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Attorneys for the Lapis Parties

HONORABLE WHITMAN
L. HOLT

18 UNITED STATES BANKRUPTCY COURT
19 EASTERN DISTRICT OF WASHINGTON

20 In re:

21 ASTRIA HEALTH, *et al.*,

22 Debtors and Debtors in
23 Possession.¹

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

**NOTICE OF OCCURRENCE OF
EFFECTIVE DATE OF MODIFIED
SECOND AMENDED JOINT
CHAPTER 11 PLAN OF**

24 ¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-
25 01189-11), Glacier Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings,
26 LLC (19-01194-11), Oxbow Summit, LLC (19-01195-11), SHC Holdco, LLC (19-
27 01196-11), SHC Medical Center - Toppenish (19-01190-11), SHC Medical Center -
28 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).

EFFECTIVE DATE NOTICE

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1 REORGANIZATION OF ASTRIA
2 HEALTH AND ITS DEBTOR
AFFILIATES

3 PLEASE TAKE NOTICE OF THE FOLLOWING:

4 **OCCURRENCE OF EFFECTIVE DATE OF MODIFIED SECOND**
5 **AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF**
ASTRIA HEALTH AND ITS DEBTOR AFFILIATES

6 1. By Order dated December 23, 2020 [Docket No. 2217] (the
7 “Confirmation Order”), the United States Bankruptcy Court for the Eastern District
8 of Washington (the “Bankruptcy Court”) confirmed the *Modified Second Amended*
9 *Joint Chapter 11 Plan of Reorganization of Astria Health and Its Debtor Affiliates*
10 [Docket No. 2196] (including all exhibits thereto, any plan supplement, and as
11 amended, modified, or supplemented from time to time, the “Plan”)² filed by Astria
12 Health, a Washington nonprofit public benefit corporation (“Astria”), and the above-
13 referenced affiliated debtors and debtors in possession (collectively, the “Debtors”),
14 in the above-referenced chapter 11 cases (the “Chapter 11 Cases”) UMB Bank,
National Association, as trustee, and Lapis Advisers, LP as lender under the debtor
in possession facility in the Chapter 11 Cases, agent under the Debtors’ prepetition
credit agreement, and as investment advisor and investment manager for certain
funds which are beneficial holders of those certain Washington Health Care
Facilities Authority Revenue Bonds, Series 2017A and Series 2017B Bonds
(collectively the “Lapis Parties” and, together with the Debtors, the “Plan
Proponents”), as satisfying the requirements of § 1129 of title 11 of the United States
Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”).

15 2. **Effective Date.** On January 15, 2021, the Effective Date of the Plan
16 occurred and the Plan was substantially consummated. All conditions precedent to
17 the Effective Date of the Plan set forth in Section III.BB of the Plan have either been
satisfied or waived in accordance with the Plan and the Confirmation Order.

18 3. **Bar Date for Rejection Damages.** Pursuant to Section IV.B.2 of the
19 Plan, Claims arising out of the rejection of an Executory Agreement pursuant to the
20 Plan must be filed with the Bankruptcy Court and served upon counsel to the Debtors
21 within 30 days after the entry of an order (including the Confirmation Order)
approving such rejection (*i.e.*, **January 22, 2021**). Any Claims not filed within such
time period will be forever barred from assertion against the Debtors and/or their
property and/or their Estates.

22 4. **Bar Date for Professional Claims.** Pursuant to Section II.D.2 of the
23 Plan, all persons and entities seeking an award by the Court of professional fees on
24 behalf of the Debtors shall file their respective final applications for allowance of
25 compensation for services rendered and reimbursement of expenses no later than
forty-five (45) days after the Effective Date (*i.e.*, **March 1, 2021**).

26 ² Capitalized terms used but not otherwise defined herein have the definitions set
27 forth in the Plan.
28

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1 5. **Releases, Injunctions, and Exculpation:** Pursuant to the
2 Confirmation Order, the releases set forth in Section VII.F of the Plan, the
3 injunctions set forth in Section VII.G of the Plan, and the exculpation provisions set
4 forth in Section VII.E of the Plan are now in full force and effect.

5 6. **Viewing the Plan and Confirmation Order.** The Plan and the
6 Confirmation Order may be obtained: (a) via download from the Bankruptcy Court's
7 website at ecf.waeb.uscourts.gov for registered users of the PACER and/or CM/ECF
8 systems (for a fee); (b) via download from www.kccllc.net/astriahhealth; or (c) by (i)
9 written request to Astria Health c/o KCC, LLC, 222 North Pacific Coast Highway,
10 Suite 300, El Segundo, California 90245 or (ii) e-mail request to
11 astriainfo@kccllc.com.

12
13
14
15 Dated: January 15, 2021

DENTONS US LLP

16
17 By: /s/ Samuel R. Maizel

18 Samuel R. Maizel
19 Sam J. Alberts
20 Geoffrey M. Miller

21
22 Counsel to the *Debtors and Debtors In*
23 *Possession*

24
25
26
27 Dated: January 15, 2021

MINTZ, LEVIN, COHN, FERRIS,
28 GLOVSKY AND POPEO, P.C.

By: /s/ William Kannel

William Kannel
Ian A. Hammel

Counsel to the *Lapis Parties*

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