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Counsel for the Official Committee of Unsecured Creditors of Verity Health System of California, Inc., et al.

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.

OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF VERITY HEALTH SYSTEM OF CALIFORNIA, INC., et al.,

Plaintiff,

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

Adv. No.: 2:19-ap-01165-ER

STIPULATION EXTENDING TIME TO ANSWER OR OTHERWISE FILE RESPONSIVE MOTION TO COMPLAINT

Complaint Filed: June 13, 2019

[No Hearing Required]

1820151190829000000000010

v.

U.S. BANK, NATIONAL ASSOCIATION,

Defendant.

Plaintiff, Official Committee of Unsecured Creditors of Verity Health System of California, Inc., et al. (the "Committee" or "Plaintiff"), and Defendant, US Bank, National Association ("US Bank" or the "Defendant") (collectively, the "Parties"), by and through their undersigned counsel, hereby state and stipulate as follows (this "Stipulation"):

WHEREAS, on June 13, 2019, the Committee filed its *Complaint for Determination of the Validity, Priority, and Extent of Liens and Security Interests* against US Bank in Adversary Proceeding No. 19-01165 [Docket No. 1] (the "Complaint" and the "US Bank Adversary Proceeding");

WHEREAS, on June 13, 2019, the Committee filed its *Complaint for Determination of the Validity, Priority, and Extent of Liens and Security Interests* against UMB Bank, National Association ("UMB") in Adversary Proceeding No. 19-01166 [Docket No. 1] (the "UMB Adversary Proceeding");

WHEREAS, the allegations and the relief sought in the US Bank Adversary Proceeding and in the UMB Adversary Proceeding are substantively identical;

WHEREAS, US Bank will request that the UMB Adversary Proceeding and the US Bank Adversary Proceeding be administratively consolidated, and UMB supports such request;

WHEREAS, US Bank, UMB, and the Committee agreed to proceed simultaneously with mediation and litigation in both the US Bank Adversary Proceeding and in the UMB Adversary Proceeding on an expedited schedule as set forth in the Order entered on August 6, 2019 [Docket No. 16] (the "August 6 Order");

WHEREAS, pursuant to the August 6 Order, the Parties have scheduled a mediation to take place on September 9, 2019; and

WHEREAS, the Committee has informed US Bank and UMB that it intends to amend its Complaint.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, and the Parties request that the Court enter an order in the form of Exhibit A (the "Order"), as follows:

1. The Committee shall have until September 11, 2019 to file an amended complaint (the "Amended Complaint"); Defendant shall file an answer or responsive motion with respect to the Amended Complaint no later than September 30, 2019; Plaintiff shall file any response to any such motion made by Defendant no later than October 17, 2019; and Defendant shall file any reply to Plaintiff's response no later than October 24, 2019.

2. Defendant reserves all rights to answer or respond to the Amended Complaint on any grounds, including, without limitation, the right to contest the timeliness of any challenge, amended claim or cause of action contained in the Amended Complaint.

3. Plaintiff does not waive any right under Federal Rule of Civil Procedure 15 with respect to the Amended Complaint.

4. The Parties shall meet and confer in good faith regarding the remaining deadlines in the August 6 Order.

DATED: August 28, 2019

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EXHIBIT A

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. OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF VERITY HEALTH SYSTEM OF CALIFORNIA, INC., et al., Plaintiff, v. U.S. BANK, NATIONAL ASSOCIATION, Defendant.	Case No.: 2:18-bk-20151-ER Adv. No.: 2:19-ap-01165-ER **ORDER APPROVING STIPULATION EXTENDING TIME TO ANSWER OR OTHERWISE FILE RESPONSIVE MOTION TO COMPLAINT** Complaint Filed: June 13, 2019

The Court having read and considered the Stipulation Extending Time to Answer or Otherwise File Responsive Motion to Complaint [Docket No. __] (the "Stipulation"),[1] and it appearing that good cause exists to approve the Stipulation,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Stipulation is approved.

2. The August 6 Order is hereby amended by this Order.

3. The Committee shall have until September 11, 2019 to file an amended complaint (the "Amended Complaint"); Defendant shall file an answer or responsive motion with respect to the Amended Complaint no later than September 30, 2019; Plaintiff shall file any response to any such motion made by Defendant no later than October 17, 2019; and Defendant shall file any reply to Plaintiff's response no later than October 24, 2019.

IT IS SO ORDERED.

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[1] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Stipulation.