

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 27, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES SMALL
BUSINESS ADMINISTRATION,
and JOVITA CARRANZA, in her
official capacity as Administrator for
the United States Small Business
Administration,

Appellants,

v.

ASTRIA HEALTH; GLACIER
CANYON, LLC; KITCHEN AND
BATH FURNISHINGS, LLC;
OXBOW SUMMIT, LLC; SHC
HOLDCO, LLC; SHC MEDICAL
CENTER – TOPPENISH; SHC
MEDICAL CENTER – YAKIMA;
SUNNYSIDE COMMUNITY
HOSPITAL ASSOCIATION;
SUNNYSIDE COMMUNITY
HOSPITAL HOME MEDICAL
SUPPLY, LLC; SUNNYSIDE
HOME HEALTH; SUNNYSIDE
PROFESSIONAL SERVICES, LLC;
YAKIMA HOME CARE
HOLDINGS, LLC; YAKIMA HMA
HOME HEALTH , LLC,

Appellees.

NO: 1:20-CV-3089-RMP
NO: 1:20-CV-3098-RMP

ORDER GRANTING MOTION TO
CONSOLIDATE AND MOTION FOR
LEAVE TO FILE DESIGNATION OF
RECORD AND STATEMENT OF
ISSUES



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2 ASTRIA HEALTH; SHC MEDICAL
3 CENTER – TOPPENISH; and
4 YAKIMA HMA HOME HEALTH,
5 LLC,

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Counter-
Appellants,

v.

UNITED STATES SMALL
BUSINESS ADMINISTRATION;
and JOVITA CARRANZA, in her
official capacity as Administrator for
the United States Small Business
Administration,

Counter-
Appellees.

BEFORE THE COURT is a Motion to Consolidate Cases, ECF No. 7, by Counter-Appellants and Appellees Astria Health et al. in Case No. 1:20-cv-3098-RMP. Astria Health et al. represent that Appellants and Counter-Appellees U.S. Small Business Administration et al. do not oppose consolidation. ECF No. 7 at 3.

Having reviewed the pending motions and the remaining dockets, **IT IS HEREBY ORDERED** that:

1. Counter-Appellants Astria Health et al.’s Motion to Consolidate Cases, **ECF No. 7**, and accompanying Motion to Expedite, **ECF No. 8**, filed in case

1 number 1:20-cv-3098-RMP, are **GRANTED**, for good cause shown and pursuant to
2 Fed. R. Bankr. P. 8003(b)(2).

3 2. The District Court Clerk is instructed to consolidate Case Nos. 1:20-cv-
4 3089-RMP and 1:20-cv-3098-RMP. All future filings for these consolidated actions
5 shall be made under Case No. 1:20-cv-3098-RMP. The file for Case No. 1:20-cv-
6 3089-RMP shall be **closed**.

7 3. In addition, the currently pending Motion for Leave to File Designation
8 of Record and Statement of Issues, **ECF No. 11**, and accompanying Motion to
9 Expedite, **ECF No. 12**, by Appellants U.S. Small Business Administration et al. in
10 Case No. 1:20-cv-3089-RMP are **GRANTED**, for good cause shown.

11 4. Appellants U.S. Small Business Administration et al. **shall refile** their
12 Designation of Record on Appeal and Statement of the Issues to Be Presented, at
13 ECF No. 11-1, as a separate docket entry **within seven days**. Counter-Appellants
14 and Appellees Astria Health et al. shall file any designation of additional items to be
15 included in the record and any statement of the issues to be presented on the cross-
16 appeal **within fourteen days** after the Designation on Appeal and Statement of the
17 Issues to Be Presented is filed. *See* Fed. R. Bankr. P. 8009.

18 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
19 Order and provide copies to counsel.

20 **DATED** July 27, 2020.

s/ Rosanna Malouf Peterson

ROSANNA MALOUF PETERSON
United States District Judge