debtors in
Possession.¹

Chapter 11
Lead Case No. 19-01189-11
Jointly Administered

**FIFTH STIPULATION
CONTINUING DISCLOSURE
STATEMENT HEARING AND
DEADLINE TO FILE REPLIES TO
OBJECTIONS**

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).

**STIPULATION CONTINUING
DISCLOSURE STATEMENT
HEARING**

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**[RELATED TO DOCKET NOS. 1472, 1473,
1652, 1694, 1753, 1818]**

CONTINUED HEARING:

Date/Time: October 21, 2020/11:00 am (PT)

Location: Telephonic

Telephone Conference: (877) 402-9757

Access Code: 7036041

**STIPULATION CONTINUING
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1 **STIPULATION**

2 This stipulation (the "Stipulation") is entered into between Astria Health
3 ("Astria"), a Washington nonprofit corporation, along with the above-referenced
4 affiliated debtors (collectively, the "Debtors"), the debtors and debtors in possession
5 in the above-captioned chapter 11 bankruptcy cases (collectively, the "Chapter 11
6 Cases"), Lapis Advisers, L.P. ("Lapis"), UMB Bank, N.A. as trustee ("UMB Bank"),
7 the Official Committee of Unsecured Creditors (the "Committee") and the United
8 States Trustee (the "U.S. Trustee," and together with the Debtors, Lapis, UMB Bank,
9 and the Committee, the "Parties").

10 **RECITALS**

11 1. On July 7, 2020, Lapis, UMB and the Debtors (the "Plan Proponents")
12 filed the *Joint 11 Chapter Plan of Reorganization of Astria Health and its Debtor*
13 *Affiliates* [Docket No. 1471] (the "Plan") as well as the *Disclosure Statement*
14 *Relating to the Joint Chapter 11 Plan of Reorganization of Astria Health and its*
15 *Debtor Affiliates* [Docket No. 1472] (the "Disclosure Statement").

16 2. The Plan Proponents also filed a *Notice of Hearing and Joint Motion for*
17 *an Order Approving: (I) Proposed Disclosure Statement; (II) Solicitation and Voting*
18 *Procedures; (III) Notice and Objection Procedures for Confirmation of Joint Plan of*
19 *Reorganization; and (IV) Granting Related Relief; Memorandum of Points and*
20 *Authorities in Support Thereof* [Docket No. 1473], setting a hearing to consider the

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1 Disclosure Statement for August 13, 2020, at 11:00 a.m. (the “Disclosure Statement
2 Hearing”) and August 7, 2020 as the deadline to file relies to any objections to the
3 Disclosure Statement (the “Reply Deadline”).

4 3. The Plan Proponents only received two objections to the Disclosure
5 Statement: one filed by the Committee [Docket No. 1624] and the other filed by the
6 U.S. Trustee [Docket No. 1626].²

7 4. On July 28, 2020, the Committee also served certain requests for
8 production of documents on the Debtors, Lapis and UMB Bank which relate to the
9 filed Plan and Disclosure Statement (the “Discovery Requests”), which set August
10 18, 2020 as the deadline to respond to these Discovery Requests
11 (the “Discovery Reply Deadline”).

12
13
14 ² TIAA Commercial Finance, Inc. filed the *Objection and Joinder of TIAA*
15 *Commercial Finance, Inc. with Respect to the Debtors' Joint Motion for an Order*
16 *Approving: (I) Proposed Disclosure Statement; (II) Solicitation and Voting*
17 *Procedures; (III) Notice and Objection Procedures for Confirmation of Joint Plan of*
18 *Reorganization; and (IV) Granting Related Relief* [Docket No. 1625], which merely
19 joined the objections of other creditors to the Disclosure Statement and reserved the
20 right to supplement those objections.

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1 5. On August 11, 2020, the Court entered an *Order Approving Stipulation*
2 *Continuing Disclosure Statement Hearing and Deadline to File Replies to Objections*
3 [Docket No. 1652], continuing the Disclosure Statement Hearing to August 19, 2020,
4 at 11:00 a.m., the Reply Deadline to August 17, 2020, at 12:00 p.m. and the
5 Discovery Reply Deadline to August 25, 2020.

