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8
9 **UNITED STATES BANKRUPTCY COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION**

11 In re

12 BEVERLY COMMUNITY HOSPITAL
ASSOCIATION, dba BEVERLY
13 HOSPITAL, a nonprofit public benefit
corporation,¹

14 Debtor.
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Case No. 2:23-bk-12359-SK

Chapter 11

Jointly administered with:

Case No. 2:23-bk-12360-SK

Case No. 2:23-bk-12361-SK

**STIPULATION TO CONTINUE HEARING
ON MOTION FOR RELIEF FROM STAY
BY ELOY SANCHEZ, INDIVIDUALLY
AND AS SUCCESSOR-IN-INTEREST
FOR EVA SANCHEZ; OLGA BAUTISTA;
JOSE SANCHEZ; AND ALVARO
SANCHEZ**

DATE: December 6, 2023

TIME: 8:30 a.m.

PLACE: Courtroom 1575

26 ¹ The debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax
27 identification number, are: Beverly Community Hospital Association d/b/a Beverly Hospital (6005),
Montebello Community Health Services, Inc. (3550), and Beverly Hospital Foundation (9685). The mailing
28 address for the Debtors is 309 W. Beverly Boulevard, Montebello, California 90640.



2312359231121000000000004

- ☒ Affects all Debtors
- ☐ Affects Beverly Community Hospital Association
- ☐ Affects Montebello Community Health Services, Inc.
- ☐ Affects Beverly Hospital Foundation

**TO THE HONORABLE SANDRA KLEIN, UNITED STATES BANKRUPTCY JUDGE,
THE DEBTORS, AND ALL OTHER PARTIES ENTITLED TO NOTICE:**

This Stipulation is entered into by and between, Howard M. Ehrenberg, the duly-appointed and acting chapter 11 trustee ("Trustee") of the bankruptcy estates (collectively the "Estates") of Beverly Community Hospital Association ("Beverly Hospital"), Beverly Hospital Foundation and Montebello Community Health Services, Inc (collectively "Debtors"), on the one hand, and Eloy Sanchez, individually and as successor-in-interest for Eva Sanchez, Olga Bautista, Jose Sanchez and Alvaro Sanchez (collectively, the "Sanchez Parties"), on the other hand. This Stipulation is made with respect to the following factual recitals:

RECITALS

1. On September 15, 2023, the United States Trustee filed the Notice of Appointment of a Chapter 11 Trustee [Docket No. 811] appointing Howard M. Ehrenberg as the Trustee in these chapter 11 cases, which the Court approved [Docket No. 815].

2. On November 14, 2023, the Sanchez Parties filed their motion for relief from the automatic stay (the "Motion"), pursuant to which they seek, among other things, relief from the automatic stay to pursue the post-petition state court lawsuit they filed against Beverly Hospital. The Motion was docketed as Dkt No. 871, and was set for hearing on December 6, 2023 at 8:30 a.m.

3. The Trustee and the Sanchez Parties have agreed to continue the hearing on the Motion such that it is heard on January 24, 2024 at 8:30 a.m.

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1 **WHEREFORE**, the Parties agree and stipulate as follows:

2 A. The hearing on the Motion shall be continued from December 6, 2023 at
3 8:30 a.m. to January 24, 2024 at 8:30 a.m.

4 B. Oppositions to the Motion shall be due on or before January 10, 2024, and
5 replies to any timely filed oppositions shall be due on or before January 17, 2024
6

7 DATED: November 20, 2023

GREENSPOON MARDER LLP

9 By: /s/Mark S. Horoupian

10 Mark S. Horoupian

11 Daniel A. Lev

12 Elissa D. Miller

13 Attorneys for Howard M. Ehrenberg,
Chapter 11 Trustee

14 DATED: November 20, 2023

POLIS & ASSOCIATES, APLC

16 By: 

17 Thomas J. Polis,

18 Attorneys for Movants, Elroy Sanchez, et al.
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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 1875 Century Park East, Suite 1900, Los Angeles, CA 90067.

A true and correct copy of the foregoing document entitled (*specify*): **STIPULATION TO CONTINUE HEARING ON MOTION FOR RELIEF FROM STAY BY ELOY SANCHEZ, INDIVIDUALLY AND AS SUCCESSOR-IN-INTEREST FOR EVA SANCHEZ; OLGA BAUTISTA; JOSE SANCHEZ; AND ALVARO SHANCHEZ** 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*) November 21, 2023 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:

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☐ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (date) _____, 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.

☐ 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.

November 21, 2023

Cheryl Caldwell

/s/Cheryl Caldwell

Date

Printed Name

Signature