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as GUC Distribution Trustee*

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

12 IN RE:
13 ASTRIA HEALTH,
14 Remaining Debtor.

Chapter 11
Case No. 19-01189-11

**DECLARATION OF STEVEN D.
SASS IN SUPPORT OF THE GUC
DISTRIBUTION TRUSTEE'S
SIXTH OMNIBUS CLAIMS
OBJECTION**

16 I, Steven D. Sass, pursuant to 28 U.S.C. § 1746 and under penalty of perjury,
17 declare as follows:

18 1. I am sole member of Steven D Sass LLC, GUC Distribution Trustee for
19 the GUC Distribution Trust.

21 DECLARATION OF STEVEN D. SASS - 1

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1 2. I have reviewed *The GUC Distribution Trustee’s Sixth Omnibus Claims*
2 *Objection (Late-Filed Claims, Superseded Claims, No Liability Claims, Overstated*
3 *Claims, and Unsupported Claims)* (the “Objection”)¹, and I am directly, or through
4 personnel or professionals of the GUC Distribution Trustee, familiar with the
5 information contained in the Objection and in the exhibits attached thereto. To the
6 best of my knowledge, information, and belief, based upon the information available
7 to me as of the filing of the Objection, including documents and information provided
8 by the Reorganized Debtors, the information contained in the Objection and the
9 exhibits attached thereto is true and accurate.

10 3. Specifically, to the best of my knowledge, information, and belief:

11 a. The Late-Filed Claims identified on the **Exhibit A** to the
12 Objection (i) pertain to General Unsecured Claims for which proofs of claim
13 were required to be filed on or before the Claims Bar Date; (ii) were not filed
14 on or before the Claims Bar Date; and (iii) were not deemed timely filed by a
15 Final Order of the Court on or before the Voting Deadline, Confirmation Date,
16 or the Effective Date.

17 b. The Superseded Claims identified on **Exhibit B** to the Objection
18 are (i) claims identified in the Debtors’ bankruptcy schedules for which a proof

19 _____
20 ¹ Capitalized terms used but otherwise undefined in this declaration shall have the meanings
ascribed to them in the Objection.

21 DECLARATION OF STEVEN D. SASS - 2

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1 of claim was subsequently filed, or (ii) proofs of claim for which an amended
2 or other proof of claim was filed.

3 c. The No Liability Claims identified on **Exhibit C** to the Objection
4 are Claims for which the GUC Distribution Trust has no liability for the
5 reasons identified in the “Reason for Disallowance” column of **Exhibit C**.

6 d. The Overstated Claims identified on **Exhibit D** to the Objection
7 overstate the amount owed by the Debtors for the reasons set forth thereon,
8 including because (i) they reflect amounts that were satisfied or settled; (ii)
9 they reflect amounts to which the claimant is not entitled or that were not owed
10 as of the Petition Date; (iii) they reflect post-petition amounts allegedly owed;
11 and/or (iv) they are otherwise inconsistent with the Debtors’ Books and
12 Records.

13 e. The Unsupported Claim identified on **Exhibit E** to the Objection
14 fails to allege facts sufficient to support the Unsupported Claim, due to a lack
15 of supporting materials or otherwise, and also is not supported by, and is
16 inconsistent with, the Books and Records.

17 4. For the foregoing reasons, the Court should enter the Proposed Order
18 disallowing or reducing the Claims, as applicable, as set forth in the Objection and
19 on **Exhibits A – E**.

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DECLARATION OF STEVEN D. SASS - 3

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Dated: March 31, 2023.

/s/ Steven D. Sass
Steven D. Sass, in his capacity as
GUC Distribution Trustee

DECLARATION OF STEVEN D. SASS - 4

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