

So Ordered.

Docket #2863 Date Filed: 3/10/2023

Dated: March 10th, 2023



Whitman L. Holt
Bankruptcy Judge

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

IN RE:)	Chapter 11
ASTRIA HEALTH,)	Case No. 19-01189-WLH11
Remaining Debtor.)	ORDER GRANTING THE GUC DISTRIBUTION TRUSTEE'S FIFTH OMNIBUS CLAIMS OBJECTION (SATISFIED CLAIMS AND INSURED CLAIMS)

This matter came before the court on *The GUC Distribution Trustee's Fifth Omnibus Claims Objection (Satisfied Claims and Insured Claims)* (the "Objection") [Docket No. 2839]. Capitalized terms not defined in this order shall have the meaning ascribed to such terms in the Objection.

This court has found that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and has authority to enter a final order consistent with Article III of the United States Constitution; that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and that

ORDER GRANTING GUC
DISTRIBUTION TRUSTEE'S FIFTH
OMNIBUS CLAIMS OBJECTION -1

SILLS CUMMIS & G
ONE RIVERFRONT
NEWARK, NJ 07102



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1 the notice of the Objection was appropriate under the circumstances and no other
2 notice need be provided. Having reviewed the Objection and all documents filed in
3 support of or opposition thereto; having heard the statements of counsel at any
4 hearing before this court; and upon the record in this matter; and after due
5 deliberation thereon; and this court having determined that just cause has been
6 established for the relief granted herein, it is hereby **ORDERED** as follows:

7 1. The Objection [Docket No. 2839] is granted as set forth herein.

8 2. Any response to the Objection that has not otherwise been withdrawn
9 or resolved, or with respect to which the hearing on the Objection has not been
10 adjourned, is hereby overruled.

11 3. The Satisfied Claims identified in **Exhibit A** attached to this order are
12 hereby disallowed and expunged in their entirety and shall not be entitled to any
13 recovery or distributions from the GUC Liquidation Trust or any of its assets.

14 4. The Insured Claims identified in **Exhibit B** attached to this order are
15 hereby expunged in their entirety and shall not be entitled to any recovery or
16 distributions from the GUC Liquidation Trust or any of its assets.

17 5. The official claims register shall be modified in accordance with this
18 order.

19 6. Each Claim that is the subject of the Objection (together with the
20 objection to such Claim set forth in the Objection and any applicable response
21 thereto) constitutes a separate contested matter as contemplated by Bankruptcy Rule
22 9014. This order shall be deemed a separate order with respect to each such Claim.

23 Any stay of this order pending appeal by any of the claimants subject to this order

ORDER GRANTING 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 shall only apply to the contested matter that involves such claimant and shall not act
2 to stay the applicability and/or finality of this order with respect to the other
3 contested matters addressed hereby.

4 7. All rights of the GUC Distribution Trustee and the Reorganized
5 Debtors to object to any claim (including the Claims that are the subject of the
6 Objection) at a later date on any basis are reserved and preserved.

7 8. All rights of the GUC Distribution Trustee and Reorganized Debtors to
8 use any available defenses, under section 502 of the Bankruptcy Code or otherwise,
9 and to set off or recoup against, or otherwise reduce all or any part of, any claim
10 (including the Claims that are the subject of the Objection) are reserved and
11 preserved.

12 9. The terms and conditions of this order shall be effective and enforceable
13 immediately upon its entry.

14 10. The GUC Distribution Trustee and all other parties are authorized to
15 take all actions necessary to effectuate the relief granted in this order.

16 11. This court shall retain jurisdiction over all affected parties with respect
17 to any matters, claims, or rights arising from or related to the implementation and
18 interpretation of this order.

19 *///End of Order///*

1 Presented by:

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3 POLSINELLI PC

4 /s/ Jane Pearson

Jane Pearson, WSBA # 12785

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6 SILLS CUMMIS & GROSS P.C.

