DENTONS US LLP 601 SOUTH FIGUEROA STREET, SUITE 2500 LOS ANGELES, CALIFORNIA 90017-5704 (213) 623-9300

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Borrego Community Health Foundation, the debtor and debtor in possession (prior to the effective date of the Plan (defined below), the "Debtor," and after the effective date, the "Post-Effective Date Debtor") in the above-captioned chapter 11 bankruptcy case, the Liquidating Trustee (the "Liquidating Trustee") of the Borrego Community Health Foundation Liquidating Trust (the "Liquidating Trust"), the Co-Liquidating Trustees of the Liquidating Trust (the "Co-Liquidating Trustees") and Yvonne Kounang (the "Claimant", and collectively with the Post-Effective Date Debtor, the Liquidating Trustee, and the Co-Liquidating Trustees, the "Parties") hereby enter into this Stipulation By and Among the Post-Effective Date Debtor, the Liquidating Trustee, the Co-Liquidating Trustees and Yvonne Kounang Regarding Claim No. 212.

RECITALS

WHEREAS, on September 12, 2022, the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code commencing Case No. 22-02384 (the "Chapter 11 Case") in the United States Bankruptcy Court for the Southern District of California;

WHEREAS, on September 13, 2022, the Bankruptcy Court established November 21, 2022 as the deadline by which parties holding prepetition claims against the Debtor must file proofs of claim (the "Claims Bar Date") [See Docket No. 16].

WHEREAS, on or about February 7, 2023, after the Claims Bar Date, Claimant filed Proof of Claim No. 212 in the amount of \$49,601.37 ("Claim 212"), a copy of which is attached hereto as **Exhibit A**;

WHEREAS, the Liquidating Trust was established pursuant to the First

Amended Joint Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Borrego Community Health Foundation [Docket No. 1168] (the "Plan"), confirmed by the order [Docket No. 1273] entered January 25, 2024 (the "Confirmation Order"), and that certain Liquidating Trust Agreement, dated as of February 14, 2024 (the "Liquidating Trust Agreement");

WHEREAS, the Co-Liquidating Trustees have reviewed the Debtor's books and records and have reconciled Claim 212 to the amount of \$5,925.00 (the "Reconciled Claim Amount").

WHEREAS, Claimant and the Co-Liquidating Trustees are in dispute over Claim 212, both as to the validity of the Reconciled Claim Amount and whether Claimant has sufficient evidence of excusable neglect to avoid having Claim 212 disallowed as late filed.

WHEREAS, the Parties have agreed to resolve their dispute regarding Claim 212 as set forth herein.

STIPULATION

NOW THEREFORE, subject to the approval of the Court, the Parties hereby agree and stipulate as follows:

- 1. Based on the evidence provided by the Claimant, and the fact that Claim 212 was filed after the Claims Bar Date, Claim 212 shall be reduced and allowed as a general unsecured claim in the amount of \$4,443.75 (the "Allowed Claim Amount").
- 2. Claimant shall not file any additional proofs of claim, nor will Claimant amend (or seek to amend) Claim 212.
- 3. Within thirty (30) days of entry of the order approving this Stipulation, and after Claimant has provided a completed W-9 to the Co-Liquidating Trustees, the Liquidating Trust shall pay the Allowed Claim Amount to Claimant pursuant to the Plan.
 - 4. In consideration of the agreements with and value provided herein and

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other good and valuable consideration, the Parties hereby waive, remise, release and forever discharge the other, including each of their respective former and current predecessors, successors, assigns, subsidiaries, parent companies, shareholders, partners, members, managers, investors directors, officers, accountants, attorneys, employees, agents, representatives and servants of, from and against any and all claims, actions, causes of action, suits, proceedings, defenses, counterclaims, contracts, judgments, damages, accounts, reckonings, executions, and liabilities whatsoever of every name and nature, whether known or unknown, whether or not well-founded in fact or in law, and whether in law, at equity or otherwise, which either Party ever had or now has for or by reason of any matter, cause or anything whatsoever to this date, relating to or arising out of the Chapter 11 Case.