6 6. On August 18, 2020, the Court entered an *Order Approving Second*
7 *Stipulation Continuing Disclosure Statement Hearing and Deadline to File Replies*
8 *to Objections* [Docket No. 1694], continuing the Disclosure Statement Hearing to
9 September 2, 2020, at 10:00 a.m., the Reply Deadline to August 31, 2020, at 12:00
10 p.m. and the Discovery Reply Deadline to September 8, 2020.

11 7. On August 31, 2020, the Court entered an *Order Approving Third*
12 *Stipulation Continuing Disclosure Statement Hearing and Deadline to File Replies*
13 *to Objections* [Docket No. 1753], continuing the Disclosure Statement Hearing to
14 September 24, 2020, at 11:00 a.m., the Reply Deadline to September 21, 2020, at
15 12:00 p.m. and the Discovery Reply Deadline to September 29, 2020.

16 8. On September 21, 2020, the Court entered an *Order Approving Fourth*
17 *Stipulation Continuing Disclosure Statement Hearing and Deadline to File Replies*
18 *to Objections* [Docket No. 1818], continuing the Disclosure Statement Hearing to
19 October 8, 2020, at 11:30 a.m., the Reply Deadline to October 5, 2020, at 12:00 p.m.
20 and the Discovery Reply Deadline to October 13, 2020.

21 **STIPULATION CONTINUING
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1 9. The Debtors and the Committee have continued discussions regarding a
2 possible settlement of their disputes and determined that a further continuance of the
3 Disclosure Statement Hearing will provide the Parties with the best chance to
4 consensually resolve the objections to the Disclosure Statement. Thus, the Parties
5 have agreed to continue the Reply Deadline to October 19, 2020, at 12:00 p.m. and
6 the Disclosure Statement Hearing to October 21, 2020, at 11:00 a.m. The Committee
7 also agreed to extend the Discovery Reply Deadline to October 27, 2020.

8
9 **AGREEMENT**

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

12 A. The Reply Deadline is extended from October 5, 2020 to October 19,
13 2020, at 12:00 p.m.

14 B. The Disclosure Statement Hearing is continued from October 8, 2020,
15 at 11:30 a.m. to October 21, 2020, at 11:00 a.m.

16 C. The Discovery Reply Deadline is extended from October 13, 2020 to
17 October 27, 2020.

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21 **STIPULATION CONTINUING
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1 *Presented by:*

2 **Astria Health, et al.**

3 By: /s/ Samuel R. Maizel
4 Samuel R. Maizel
5 Sam J. Alberts
6 DENTONS US LLP

7 AND

8 James L. Day
9 Thomas A. Buford
10 BUSH KORNFELD LLP
11 *Counsel to Debtors and Debtors In Possession*

12 **Lapis Advisers, L.P.**

13 By: /s/ Ryan T. Jareck
14 Michael Sirota
15 Ryan T. Jareck
16 COLE SCHOTZ P.C.
17 *Counsel to Lapis Advisers, L.P.*

18 **UMB Bank, N.A., as trustee and**
19 **Lapis Advisers, L.P., as agent**

20 By: /s/ William W. Kannel
21 William W. Kannel (pro hac vice)
Ian A. Hammel (pro hac vice)
Timothy J. McKeon (pro hac vice)
Mintz Levin Cohn Ferris Glovsky & Popeo, P.C.
Counsel for UMB Bank, N.A., as trustee
and Lapis Advisers, L.P., as agent

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1 **The Official Committee of Unsecured Creditors**

2 By: /s/ Andrew Sherman
Andrew Sherman (pro hac vice)
3 Boris Mankovetskiy (pro hac vice)
Sills Cummis & Gross, P.C.
4 *Counsel for the Official
Committee of Unsecured Creditors*

5 **Office of the United States Trustee**

6 By: /s/ Gary W. Dyer
7 Gary W. Dyer
Assistant United States Trustee
8 United States Department of Justice

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