

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
Minute Order

Hearing Information:

ADV: 22-90056

**BORREGO COMMUNITY HEALTH FOUNDATION, VS CALIFORNIA DEPARTMENT OF
HEALTH CARE SER**

Debtor: BORREGO COMMUNITY HEALTH FOUNDATION,

Case Number: 22-02384-LT11

Chapter: 11

Date / Time / Room: THURSDAY, OCTOBER 06, 2022 02:00 PM DEPARTMENT 3

Bankruptcy Judge: LAURA S. TAYLOR

Courtroom Clerk: RUSSELL PALUSO

Reporter / ECR: SUE ROSS

Matter:

MOTION: (I) TO ENFORCE THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. 362; OR,
ALTERNATIVELY (II) FOR TEMPORARY RESTRAINING ORDER FILED ON BEHALF OF BORREGO
COMMUNITY HEALTH FOUNDATION (ON SHORTENED TIME)

Appearances:

SAMUEL MAIZEL, ATTORNEY FOR BORREGO COMMUNITY HEALTH FOUNDATION
TANIA M. MOYRON, ATTORNEY FOR BORREGO COMMUNITY HEALTH FOUNDATION
JOSEPH LAMAGNA, ATTORNEY FOR BORREGO COMMUNITY HEALTH FOUNDATION
TEDDY KAPUR, ATTORNEY FOR OFFICIAL COMMITTEE OF UNSECURED CREDITORS
KENNETH K. WANG, ATTORNEY FOR CALIFORNIA DEPARTMENT OF HEALTH CARE
SERVICE
DAVID GOLUBCHIK, ATTORNEY FOR DR. JACOB N. RUBIN, PATIENT CARE OMBUDSMAN
DR. JACOB N. RUBIN, PATIENT CARE OMBUDSMAN, PRESENT

Disposition:

Granted, in part pursuant to the Court's Tentative Ruling and as set forth on the record. Section
362(b)(4) exception to the automatic stay does not apply.

The Court declined to decide on the TRO issue due to its finding on the 362(b)(4) exception
issue as stated in the Court's Tentative Ruling.

Order to be submitted by Movant and Findings to be submitted by Movant.

CDHCS may submit an alternative proposed order and alternative Findings.

The Court denied CDHCS's motion to strike the entire declaration of the PCO as stated on the
record.



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