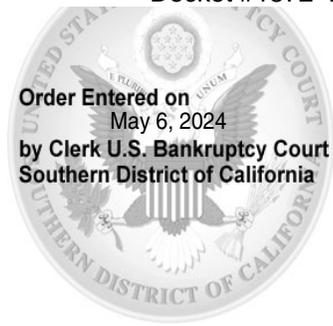


CSD 1001A [07/01/18]

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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

Borrego Community Health Foundation

Debtor.

BANKRUPTCY NO. 22-02384-LT11

Date of Hearing: June 12, 2024

Time of Hearing: 10:00 a.m.

Name of Judge: Laura S. Taylor

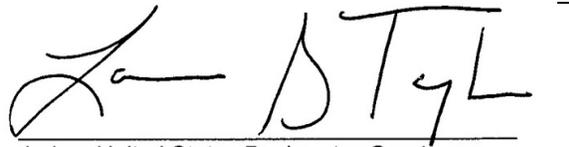
ORDER ON

Second Stipulation Regarding the Joint Motion for Enhancement of Estate Professional Fees

The court orders as set forth on the continuation pages attached and numbered 2 through 2 with exhibits, if any, for a total of 7 pages. Motion/Application Docket Entry No. 1370.

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DATED: May 6, 2024



Judge, United States Bankruptcy Court



On May 3, 2024, Borrego Community Health Foundation filed a "Second Stipulation By and Among the Post-Effective Date Debtor, the Liquidating Trustee, the Official Committee of Unsecured Creditors, and the California Department of health Care Services Regarding the Joint Motion for Enhancement of Estate Professional Fees" (the "Stipulation").

IT IS HEREBY ORDERED:

1. That the Stipulation, attached hereto as Exhibit A, is approved in its entirety.
2. That the terms and conditions of the Stipulation shall be binding upon the parties and are hereby full incorporated into this Order by reference.

Exhibit A

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Debtor and the Liquidating Trustee

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13 Attorneys to the Official Committee of
14 Unsecured Creditors

15 **UNITED STATES BANKRUPTCY COURT**
16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 In re
18 BORREGO COMMUNITY
HEALTH FOUNDATION,
19 Debtor and Debtor in Possession.

Case No. 22-02384-11
Chapter 11 Case
Judge: Honorable Laura S. Taylor
**SECOND STIPULATION BY AND
AMONG THE POST-EFFECTIVE DATE
DEBTOR, THE LIQUIDATING
TRUSTEE, THE OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS, AND THE CALIFORNIA
DEPARTMENT OF HEALTH CARE
SERVICES REGARDING THE JOINT
MOTION FOR ENHANCEMENT OF
ESTATE PROFESSIONAL FEES**

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26 Borrego Community Health Foundation, the debtor and debtor in possession
27 (prior to the effective date of the Plan (defined below), the “Debtor,” and after the
28 effective date, the “Post-Effective Date Debtor”) in the above-captioned chapter 11

1 bankruptcy case, the Liquidating Trustee (the “Liquidating Trustee”) of the Borrego
 2 Community Health Foundation Liquidating Trust (the “Liquidating Trust”)
 3 established pursuant to the *First Amended Joint Combined Disclosure Statement and*
 4 *Chapter 11 Plan of Liquidation of Borrego Community Health Foundation* [Docket
 5 No. 1168] (the “Plan”), confirmed by the order [Docket No. 1273] entered January 25,
 6 2024 (the “Confirmation Order”), and that certain Liquidating Trust Agreement, dated
 7 as of February 14, 2024 (the “Liquidating Trust Agreement”), the Official Committee
 8 of Unsecured Creditors (the “Committee”), and the California Department of Health
 9 Care Services (“DHCS” and collectively with the Post-Effective Date Debtor, the
 10 Liquidating Trustee, and the Committee, the “Parties”) hereby enter this *Second*
 11 *Stipulation By and Among the Post-Effective Date Debtor, the Liquidating Trustee,*
 12 *the Official Committee of Unsecured Creditors, and the California Department of*
 13 *Health Care Services Regarding the Joint Motion for Enhancement of Estate*
 14 *Professional Fees* (the “Stipulation”). In support of the Stipulation, the Parties refer
 15 to the following recitals:

RECITALS

17 WHEREAS, on September 12, 2022, the Debtor filed a voluntary petition for
 18 relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”)
 19 commencing the above referenced bankruptcy case in the United States Bankruptcy
 20 Court for the Southern District of California (the “Court”);

21 WHEREAS, on January 25, 2024, the Court entered the Confirmation Order,
 22 which provides:

23 All final applications for payment of Professional Fee Claims must be Filed
 24 with this Court and served on the Debtor, the Liquidating Trustee, the Co-
 25 Liquidating Trustee, and the U.S. Trustee on or before 45 days after the
 effective Date or such later date as may be agreed to by the Liquidating Trustee.

