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7 **UNITED STATES BANKRUPTCY COURT**
 8 **CENTRAL DISTRICT OF CALIFORNIA**
 9 **LOS ANGELES DIVISION**

10 In re:) Lead Case No.: 2:18-bk-20151-ER

11)
 12 **VERITY HEALTH SYSTEM OF**
CALIFORNIA, INC. et al.,

13)
 14 Debtor(s).

- 15) Affects All Debtors
- 16) Affects Verity Health System of California, Inc.
- 17) Affects O'Connor Hospital
- 18) Affects Saint Louise Regional Hospital
- 19) Affects St. Francis Medical Center
- 20) Affects St. Vincent Medical Center
- 21) Affects Seton Medical Center
- 22) Affects O'Connor Hospital Foundation
- 23) Affects Saint Louise Regional Hospital Foundation
- 24) Affects St. Francis Medical Center of Lynwood Foundation
- 25) Affects St. Vincent Foundation
- 26) Affects St. Vincent Dialysis Center, Inc.
- 27) Affects Seton Medical Center Foundation
- 28) Affects Verity Business Services
- 29) Affects Verity Medical Foundation
- 30) Affects Verity Holdings, LLC
- 31) Affects De Paul Ventures, LLC
- 32) Affects De Paul Ventures – San Jose Dialysis, LLC

) Jointly Administered With:
 Case No.: 2:18-bk-20162-ER;
 Case No.: 2:18-bk-20163-ER;
 Case No.: 2:18-bk-20164-ER;
 Case No.: 2:18-bk-20165-ER;
 Case No.: 2:18-bk-20167-ER;
 Case No.: 2:18-bk-20168-ER;
 Case No.: 2:18-bk-20169-ER;
 Case No.: 2:18-bk-20171-ER;
 Case No.: 2:18-bk-20172-ER;
 Case No.: 2:18-bk-20173-ER;
 Case No.: 2:18-bk-20175-ER;
 Case No.: 2:18-bk-20176-ER;
 Case No.: 2:18-bk-20178-ER;
 Case No.: 2:18-bk-20179-ER;
 Case No.: 2:18-bk-20180-ER;
 Case No.: 2:18-bk-20181-ER

) Chapter 11 Cases

) Hon. Ernest M. Robles

**APPLICATION FOR ORDER
 APPROVING THE APPOINTMENT OF
 PATIENT CARE OMBUDSMAN**

) [NO HEARING REQUIRED]

33 Debtors and Debtors In Possession



1 The United States Trustee for Region 16 (“U.S. Trustee”) hereby applies to the Court pursuant to
2 Federal Rule of Bankruptcy Procedure 2007.2(c) for an Order Approving the Appointment of a
3 Patient Care Ombudsman, and in support thereof states:

4 1. The U.S. Trustee has appointed Dr. Jacob Nathan Rubin as Patient Care
5 Ombudsman (“PCO”) in Verity Health System of California, Inc., O’Connor
6 Hospital, Saint Louise Regional Hospital, St. Francis Medical Center, St. Vincent
7 Medical Center, Seton Medical Center, St. Vincent Dialysis Center, Inc., Verity
8 Medical Foundation, De Paul Ventures—San Jose Dialysis LLC (collectively, the
9 “Debtors”). Dr. Rubin’s address is: 4955 Van Nuys Blvd., Suite 308, Sherman
10 Oaks, CA 91403, (818) 501-1455.

11 2. The Patient Care Ombudsman shall:

12 (a) monitor the quality of patient care provided to patients of the Debtors, to the
13 extent necessary under the circumstances, including interviewing patients and
14 physicians, as provided under 11 U.S.C. § 333(b)(1);

15 (b) not later than 60 days after the entry of an order approving the PCO’s
16 appointment, and not less frequently than at 60-day intervals thereafter, report to
17 the Court after notice to the parties in interest, at a hearing, or in writing,
18 regarding the quality of patient care provided to the patients of the Debtors, as
19 provided under 11 U.S.C. § 333(b)(2); and

20 (c) if the PCO determines that the quality of patient care provided to patients of the
21 Debtors is declining significantly or is otherwise being materially compromised,
22 file with the court a motion or a written report, with notice to the parties in
23 interest immediately upon making such determination pursuant to 11 U.S.C. §
24 333(b)(3).

