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14 Attorneys for Swinerton Builders

15 UNITED STATES BANKRUPTCY COURT
16 CENTRAL DISTRICT OF CALIFORNIA
17 LOS ANGELES DIVISION

18 In re:
19 VERITY HEALTH SYSTEM OF
20 CALIFORNIA, INC., *et al*,
21 Debtors and Debtors In Possession.

- 22 Affects All Debtors
- 23 Affects O'Connor Hospital
- 24 Affects Saint Louise Regional Hospital
- 25 Affects St. Francis Medical Center
- 26 Affects St. Vincent Medical Center
- 27 Affects Seton Medical Center
- 28 Affects O'Connor Hospital Foundation
- Affects Saint Louise Regional Hospital Foundation
- Affects St. Francis Medical Center of Lynnwood Foundation
- Affects St. Vincent Foundation
- Affects St. Vincent Dialysis Center, Inc.
- Affects Seton Medical Center Foundation
- Affects Verity Business Services
- Affects Verity Medical Foundation
- Affects Verity Holdings, LLC
- Affects De Paul Ventures, LLC
- Affects De Paul Ventures – San Jose Dialysis, LLC

29 Debtors and Debtors In Possession.

Lead Case No.: 2:18-bk-20151-ER
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. Judge Ernest Robles

STIPULATION TO CONTINUE HEARING ON MOTION FOR AMENDMENT OF FINDINGS IN FINAL ORDER (I) AUTHORIZING POSTPETITION FINANCING [...]

[RELATED TO DOCKET NOS. 812, 732, 564, 409, 392, 355, 309 AND 269]

Fox Rothschild LLP
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1 This Stipulation is entered between Verity Health System Of California, Inc. (“VHS”) and
2 the above-referenced affiliated debtors, the debtors and debtors in possession in the above-
3 captioned chapter 11 bankruptcy cases (collectively, the “Debtors”), in the above-referenced jointly
4 administered Chapter 11 bankruptcy cases, on the one hand, and Swinerton Builders (“Swinerton”),
5 on the other, with respect to the following:

6 1. On August 31, 2018, the Debtors each filed a voluntary petition for relief under
7 chapter 11 of title 11 of the United States Code.

8 2. On October 17, 2018, Swinerton filed its *Motion Pursuant to Bankruptcy Rule*
9 *7052(b) for Amendment of Findings in Final Order ... (Doc. 409)* [Doc. 564] (the “Swinerton
10 Motion”).

11 3. On October 31, 2018, the debtors filed their Objection [Doc. 732] to the Swinerton
12 Motion.

13 4. On November 13, 2018, Swinerton filed a Notice of Hearing [Doc. 812] setting the
14 Swinerton Motion for hearing on December 4, 2018 at 10:00 a.m.

15 5. On November 28, 2018, the Court entered an order continuing the hearing on the
16 Swinerton Motion to December 5, 2018 at 10:00 a.m., a copy of which order is attached hereto as
17 Exhibit 1.

18 6. Based upon the pending sale of the facility that is the subject of the Swinerton Claim,
19 the Debtors and Swinerton have determined that it would be desirable to further continue the
20 hearing on the Swinerton Motion to January 23, 2019 at 10:00 a.m.


21 **NOW, THEREFORE**, all of the parties to this Stipulation hereby stipulate and agree as
22 follows:

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24 A. The hearing on the Swinerton Motion shall be continued to January 23, 2019 at
25 10:00 a.m.

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Verity Health System of California, Inc., et al.

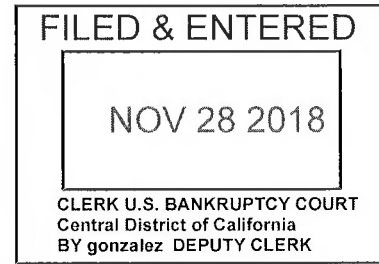
By: 
Samuel R. Maizel
Tania M. Moyron
Claude D. Montgomery (*admitted Pro Hac Vice*)
Dentons US LLP
Counsel to Debtors and Debtors In Possession

Swinerton Builders

By: /s/ Nathan A. Schultz
Nathan A. Schultz
Robert N. Amkraut (*admitted Pro Hac Vice*)
Fox Rothschild LLP
Counsel to Swinerton Builders

Fox Rothschild LLP
1001 4th Ave. Suite 4500
Seattle, WA 98154

EXHIBIT 1



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re: Verity Health System of California, Inc., *et al.*,

Debtors and Debtors in Possession.