26 Confirmation Order at ¶ 31.

27 WHEREAS, on March 29, 2024, the Debtor and the Committee filed the *Joint*
 28 *Motion for Enhancement of Estate Professional Fees* [Docket No. 1353] (the “Fee

1 Enhancement Motion”), which requests the approval and allowance of a fee
2 augmentation in an amount calculated to compensate each estate professional at their
3 regular, non-reduced hourly rate;

4 WHEREAS, the deadline to file an objection to the Fee Enhancement Motion
5 was originally set for April 12, 2024 (the “Objection Deadline”);

6 WHEREAS, on April 12, 2024, the Parties filed the *Stipulation By and Among*
7 *the Post-Effective Date Debtor, the Liquidating Trustee, the Official Committee of*
8 *Unsecured Creditors, and the California Department of Health Care Services*
9 *Regarding the Joint Motion for Enhancement of Estate Professional Fees* [Docket
10 No. 1361], which the Court approved [Docket No. 1362], extending the Objection
11 Deadline to May 3, 2024, as to DHCS; and

12 WHEREAS, the Parties have agreed to further extend the Objection Deadline
13 as to DHCS as set forth herein.

14 **STIPULATION**

15 **NOW THEREFORE**, subject to approval of the Court, the Parties hereby
16 agree and stipulate as follows:

- 17 1. The Objection Deadline for DHCS will be continued from May 3, 2024
18 to May 17, 2024.
- 19 2. The deadline for the Post-Effective Date Debtor and the Committee to
20 file a reply to an objection filed by DHCS, if any, shall be extended to May 24, 2024.
- 21 3. The Court shall retain jurisdiction over all matters relating to the
22 interpretation and enforcement of this Stipulation.

23 **IT IS SO STIPULATED.**

24 **SEEN AND AGREED:**

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DENTONS US LLP
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213 623 9300

1 Dated: May 3, 2024

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TANIA M. MOYRON

2
3 By: /s/ Tania M. Moyron
Tania M. Moyron

4
5 Attorneys for the Post-Effective Date
Debtor and the Liquidating Trustee

6 Dated: May 3, 2024

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LLP
Jeffrey N. Pomerantz
Steven W. Golden

7
8
9 By: /s/ Steven W. Golden
Steven W. Golden

10
11 Attorneys for the Official Committee of
Unsecured Creditors

12 Dated: May 3, 2024

ROB BONTA
Attorney General of California
BENJAMIN G. DIEHL
Supervising Deputy Attorney General

13
14
15 By: /s/ Darin L. Wessel
Darin L. Wessel

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17 DARIN L. WESSEL
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Department of Health Care Services

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United States Bankruptcy Court
Southern District of California

In re:
BORREGO COMMUNITY HEALTH FOUNDATION,
Debtor

Case No. 22-02384-LT
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0974-3
Date Rcvd: May 06, 2024

User: Admin.
Form ID: pdf01

Page 1 of 4
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol Definition

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 08, 2024:

Recip ID	Recipient Name and Address
db	BORREGO COMMUNITY HEALTH FOUNDATION,, 587 Palm Canyon Dr., Suite 208, Borrego Springs, CA 92004
aty	+ Samuel Ruven Maizel, Dentons US LLP, 601 South Figueroa Street, Suite 2500, Los Angeles, CA 90017-5709

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 08, 2024 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 6, 2024 at the address(es) listed below:

Name	Email Address
Ali Mojdehi	on behalf of Creditor Premier Healthcare Management Inc. amojdehi@btlaw.com, jgertz@btlaw.com;arego@btlaw.com;melissa.turpin@btlaw.com;docketinglitin@btlaw.com
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Ali Mojdehi	on behalf of Creditor DRP Holdings LLC amojdehi@btlaw.com, jgertz@btlaw.com;arego@btlaw.com;melissa.turpin@btlaw.com;docketinglitin@btlaw.com
Ali Mojdehi	on behalf of Creditor Inland Valley Investments LLC amojdehi@btlaw.com, jgertz@btlaw.com;arego@btlaw.com;melissa.turpin@btlaw.com;docketinglitin@btlaw.com
Allison Rego	

District/off: 0974-3
Date Rcvd: May 06, 2024

User: Admin.
Form ID: pdfO1

Page 2 of 4
Total Noticed: 2

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Page 3 of 4
Total Noticed: 2

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Page 4 of 4
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