25 3. To the best of the Applicant’s knowledge, the PCO’s connection with the debtor,
26 creditors, any other parties in interest, their respective attorney and accountants, the
27 United States Trustee, and persons employed in the Office of the United States
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Trustee are limited to the connections set forth in the Statement of Disinterestedness
for Patient Care Ombudsman, attached hereto.

DATED: October 3, 2018

PETER C. ANDERSON
UNITED STATES TRUSTEE



By: HATTY YIP
Trial Attorney

EXHIBIT 1

1 J. NATHAN RUBIN, M.D., F.A.C.C
2 4955 VAN NUYS BOULEVARD, SUITE 308
3 SHERMAN OAKS, CALIFORNIA 91403
4 (818) 501-1455

5 UNITED STATES BANKRUPTCY COURT
6 CENTRAL DISTRICT OF CALIFORNIA
7 LOS ANGELES DIVISION

8 In re:) Lead Case No.: 2:18-bk-20151-ER

9 VERITY HEALTH SYSTEM OF)
10 CALIFORNIA, INC. *et al.*,)

11 Debtor(s).)

- 12 Affects All Debtors)
- 13 Affects Verity Health System of)
California, Inc.)
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- 15 Affects Saint Louise Regional Hospital)
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- 18 Affects Seton Medical Center)
- 19 Affects O'Connor Hospital Foundation)
- 20 Affects Saint Louise Regional Hospital)
Foundation)
- 21 Affects St. Francis Medical Center of)
Lynwood Foundation)
- 22 Affects St. Vincent Foundation)
- 23 Affects St. Vincent Dialysis Center, Inc.)
- 24 Affects Seton Medical Center)
- 25 Affects Verity Business Services)
- 26 Affects Verity Medical Foundation)
- 27 Affects Verity Holdings, LLC)
- 28 Affects De Paul Ventures, LLC)
- Affects De Paul Ventures – San Jose)
Dialysis, LLC)

29 Debtors and Debtors In Possession)

) Jointly Administered With:
) Case No.: 2:18-bk-20162-ER;
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) Case No.: 2:18-bk-20172-ER;
) Case No.: 2:18-bk-20173-ER;
) Case No.: 2:18-bk-20175-ER;
) Case No.: 2:18-bk-20176-ER;
) Case No.: 2:18-bk-20178-ER;
) Case No.: 2:18-bk-20179-ER;
) Case No.: 2:18-bk-20180-ER;
) Case No.: 2:18-bk-20181-ER

) Chapter 11 Cases
) Hon. Ernest M. Robles
**STATEMENT OF DISINTERESTEDNESS
FOR PATIENT CARE OMBUDSMAN**

[NO HEARING REQUIRED]

30 **DECLARATION OF JACOB NATHAN RUBIN**

31 I, Jacob Nathan Rubin, MD, FACC, declare as follows:

32 1: I am over the age of eighteen years, and if called upon to testify I could and would
33 do so competently. I am the proposed Patient Care Ombudsman ("PCO") for the above-referenced

1 cases. I have personal knowledge of the facts set forth herein, and based on that personal
2 knowledge, I assert that all facts are true and correct to the best of my knowledge.

3 2. I have been nominated as PCO in the above captioned case. I am prepared and able to
4 accept the appointment. I am familiar with the duties of a PCO as set forth in 11 U.S.C. § 333(b)
5 and (c), and will comply will with these duties.

6 3. I am well qualified to serve as a PCO pursuant to 11 U.S.C. § 333. Attached hereto as
7 Exhibit A is a copy of my Curriculum Vitae. I have expertise in supervising and assessing medical
8 care in hospitals, outpatient facilities, and outpatient clinics. As Chief of Staff and Chair of the
9 Medical Executive Committee ("MEC") at Sherman Oaks and Encino Hospitals, for the past 16
10 years, it has been my responsibility to perform duties similar to those of a PCO at these hospitals to
11 insure patient safety and physician independence from corporate influence and report my findings
12 monthly. Additionally, I have an independent private medical practice.

13 4. I will comply with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure
14 and the Local Bankruptcy Rules during the administration of these cases. As a licensed physician,
15 I will comply with all rules governing the practice of medicine and HIPPA.

16 5. I hereby verify that to the best of my knowledge, I have no connections with the debtors,
17 creditors of the estates, any other parties in interest, their respective attorneys and accountants, the
18 United States Trustee, or any person employed in the Office of the United States Trustee, except as
19 follows:

20 -With my patient's permission to disclose: I am treating a patient employed by the United
21 States Trustee, who I have been told is not assigned to the case.

