

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

SILLS CUMMIS & GROSS P.C.
Andrew H. Sherman
(admitted pro hac vice)
Boris I. Mankovetskiy
(admitted pro hac vice)
One Riverfront Plaza
Newark, NJ 07102
Telephone: (973) 643-7000
E-mail: asherman@sillscummis.com
bmankovetskiy@sillscummis.com

Honorable Whitman L. Holt

POLSINELLI PC
Jane Pearson, WSBA #12785
1000 Second Avenue, Suite 3500
Seattle, WA 98104
Telephone: (206) 393-5415
Email: jane.pearson@polsinelli.com

*Co-Counsel to Steven D Sass LLC,
as GUC Distribution Trustee*

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

IN RE:

ASTRIA HEALTH, et al.

Remaining Debtor.

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

**NOTICE OF THE GUC
DISTRIBUTION TRUSTEE'S FIFTH
OMNIBUS CLAIMS OBJECTION
(SATISFIED CLAIMS AND INSURED
CLAIMS)**

PLEASE TAKE NOTICE that Steven D Sass LLC, as GUC Distribution

NOTICE OF GUC DISTRIBUTION TRUSTEE'S
FIFTH OMNIBUS CLAIMS OBJECTION -1



190118923020300000000001

1 Trustee, has filed its Fifth Omnibus Claims Objection (Satisfied Claims and Insured
2 Claims (the “Objection”) [Docket No. 2839]. The Objection seeks entry of an order
3 (1) disallowing and/or expunging certain claims described on **Exhibit A** of the
4 Objection because they have been fully satisfied as a result of the waivers and
5 releases exchanged pursuant to settlement agreements of avoidance actions between
6 the GUC Distribution Trustee and the applicable claimants set forth on Exhibit A;
7 and (2) expunging certain claims described on **Exhibit B** of the Objection because
8 they are insured claims involving personal injury or medical malpractice that are
9 covered by the terms of the Debtors’ various applicable insurance policies.

10 To contest an objection to any claim described on Exhibit A or Exhibit B, a
11 claimant must file and serve a written response to the Objection (“Response”) so that
12 it is received by the Court and counsel for the GUC Distribution Trustee no later than
13 **March 8, 2023**.

14 Every response to the Objection must contain, at a minimum, the following
15 information: (i) a caption setting forth the name of the Court, the name of the
16 Remaining Debtor, the case number, and the title of the Objection to which the
17 response is directed; (ii) the name of the claimant and his/her/their/its claim number
18 (scheduled or filed); (iii) the specific factual basis and supporting legal argument
19 upon which the clamant will rely in opposing the Objection; (iv) any supporting
20 documentation, to the extent it is not included in the proof of claim previously filed
21 with the Court or claims agent, upon which the party will rely in order to support the

NOTICE OF GUC DISTRIBUTION TRUSTEE’S
FIFTH OMNIBUS CLAIMS OBJECTION -2

SILLS CUMMIS & GROSS P.C.
ONE RIVERFRONT PLAZA
NEWARK, NJ 07102

POLSINELLI, PC
1000 SECOND AVENUE, SUITE 3500
SEATTLE, WA 98104

1 basis for and amounts asserted in the applicable claims; and (v) the name, address,
2 telephone number, and email of the person(s) (which must be the claimant or the
3 claimant's legal representative) with whom counsel for the GUC Distribution Trustee
4 should communicate with respect to the applicable claim and the Objection, and who
5 possesses authority to reconcile, settle, or otherwise resolve the objection to the
6 disputed claim on behalf of the claimant.

7 The GUC Distribution Trustee may, at its option, file and serve a reply to a
8 claimant's Response, if any, no later than one (1) day prior to the hearing to consider
9 the Objection.

10 THE COURT MAY ENTER AN ORDER WITHOUT AN ACTUAL
11 HEARING OR FURTHER NOTICE UNLESS A WRITTEN RESPONSE IS
12 TIMELY SERVED AND FILED.

13
14
15
16
17
18
19
20
21
NOTICE OF GUC DISTRIBUTION TRUSTEE'S
FIFTH OMNIBUS CLAIMS OBJECTION -3

SILLS CUMMIS & GROSS P.C.
ONE RIVERFRONT PLAZA
NEWARK, NJ 07102

POLSINELLI, PC
1000 SECOND AVENUE, SUITE 3500
SEATTLE, WA 98104

1 Dated: February 3, 2023

SILLS CUMMIS & GROSS P.C.

2 /s/ Andrew H. Sherman

Andrew H. Sherman

3 (admitted pro hac vice)

Boris I. Mankovetskiy

4 (admitted pro hac vice)

One Riverfront Plaza

5 Newark, NJ 07102

Telephone: (973) 643-7000

6 E-mail: asherman@sillscummis.com

lhammonds@sillscummis.com

7 POLSINELLI PC

8 /s/ Jane Pearson

Jane Pearson, WSBA #12785

9 1000 Second Ave., Ste 3500

10 Seattle, WA 98104

(206) 393-5415

11 jane.pearson@polsinelli.com

12 *Co-Counsel to Steven D Sass LLC, as GUC*
13 *Distribution Trustee*

14
15
16
17
18
19
20
21
NOTICE OF GUC DISTRIBUTION TRUSTEE'S
FIFTH OMNIBUS CLAIMS OBJECTION -4

SILLS CUMMIS & GROSS P.C.
ONE RIVERFRONT PLAZA
NEWARK, NJ 07102

POLSINELLI, PC
1000 SECOND AVENUE, SUITE 3500
SEATTLE, WA 98104