5. Each of the Parties to the Stipulation acknowledge that they are familiar with California Civil Code Section 1542 and with respect to the matters released herein, each Party expressly waives any and all rights under California Civil Code Section 1542 and under any other federal or state statute or law of similar effect. California Civil Code Section 1542 provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

6. Claimant hereby warrants that Claimant (a) is authorized and empowered to execute this Stipulation on behalf of the Claimant, (b) has read this Stipulation in its entirety and fully understands and accepts the terms set forth herein, (c) has had an opportunity to consult with legal counsel and any other advisors of Claimant's choice with respect to the terms of this Stipulation, and (d)

is signing this Stipulation on Claimant's own free will.

7. The terms, covenants, conditions, and provisions of this Stipulation cannot be altered, changed, modified, or added to, or deleted from, except in a

writing signed by all parties hereto.

8. This Stipulation may be executed in counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same.

9. The Court shall retain jurisdiction over all matters relating to the interpretation and enforcement of this Stipulation.

Dated: May <u>7</u>, 2025

DENTONS US LLP SAMUEL R. MAIZEL TANIA M. MOYRON

By /s/ Tania M. Moyron
Tania M. Moyron
Attorneys for the Post-Effective Date
Debtor and the Co-Liquidating Trustee

Dated: May <u>7</u>, 2025

PACHULSKI STANG ZIEHL & JONES LLP Jeffrey N. Pomerantz Steven W. Golden

By <u>/s/ Steven W. Golden</u> Steven W. Golden

Attorneys for the Co-Liquidating Trustee

Dated: April ___, 2025 May 2, 2025

Yvonne Kounang

EXHIBIT A

Fill in this infe	ormation to identify the case:	
Debtor	Borrego Community Health F	oundation
United States Ba	ankruptcy Court for the: Southern	District of California (State)
Case number	22-02384	()

Official Form 410

Proof of Claim 04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

P	Identify the Clair	m					
1.	Who is the current creditor?	Yvonne Kounang Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor					
2.	Has this claim been acquired from someone else?	✓ No Yes. From whom?					
3.	Where should notices and	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)				
	payments to the creditor be sent?	Yvonne Kounang 646 Palo Alto Drive					
	Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Redlands, CA 92373					
		Contact phone 909-223-4995	Contact phone				
		Contact email YvonneKounang@yahoo.com	Contact email				
		Uniform claim identifier for electronic payments in chapter 13 (if you use o	one):				
4.	Does this claim amend one already	☑ No					
	filed?	Yes. Claim number on court claims registry (if known)	Filed on				
5.	Do you know if anyone else has filed a proof of claim for this claim?	No Yes. Who made the earlier filing?					

Official Form 410 Proof of Claim

Pa	art 2: Give Information Ab	out the Claim as of the Date the Case Was Filed						
	Do you have any number	☑ No						
	you use to identify the debtor?	Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:						
7.	How much is the claim?	\$ 49601.37 . Does this amount include interest or other charges? No						
		Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).						
8.	What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).						
		Limit disclosing information that is entitled to privacy, such as health care information. Dental services sold						
9.	Is all or part of the claim secured?	No Yes. The claim is secured by a lien on property. Nature or property: Real estate: If the claim is secured by the debtor's principle residence, file a Mortgage Proof of Claim Attachment (Official Form 410-A) with this Proof of Claim. Motor vehicle Other. Describe: Basis for perfection: Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) Value of property:						
10.	Is this claim based on a lease?	No Yes. Amount necessary to cure any default as of the date of the petition. \$						
11.	Is this claim subject to a right of setoff?	No Yes. Identify the property:						