22 -Sherman Oaks and Encino Hospitals are owned by Prime, who is a purchaser of distressed
23 hospitals, and as such, may seek to purchase assets in this case. I have no economic interest in
24 Prime nor do I get remuneration of any sort from Prime. I do not participate in the selection of
25 hospitals Prime seeks to acquire, nor do I participate in Prime's due diligence process. The Chief of
26 Staff and the MEC must always remain independent. I am elected and paid by the medical staff. I
27 am on the Boards of Sherman Oaks and Encino Hospitals in my role as Chief of Staff and Chair of
28 the MEC to represent the patients' interests and the independence of the medical staff to the

1 boards. I am not and may not be compensated for service to the boards as I represent the medical
2 staff. Additionally, I am not on the board of Prime in any capacity.

3 6. I intend to apply for compensation for professional services rendered in connection
4 with these cases pursuant to 11 U.S.C. § 330, subject to the approval of this Court and in
5 compliance with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, Local
6 Rules, United States Trustee Guidelines and orders of this Court, on an hourly basis plus
7 reimbursement of actual, necessary expenses and other charges incurred, to be paid monthly. My
8 current hourly rate is \$750. I also intend to utilize a nurse practitioner whose hourly rate is \$325,
9 and, if deemed necessary and prudent, will also utilize other medial operations consultants to assist
10 me in performing my duties and responsibilities. The expenses charged to clients include, among
11 other things, telephone and telecopier charges, mail and express mail charges, special or hand
12 delivery charges, document processing, photocopying charges, word processing charges, courier
13 services, overnight delivery services, docket and court filing fees, telecommunications, travel
14 expenses, expenses for working meals, computerized research and transcription costs, as well as
15 non-ordinary overhead expenses such as overtime for secretarial personnel and other staff. I will
16 charge the estates for my fees and expenses in the manner and at the rates consistent with charges
17 made generally to my clients.

18 7. I also intend to retain Levene, Neale, Bender, Yoo & Brill L.L.P. as my counsel to
19 assist me with this engagement and will apply for Court approval of my retention and payment of
20 counsel.

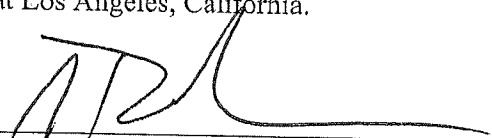
21 8. To the best of my knowledge, I am a disinterested person within the meaning of 11
22 U.S.C. § 101(14) in that I am not a creditor, equity security holder or insider of the debtors as
23 defined by 11 U.S.C. § 101(31), or past or present officer, director or employee of the debtors, and
24 do not hold an interest materially adverse to the estate or any class of creditors or equity security
25 holders, by reason of any direct or indirect relationship to connection with or interest in, the
26 debtors or for any other reason. If information comes to my attention that changes these facts, I
27 will advise the Court and the United States Trustee immediately.

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To the best of my knowledge, I declare under penalty of perjury that the foregoing under
the laws of the United States of America that the foregoing is true and correct.

Executed on the 2nd Day of October 2018, at Los Angeles, California.



J. Nathan Rubin, M.D., F.A.C.C.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

915 Wilshire Blvd., Suite 1850, Los Angeles, CA 90017

A true and correct copy of the foregoing document entitled (*specify*): APPLICATION FOR ORDER APPROVING THE APPOINTMENT OF PATIENT CARE OMBUDSMAN

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 10/3/18, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED LIST

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 10/3/18, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

SEE ATTACHED LIST

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 10/3/18, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

JUDGE'S COPY: [Pursuant to the UST's agreement with the U.S. Bankruptcy Court, Judge's Courtesy Copy was mailed via Federal Express overnight mail to the following address] U.S. Bankruptcy Court, 255 E. Temple St., Room 940, Los Angeles, CA 90012, Attn: Mail Room Clerk—Judges Copies

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

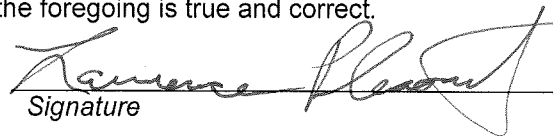
10/3/18

Lawrence Pleasant

Date

Printed Name

Signature



1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

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- Jennifer L Nassiri jennifernassiri@quinnemanuel.com

