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DEC 07 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY may DEPUTY CLERK

Attorneys for Howard M. Ehrenberg, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION

In re

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

Debtor.

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

**ORDER, AFTER HEARING, GRANTING
CHAPTER 11 TRUSTEE'S MOTION FOR
ORDER AUTHORIZING ASSUMPTION
AND ASSIGNMENT OF EXECUTORY
CONTRACTS AND UNEXPIRED
LEASES TO WHITE MEMORIAL
MEDICAL CENTER**

DATE: December 6, 2023

TIME: 9:00 a.m.

PLACE: Courtroom "1575"

[RELATES TO DOCKET NO. 861]

¹ The debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax 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 address for the Debtors is 309 W. Beverly Boulevard, Montebello, California 90640.



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

On December 6, 2023, the “Chapter 11 Trustee’s Motion for Order Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases to White Memorial Medical Center; Memorandum of Points and Authorities; Declaration of Howard M. Ehrenberg in Support Thereof” (the “Motion”) [Docket No. 861], filed by Howard M. Ehrenberg (the “Trustee”), the duly appointed, qualified, and acting chapter 11 trustee for the estates of the jointly administered debtors Beverly Community Hospital Association, dba Beverly Hospital, a nonprofit public benefit corporation (“Beverly Community”), Montebello Community Health Services, Inc. (“Montebello Health”), and Beverly Hospital Foundation (“Beverly Foundation”) (collectively and interchangeably, the “Debtor” or “Debtors”), came on for its regularly scheduled hearing before the Honorable Sandra Klein, United States Bankruptcy Judge, presiding. The Trustee appeared by and through Mark S. Horoupian, Greenspoon Marder LLP. Other appearances as noted on the record of the hearing.

Based on the Motion, the separately filed “Notice of Chapter 11 Trustee’s Motion for Order Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases to White Memorial Medical Center” [Docket No. 862], filed by the Trustee, the memorandum of points and authorities and declaration of Howard M. Ehrenberg filed in support of the Motion, the documents and pleadings on file herein, all judicially noticeable facts, and after finding that notice of the Motion was proper, and after further finding that no oppositions were filed by the Debtors, creditors, or parties in interest, and after further finding that the requirements of 11 U.S.C. § 365(b) concerning the curing of pre-assumption defaults has been satisfied as a condition of the actual

1 assumption and assignment, and after further finding that each of the parties to the
2 assumed and assigned contracts have been or will be provided with adequate assurance
3 of future performance by AHWM, and for the reasons stated by the Court, as reflected in
4 the Court's tentative ruling issued on December 6, 2023, and for good cause appearing
5 therefor,

6 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

7 1. The Motion is granted.
8 2. The executory contracts and unexpired leases set forth in the Motion
9 shall be assumed and assigned to White Memorial Medical Center d/b/a Adventist Health
10 White Memorial ("AHWM") according to the Cure Schedule (as defined in the Motion),
11 provided, however, that the contracts defined as "3M Company/Purchase Order No.
12 074663" and "3M Health Information Systems, Inc./Request for Purchase Order" shall not
13 be assumed and assigned to AHWM in accordance with AHWM's instructions
14 (collectively, the "Assumed Contracts").

15 3. The Trustee and AHWM are authorized to execute any and all
16 documents as are necessary to carry out the terms of this Order. All counter-parties to
17 Assumed Contracts shall cooperate with, and expeditiously execute and deliver upon,
18 any reasonable request of AHWM, and shall not charge AHWM for, any instruments,
19 applications, consents, or other documents that may be required or requested by any
20 governmental unit or other public or quasi-public authority or other party to effectuate the
21 applicable transfers in connection with the assumption and assignment of the Assumed
22 Contracts to AHWM.

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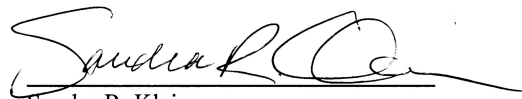
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1 4. The Bankruptcy Court shall retain exclusive jurisdiction to interpret
2 this Order and hear and determine all disputes arising in connection with the Motion and
3 the Order.

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23 Date: December 7, 2023


Sandra R. Klein
United States Bankruptcy Judge