7 /s/ Andrew H. Sherman

Andrew H. Sherman, *pro hac vice*

8
9 *Co-Counsel for Steven D Sass LLC,*
as GUC Distribution Trustee

10 * Changes made by court

Exhibit A

**Exhibit A
Satisfied Claims**

#	Claimant Name and Number ¹	Claim Amount	Claim No.	Debtor Name	Reason for Satisfaction
1	De Lage Landen De Lage Landen Financial Services, Inc. 4072858	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$2,569.86 General Unsecured \$0.00 Administrative \$0.00 Secured \$0.00 Priority \$42,990.79 General Unsecured	Sched ID 3227575 28	SHC Medical Center-Yakima Sunnyside Community Hospital Association	Claim waived in connection with settlement Claim waived in connection with settlement
2	Comphealth Associates Inc	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$669,598.37 General Unsecured	Sched ID 3227027	SHC Medical Center-Yakima	Claim waived in connection with settlement
3	Efter McMahon Lamberson Van Wert Oresk	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$21,513.79 General Unsecured	Sched ID 3226979	Sunnyside Community Hospital Association	Claim waived in connection with settlement
4	Harmony Healthcare, LLC 4063132	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$99,148.43 General Unsecured	100	Astria Health	Claim waived in connection with settlement
5	Incyte Pathology	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$8,460.21 General Unsecured	Sched ID 3228391	SHC Medical Center-Toppenish	Claim waived in connection with settlement
6	Incyte Pathology	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$56,347.33 General Unsecured	Sched ID 3228392	SHC Medical Center-Yakima	Claim waived in connection with settlement
7	Incyte Pathology	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$41,843.96 General Unsecured	Sched ID 3228393	Sunnyside Community Hospital Association	Claim waived in connection with settlement
8	Inland Northwest Health Services 4065190	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$111,788.70 General Unsecured	101	Astria Health	Claim waived in connection with settlement
9	MBM Land LLC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$243,445.69 General Unsecured	Sched ID 3227012	Sunnyside Community Hospital Association	Claim waived in connection with settlement

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Satisfied Claims**

#	Claimant Name and Number ¹	Claim Amount	Claim No.	Debtor Name	Reason for Satisfaction
11	Midwest Health Care, Inc 4076979	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$48,186.00 General Unsecured	332	Astria Health	Claim waived in connection with settlement
12	Soma Technology Inc	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$8,038.45 General Unsecured	Sched ID 3227173	SHC Medical Center-Yakima	Claim waived in connection with settlement
13	Zammit MD, Michael	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$28,600.00 General Unsecured	Sched ID 3227042	SHC Medical Center-Yakima	Claim waived in connection with settlement
14	Allied Universal Security Svcs	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$81,436.76 General Unsecured	Sched ID 3227798	SHC Medical Center-Toppenish	Claim waived in connection with settlement
15	Allied Universal Security Svcs	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$453,729.81 General Unsecured	Sched ID 3227799	SHC Medical Center-Yakima	Claim waived in connection with settlement
16	A-Special Cleaning Services 4058487	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$45,804.52 General Unsecured	47	Astria Health	Claim waived in connection with settlement
17	Baxter Healthcare 4070075	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$25,435.30 General Unsecured	13	SHC Medical Center-Toppenish	Claim waived in connection with settlement
18	Baxter Healthcare 4070076	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$156,766.83 General Unsecured	22	SHC Medical Center-Yakima	Claim waived in connection with settlement
19	Baxter Healthcare 4062795	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$45,339.30 General Unsecured	222	Astria Health	Claim waived in connection with settlement
20	BIOMERIEUX MO 4062821	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$14,551.66 General Unsecured	139	Astria Health	Claim waived in connection with settlement