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

- Mark A Neubauer mneubauer@carltonfields.com, mlrodriguez@carltonfields.com;smcloughlin@carltonfields.com;schau@carltonfields.com
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2. SERVED BY UNITED STATES MAIL:

- DEBTOR: Verity Health System of California, Inc., 2040 E. Mariposa Avenue, El Segundo, CA 90245
- DEBTOR'S ATTY: Samuel R Maizel, Dentons US LLP, 601 South Figueroa Street, Suite 2500, Los Angeles, CA 90017
- CREDITORS' COMMITTEE MEMBER: Aetna Life Insurance Company, Attn: Paul Weller, Head of Provider Litigation, 1425 Union Meeting Road, Mail Stop U23S, Blue Bell, PA 19422
- CREDITORS' COMMITTEE MEMBER: Allscripts Healthcare, LLC, c/o Greg Bianchi, 10 Glenlake Parkway, Suite 500, Atlanta, GA 30328
- CREDITORS' COMMITTEE MEMBER: California Nurses Association (CNA), Attn: Krysten Skogstad, In-House Counsel, 155 Grand Avenue, Oakland, CA 94612
- CREDITORS' COMMITTEE MEMBER: Iris Lara, c/o Trisha Monesi, 1875 Century Park East, Suite 100, Los Angeles, CA 90067
- CREDITORS' COMMITTEE MEMBER: Medline Industries, Inc., Three Lakes Drive, Northfield, IL 60093
- CREDITORS' COMMITTEE MEMBER: Pension Benefit Guaranty Corporation ("PBGC"), Attn: Michael Strollo and Emily Lesniewski, 1200 K Street, NW, Washington, DC 20005
- CREDITORS' COMMITTEE MEMBER: SEIU United Healthcare Workers West, Attn: David Miller, 560 Thomas L Berkeley Way, Oakland, CA 94612-1602
- CREDITORS' COMMITTEE MEMBER: Sodexo Operations, LLC, a Delaware Limited Liability Company Sodexo CTM LLC, Attn: Brad Hamman, 283 Cranes Roost Blvd, Ste 260, Altamonte Springs, FL 32701
- CREDITORS' COMMITTEE MEMBER: St. Vincent IPA Medical Corporation, c/o Mark Neubauer, Esq. and Donald Kirk, Esq., Carlton Fields Jordan Burt, LLP, 2000 Avenue of the Stars, Suite 530N, Los Angeles, CA 90067-4707
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- MANUAL: Nathan F Coco, McDermott Will & Emery, 444 West Lake Street, Chicago, IL 60606-0029
- MANUAL: Ian A Hammel, Mintz Levin Cohn Ferris Glovsky & Popeo, One Financial Center, Boston, MA 02111
- MANUAL: Donald R Kirk, Carlton Fields Jordan Burt, P.A., 4221 W. Boy Scout Blvd., Suite 1000 Tampa, FL 33607-5780
- MANUAL: Claude D Montgomery, DENTONS US LLP, 1221 AVENUE OF THE AMERICAS, New York, NY 10020-1001
- MANUAL: Charles E Nelson, Ballard Spahr LLP, 80 S Eighth St Ste 2000, Minneapolis, MN 55402
- MANUAL: Megan Preusker, McDermott Will & Emery, 444 West Lake Street, Chicago, IL 60606-0029
- MANUAL: Jason Reed, MASLON LLP, 3300 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET, MINNEAPOLIS, MN 55402
- MANUAL: Paul J Ricotta, Mintz Levin Cohn Ferris Glovsky and Pope, Chrysler Center, 666 Third Ave New York, NY 10017
- MANUAL: Ryan Schultz, Fox Swibel Levin & Carroll LLP, 200 W. Madison Street, Suite 3000 Chicago, IL 60606
- MANUAL: William P Wassweiler, Ballard Spahr LLP, 80 S Eighth St Ste 2000, Minneapolis, MN 55402
- MANUAL: Clark Whitmore, MASLON LLP, 3300 WELLS FARGO CENTER, 90 S 7TH STREET, MINNEAPOLIS, MN 55402
- MANUAL: John Ryan Yant, Carlton Fields Jordan Burt, P.A., 4221 W. Boy Scout Blvd., Suite 1000, Tampa, FL 33607-5780