- Affects All Debtors
- Affects Verity Health System of California, Inc.
- Affects O'Connor Hospital
- Affects Saint Louise Regional Hospital
- Affects St. Francis Medical Center
- Affects St. Vincent Medical Center
- Affects Seton Medical Center
- Affects O'Connor Hospital Foundation
- Affects Saint Louise Regional Hospital Foundation
- Affects St. Francis Medical Center of Lynwood Medical Foundation
- Affects St. Vincent Foundation
- Affects St. Vincent Dialysis Center, Inc.
- Affects Seton Medical Center Foundation
- Affects Verity Business Services
- Affects Verity Medical Foundation
- Affects Verity Holdings, LLC
- Affects De Paul Ventures, LLC
- Affects De Paul Ventures - San Jose Dialysis, LLC

Debtors and Debtors in Possession.,

Lead Case No.: 2:18-bk-20151-ER

Chapter: 11

**ORDER SETTING DECEMBER 5, 2018 AS
CONSOLIDATED HEARING DATE FOR
MATTERS INITIALLY NOTICED FOR
DECEMBER 4 AND 5, 2018**

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.

CONSOLIDATED HEARING DATE:

Date: December 5, 2018

Time: 10:00 a.m.

Location: Ctrm. 1568
Roybal Federal Building
255 East Temple Street
Los Angeles, CA 90012

Good cause appearing, the Court HEREBY ORDERS as follows:

- 1) The hearing on the *Motion Pursuant to Bankruptcy Rule 7052(B) for Amendment of Findings in Final Order (I) Authorizing Postpetition Financing, (II) Authorizing Use of Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying Automatic Stay, and (VI) Granting Related Relief* [Doc. No. 564] (the "Rule 7052(b) Motion"), set for December 4, 2018, at 10:00 a.m., is CONTINUED to **December 5, 2018, at 10:00 a.m.**, to take place concurrently with the hearing on the *Motion for Entry of an Order to Authorize Debtors to Refund Prepetition Deposits and Overpayments* [Doc. No. 815].
- 2) This Order shall not affect the briefing deadlines on the Rule 7052(b) Motion.
- 3) By no later than **November 30, 2018**, Swinerton Builders shall serve this Order upon interested parties, and shall file a proof of service so indicating.

IT IS SO ORDERED.

###

Date: November 28, 2018



Ernest M. Robles
United States Bankruptcy Judge

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:
345 California Street, Suite 2200, San Francisco, CA 94014-2734

A true and correct copy of the foregoing document entitled (*specify*): _____
**STIPULATION TO CONTINUE HEARING ON MOTION FOR AMENDMENT OF FINDINGS IN
FINAL ORDER (I) AUTHORIZING POSTPETITION FINANCING [...]**

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*) December 3, 2018, 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:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) December 3, 2018, 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.

The Honorable Ernest Robles
U.S. Bankruptcy Court
Roybal Federal Building
255 E. Temple Street, Suite 1560
Los Angeles, CA 90012

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*) _____, 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.

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.

12/3/2018
Date

Nathan A. Schultz
Printed Name

/s/ Nathan A. Schultz
Signature

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

1. Served By the Court via Notice of Electronic Filing (NEF):

Robert N Amkraut on behalf of Creditor Swinerton Builders
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Kyra E Andrassy on behalf of Interested Party Courtesy NEF
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Alicia K Berry on behalf of Attorney Alicia Berry

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

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

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

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Samuel R Maizel on behalf of Debtor Verity Medical Foundation

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

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