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Satisfied Claims**

#	Claimant Name and Number ¹	Claim Amount	Claim No.	Debtor Name	Reason for Satisfaction
21	CHG Healthcare Services, Inc. d/b/a CompHealth 4058889	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$641,505.32 General Unsecured	34	Astria Health	Claim waived in connection with settlement
22	Coffey Communications, Inc. 4065213	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$39,995.16 General Unsecured	102	Astria Health	Claim waived in connection with settlement
23	Earl Architects, LLC Good Samaritan Health Care Center	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$368,935.63 General Unsecured	Sched ID 3227026	Sunnyside Community Hospital Association	Claim waived in connection with settlement
24	4063110 Horizon Mental Health Management, LLC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$24,174.98 General Unsecured	184	Astria Health	Claim waived in connection with settlement
25	4078771	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$1,729,330.00 General Unsecured	401	Astria Health	Claim waived in connection with settlement
26	INFORMATION RESOURCE MANAGEMENT	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$58,334.34 General Unsecured	Sched ID 3226969	Sunnyside Community Hospital Association	Claim waived in connection with settlement
27	Beckman Coulter, Inc. 4127562	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$53,752.79 General Unsecured	518	Astria Health	Claim waived in connection with settlement
28	Medication Review, Inc. 4060764	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$138,983.53 General Unsecured	36	Astria Health	Claim waived in connection with settlement
29	Owens & Minor, Inc. 4077437	\$40,003.81 Administrative \$0.00 Secured \$0.00 Priority \$206,653.62 General Unsecured	35	SHC Medical Center-Toppenish	Claim waived in connection with settlement
30	Owens & Minor, Inc. 4077443	\$107,160.29 Administrative \$0.00 Secured \$0.00 Priority \$491,009.06 General Unsecured	44	SHC Medical Center-Yakima	Claim waived in connection with settlement

**Exhibit A
Satisfied Claims**

#	Claimant Name and Number ¹	Claim Amount	Claim No.	Debtor Name	Reason for Satisfaction
31	Owens & Minor, Inc. 4077438	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$104,508.77 General Unsecured	46	Sunnyside Community Hospital Association	Claim waived in connection with settlement
32	Staples 4062431	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$167,258.24 General Unsecured	48	Astria Health	Claim waived in connection with settlement
33	Weatherby Locums, Inc. 4063820	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$20,691.10 General Unsecured	176	Astria Health	Claim waived in connection with settlement
34	WERFEN USA LLC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$8,283.54 General Unsecured	Sched ID 3228280	SHC Medical Center-Toppenish	Claim waived in connection with settlement
35	WERFEN USA LLC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$43,691.74 General Unsecured	Sched ID 3228281	SHC Medical Center-Yakima	Claim waived in connection with settlement
36	WERFEN USA LLC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$46,809.61 General Unsecured	Sched ID 3228282	Sunnyside Community Hospital Association	Claim waived in connection with settlement
37	Zimmer US Inc	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$9,782.88 General Unsecured	Sched ID 3227785	Sunnyside Community Hospital Association	Claim waived in connection with settlement
38	Zimmer US Inc	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$518,764.73 General Unsecured	Sched ID 3227784	SHC Medical Center-Yakima	Claim waived in connection with settlement
39	ARTHREX INC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$53,401.32 General Unsecured	251	Astria Health	Claim waived in connection with settlement
40	ARTHREX INC	\$0.00 Administrative \$0.00 Secured \$0.00 Priority \$23,607.77 General Unsecured	252	Astria Health	Claim waived in connection with settlement

¹ Claimant and Claim Numbers refer to the official claims register maintained in Case No. 19-01189 (Astria Health) and the related cases as indicated.

Exhibit B

**Exhibit B
Insured Claims**

#	Claimant Name ¹	Amount	Claim	Claim No.	Debtor Name	Reason for Satisfaction
1	Maria Ricardo	\$0.00 \$0.00 \$0.00 \$5,000,000.00	Administrative Secured Priority General Unsecured	381	Astria Health	Insured Claim (personal injury) - claims are not entitled to any recovery from the GUC Distribution Trust
2	Jennifer Frank	\$0.00 \$0.00 \$0.00 Unliquidated	Administrative Secured Priority General Unsecured	647	Astria Health	Insured Claim (personal injury) - claims are not entitled to any recovery from the GUC Distribution Trust
3	Sheryl Sue Schmidt	\$0.00 \$0.00 \$0.00 \$200,000.00	Administrative Secured Priority General Unsecured	413	Astria Health	Insured Claim (personal injury) - claims are not entitled to any recovery from the GUC Distribution Trust

¹ Claimant and Claim Numbers refer to the official claims register maintained in Case No. 19-00189 (Astria Health) and the related cases as indicated.