

CSD 1001A [07/01/18]

Docket #0476 Date Filed: 02/16/2023

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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

BANKRUPTCY NO. 22-02384-11

Date of Hearing: February 15, 2023

Time of Hearing: 2:00 p.m.

Name of Judge: Laura S. Taylor

Debtor.

**ORDER ON**

Modified Deadlines in Bidding Procedures Order (1) Approving Form of Asset Purchase Agreement; (2) Approving Auction Sale Format and Bidding Procedures; (3) Approving Process For Discretionary Selection of Stalking Horse Bidder and Bid Protections; (4) Approving Form of Notice To Be Provided To Interested Parties; (5) Scheduling A Court Hearing To Consider Approval of The Sale To The Highest And Best Bidder; and (6) Approving Procedures Related To The Assumption of Certain Executory Contracts and Unexpired Leases; And (II) An Order Authorizing The Sale Of Property Free And Clear of All Claims, Liens and Encumbrances; Memorandum Of Points and Authorities In Support Thereof

The court orders as set forth on the continuation pages attached and numbered 2 through 2 with exhibits, if any, for a total of 2 pages. Motion/Application Docket Entry No. 321.

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DATED: February 16, 2023

Judge, United States Bankruptcy Court



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ORDER ON Modified Deadlines in Bidding Procedures Order (1) Approving Form of Asset Purchase Agreement; (2) Approving Auction Sale Format and Bidding Procedures; (3) Approving Process For Discretionary Selection of Stalking Horse Bidder and Bid Protections; (4) Approving Form of Notice To Be Provided To Interested Parties; (5) Scheduling A Court Hearing To Consider Approval of The Sale To The Highest And Best Bidder; and (6) Approving Procedures Related To The Assumption of Certain Executory Contracts and Unexpired Leases; And (II) An Order Authorizing The Sale Of Property Free And Clear of All Claims, Liens and Encumbrances; Memorandum Of Points and Authorities In Support Thereof

DEBTOR:

BORREGO COMMUNITY HEALTH FOUNDATION

CASE NO: 22-02384-11

This matter coming before the Court on the application [Docket No. 453] (the "Application") of the above-captioned debtor and debtor in possession (the "Debtor") for (i) scheduling of a status conference and (ii) the modification of the hearing date and related deadlines set forth in this Court's Order (I) (1) Approving Form of Asset Purchase Agreement; (2) Approving Auction Sale Format and Bidding Procedures, (3) Approving Process for Discretionary Selection of Stalking Horse Bidder and Bid Protections; (4) Approving Form of Notice to Be Provided to Interested Parties; (5) Scheduling a Court Hearing to Consider Approval of the Sale to the Highest and Best Bidder; and (6) Approving Procedures Related to the Assumption of Certain Executory Contracts and Unexpired Leases; and (II) An Order Authorizing the Sale of Property Free and Clear of All Claims, Liens, and Encumbrances [Docket No. 321] (the "Bidding Procedures Order"). The Court, having found that (i) the Court has jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b), and (iv) notice of the Application was sufficient under the circumstances and properly given; and it appearing that no other or further notice need be provided; and a status conference on the Application having been held (the "Status Conference"); and after due deliberation the Court having determined that the relief requested in the Application with respect to the Bidding Procedures Order is in the best interests of the Debtor, its estate, and its creditors; and good and sufficient cause having been shown:

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The deadlines set forth in the Bidding Procedures Order are modified as follows:

- February 21, 2023 – Deadline to file any objections to the sale
- February 24, 2023 – Deadline to file replies to any objections to sale
- March 1, 2023, at 10:00 a.m. (Pacific Standard Time) – Hearing approving sale (the "Sale Hearing")

2. As set forth herein, the Sale Hearing will take place before the United States Bankruptcy Court Southern District of California, 325 West F. Street, San Diego, California in Department 3 on March 1, 2023, at 10:00 a.m. (Pacific Standard Time). Unless otherwise authorized by the Court, the Parties will appear in person. As stated at the Status Conference, Inland Empire Health Plan is authorized to appear at the Sale Hearing via Zoom.

3. Except as modified herein, the Bidding Procedures Order remains in full force and effect.

4. The Court shall retain exclusive jurisdiction over all matters arising from or related to the interpretation and implementation of this Order.

IT IS SO ORDERED.

Approved as to form:

The Official Committee of Unsecured Creditors

/s/ Steven W. Golden

Steven W. Golden

Pachulski Stang Ziehl and Jones

### Notice Recipients

District/Off: 0974-3

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Date Created: 2/16/2023

Case: 22-02384-LT11

Form ID: pdfO1

Total: 51

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