



UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West "F" Street, San Diego, California 92101-6991

In re:
**BORREGO COMMUNITY HEALTH
FOUNDATION, A CALIFORNIA NONPROFIT PUBLIC
BENEFIT CORPORATION**
Debtor.

BANKRUPTCY NO. 22-02384-LT11

**BORREGO COMMUNITY HEALTH
FOUNDATION, A CALIFORNIA NONPROFIT PUBLIC**
Plaintiff.

ADVERSARY NO. 22-90056-LT

v.
**CALIFORNIA DEPARTMENT OF HEALTH CARE
SERVICES, BY AND THROUGH ITS DIRECTOR, MICHELLE BAAS**
Defendant.

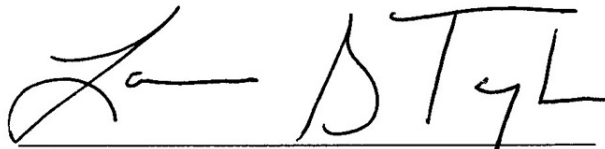
Date of Hearing: N/A
Time of Hearing: N/A
Name of Judge: Laura S. Taylor

SCHEDULING ORDER

IT IS HEREBY ORDERED as set forth on the continuation page(s) attached, numbered two (2) through two (2).

Related Motion/Order Docket Entry No. 55

DATED: October 12, 2022


Judge, United States Bankruptcy Court



Debtor: BORREGO COMMUNITY HEALTH FOUNDATION
BORREGO COMMUNITY HEALTH FOUNDATION v. CALIFORNIA DEPARTMENT OF HEALTH
CARE SERVICES

Bankruptcy No. 22-02384-LT11
Adversary No. 22-90056-LT

On October 6, 2022, the Court held a hearing on Debtor's Motion to Enforce the Automatic Stay or alternatively for a Temporary Restraining Order. Appearances were made as stated on the record.

Pursuant to discussions regarding the Court's ruling on the automatic stay and the California Department of Health Case Services' potential desire to appeal that ruling,

IT IS HEREBY ORDERED that:

1. Debtor has two weeks from the date of this order to file its proposed findings and proposed order that the automatic stay applies to the Department's threatened Medi-Cal payment suspension and that the Department is not entitled to a § 362(b)(4) police power exception.
2. The Department has two weeks from the date of Debtor's filings to file its objections or alternative findings and order.
3. The Court's rulings at the hearing and in the minute order are not an "entry of the judgement, order, or decree" that trigger the 14-day period for filing a notice of appeal under Bankruptcy Rule 8002(a)(1). *See In re Brown*, 484 F.3d 1116, 1122 (9th Cir. 2007); *In re Levine*, 162 B.R. 858, 859 (B.A.P. 9th Cir. 1994).
4. The Court's rulings at the hearing and in the minute order do not represent a final judgment or order. *See Fed. R. Civ. P. 54(b)*, incorporated by *Fed. R. Bankr. P. 7054(a)*; *In re Belli*, 268 B.R. 851, 856 (B.A.P. 9th Cir. 2001).

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aty Tania M. Moyron tania.moyron@dentons.com

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