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– Toppenish*

HONORABLE WILLIAM L. HOLT

8 UNITED STATES BANKRUPTCY COURT
9 EASTERN DISTRICT OF WASHINGTON

10 In re

ASTRIA HEALTH, et al.,¹

Debtor.

Case No. 19-01189-WHL11

13 YAKIMA HMA, LLC and YAKIMA HMA
14 PHYSICIAN MANAGEMENT, LLC,

Plaintiffs,

v.

16 SHC MEDICAL CENTER – YAKIMA and
17 SHC MEDICAL CENTER – TOPPENISH,

Defendants.

Adv. No.: 20-80018-WLH

NOTICE OF MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM
ON WHICH RELIEF CAN BE
GRANTED PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(6) AND TIME
TO OBJECT

21 ¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189-11), Glacier
Canyon, LLC (19-01193-11), Kitchen and Bath Furnishings, LLC (19-01194-11), Oxbow Summit, LLC (19-
22 01195-11), SHC Holdco, LLC (19-01196-11), SHC Medical Center-Toppenish (19-01190-11), SHC Medical
Center-Yakima (19-01192-11), Sunnyside Community Hospital Association (19-01191-11), Sunnyside
23 Community Hospital Home Medical Supply, LLC (19-01197-11), Sunnyside Home Health (19-01198-11),
Sunnyside Professional Services, LLC (19-01199-11), Yakima Home Care Holdings, LLC (19-01201-11), and
Yakima HMA Home Health, LLC (19-01200-11).

NOTICE OF MOTION TO DISMISS FOR FAILURE
TO STATE A CLAIM ON WHICH RELIEF CAN BE
GRANTED AND TIME TO OBJECT – Page 1

BUSH KORNFELD LLP
LAW OFFICES

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1 PLEASE TAKE NOTICE that Defendants SHC Medical Center – Yakima and
2 SHC Medical Center – Toppenish have filed at dkt. #18 a Motion to Dismiss for Failure
3 to State a Claim on Which Relief Can Be Granted Pursuant to Federal Rule of Civil
4 Procedure 12(b)(6) (“Motion to Dismiss”).

5 If you object to the entry of an order approving the Motion to Dismiss, please do
6 so by filing a written objection with the Court and serve a copy upon the undersigned
7 within twenty-one (21) days of the date of this Notice. Should you fail to timely and
8 properly object to the Motion, the Court may enter an Order the Motion to Dismiss
9 without a hearing and without further notice to you.

10 DATED this 31st day of August, 2020.

11 BUSH KORNFELD LLP

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13 By /s/ Christine M. Tobin-Presser
Christine M. Tobin-Presser, WSBA #27628
14 Attorneys for Defendants
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