Official Form 410 Proof of Claim

12. Is all or part of the claim entitled to priority under	☑ No		
11 U.S.C. § 507(a)?	Yes. Chec	k all that apply:	Amount entitled to priority
A claim may be partly priority and partly		estic support obligations (including alimony and child support) under S.C. § 507(a)(1)(A) or (a)(1)(B).	¢.
nonpriority. For example, in some categories, the law limits the amount		\$3,350* of deposits toward purchase, lease, or rental of property vices for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$
entitled to priority.	☐ Wage	es, salaries, or commissions (up to \$15,150*) earned within 180	Ψ
	which	before the bankruptcy petition is filed or the debtor's business ends, never is earlier. 11 U.S.C. § 507(a)(4).	\$
	Taxes	s or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$
	Contr	ibutions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$
	Other	Specify subsection of 11 U.S.C. § 507(a)() that applies.	\$
	* Amounts	are subject to adjustment on 4/01/25 and every 3 years after that for cases begun	on or after the date of adjustment.
13. Is all or part of the claim	✓ No		
pursuant to 11 U.S.C. § 503(b)(9)?	days befo	ate the amount of your claim arising from the value of any goods rece re the date of commencement of the above case, in which the goods ry course of such Debtor's business. Attach documentation supporting	have been sold to the Debtor in
	\$		
Part 3: Sign Below			
The person completing this proof of claim must sign and date it. FRBP 9011(b). If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.	I am the trus I am a guara I understand that a the amount of the I have examined to I declare under per Executed on date /s/Yvonne Koosignature	ditor. ditor's attorney or authorized agent. tee, or the debtor, or their authorized agent. Bankruptcy Rule 3004. Intor, surety, endorser, or other codebtor. Bankruptcy Rule 3005. In authorized signature on this <i>Proof of Claim</i> serves as an acknowled claim, the creditor gave the debtor credit for any payments received to the information in this <i>Proof of Claim</i> and have reasonable belief that the enalty of perjury that the foregoing is true and correct. 02/07/2023 MM / DD / YYYYY	ward the debt. e information is true and correct.
	Contact where-	9892234995 Email Vyor	anakaunang@vahoo com

Official Form 410 Proof of Claim

Case 22-02384-LT11 Filed 05/07/25 Entered 05/07/25 11:48:09 Doc 1612 Pg. 10 KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (866) 967-0670 | International (310) 751-2670

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Debtor:		
22-02384 - Borrego Community Health Foundation		
District:		
Southern District of California, San Diego Division		
Creditor:	Has Supporting Docu	umentation:
Yvonne Kounang		g documentation successfully uploaded
646 Palo Alto Drive	Related Document S	tatement:
Redlands, CA, 92373	Has Related Claim:	
Phone:	Related Claim Filed B	3v·
909-223-4995	Related Claim Filed L	sy.
Phone 2:	Filing Party:	
Fax:		
Email:		
YvonneKounang@yahoo.com		
Other Names Used with Debtor:	Amends Claim:	
	No	
	Acquired Claim:	
	No	
Basis of Claim:	Last 4 Digits:	Uniform Claim Identifier:
Dental services sold	No	
Total Amount of Claim:	Includes Interest or 0	Charges:
49601.37	No	
Has Priority Claim:	Priority Under:	
Has Secured Claim:	Nature of Secured A	mount:
No	Value of Property:	mount.
Amount of 503(b)(9):		
No	Annual Interest Rate	:
Based on Lease:	Arrearage Amount:	
No	Basis for Perfection:	
Subject to Right of Setoff:		
No	Amount Unsecured:	
Submitted By:		
Yvonne Kounang on 07-Feb-2023 12:31:06 p.m. Easter	n Time	
Title:	ii iiiio	
DMD		
Company:		
Orange Plaza Dentistry		
Optional Signature Address:		
Yvonne Kounang		
470 Orange St		
Redlands , Ca, 92374		
us		
Telephone Number:		
9092234995		
Email:		
Yvonnekounang@yahoo com		

ADJUSTMENT DAY SHEET

Orange Plaza Dentistry 11/01/2020 - 01/20/2023

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Date: 01/20/2023 Page:

[C] Borrego Write				
Proc Date	Entry Date	BT Prov	Name	
Continued	04/00/0000	4 DENT	MOCOV NANOV	705.00
12/31/2021	01/26/2022	1 DENT	MCCOY, NANCY	-725.00
12/31/2021	01/26/2022	1 HMO2	McCready, Ethan	-19.00
12/31/2021	01/26/2022	1 BRGO	Melville, Charles	-380.00
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12/31/2021	01/26/2022	1 BRGO	MONEY, JUDY	-100.00
12/31/2021	01/26/2022	1 BRGO	Moradi, Omidreza	-390.00
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12/31/2021	01/26/2022		NEGRETE, VERONICA	-204.00 -625.00
12/31/2021	01/26/2022	1 BRGO 1 DENT	Newball, Leonor Noori, Najibullah	-680.00
12/31/2021 12/31/2021	01/26/2022 02/08/2022	1 DENT	Omeal, Laura M	-220.00
12/31/2021	01/26/2022	1 BRGO	OPBROEK, KELLY	-138.00
12/31/2021	02/03/2022	1 DENT	Padilla, Jose	-295.00
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12/31/2021	01/26/2022	1 BRGO	PARLAS, JANI	-100.00
12/31/2021	01/26/2022	1 BRGO	PATEL, AMISHABEN	-130.00
12/31/2021	01/26/2022	1 DDS1	PATTY, ADRIANA	-61.62
12/31/2021	01/26/2022	1 BRGO	PINA, JANET	-140.00
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12/31/2021	01/26/2022	1 BRGO	Siagian, Elfrida	-350.00
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12/31/2021	01/26/2022	1 BRGO	Smith, Alexa	-265.00
12/31/2021	01/26/2022	1 DENT	Solorio, Edgar L	-955.00
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12/31/2021	01/25/2022	1 BRGO	Tallent, Joshua	-475.00
12/31/2021	01/25/2022	1 BRGO	Thomas, Crystal	-760.00
12/31/2021	01/26/2022	1 BRGO	Thompson, Scott K	-182.00
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12/31/2021	01/26/2022	1 BRGO	Vaughan, Candice	-259.40
12/31/2021	01/26/2022	1 BRGO	Weldon, Kai	-139.00
12/31/2021	01/25/2022	1 BRGO	WHEELER, TRACY	-1125.00
12/31/2021	01/26/2022	3 BRGO	White, Vanessa	-390.00
12/31/2021	01/26/2022	1 BRGO	Wilmoth, Derrick A	-120.00
12/31/2021	01/26/2022	1 BRGO	Wilson, Brenna	-180.00
12/31/2021	01/25/2022	14 DENT	Woods, Synetta	-844.00
12/31/2021	01/26/2022	1 DENT	YEE, SABRINA	-475.00
12/31/2021	01/26/2022	1 DENT	Young, Aaron	-475.00
12/31/2021	01/25/2022	1 BRGO	Zakian, Phyllis	-960.00
01/05/2022	01/05/2022	1 DENT	Tribis, Ricky	-560.00
02/03/2022	02/03/2022	4 DENT	TAN, PETER	-285.00

ADJUSTMENT DAY SHEET

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-54.00

-8.85

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[C] Borrego Write	e-Off (-) Entry Date	DT	Prov	Name		Amount	08
	Entry Date	P'_	Prov	<u>name</u>		Amount	_05
Continued 02/08/2022	02/08/2022	3	DDS1	Mian, Judy		-177.60	
02/08/2022	02/08/2022	1	DENT	SOURGOSE, MARIE		-235.00	
03/09/2022	03/09/2022	4	DENT	Qureshi, Arifa		-140.00	
03/09/2022	03/09/2022	14	HMO2	Brown, Sally		-140.00	
03/19/2022	03/16/2022	4	DDS1	Shetley, Daniel		-110.00	
09/09/2022	09/09/2022	1	DDS1	Beltran, Andrew		-165.00	
09/09/2022	09/09/2022	1	BRGO	Beltran, Andrew		-110.00	
09/09/2022	09/09/2022	1	NOUR	Beltran, Andrew		-63.00	
09/09/2022	09/09/2022	4	DDS1	Marvin, Kathleen		-325.00	
09/09/2022	09/09/2022	4	BRGO	Marvin, Kathleen		-10.00	
10/27/2022	10/27/2022	1	BRGO	Vasquez, Gladys		-248.00	
10/2//2022		'_					- —
					TOTAL:	-49601.37	
C] Capitation Wr	rite-Off (-)						
Proc Date	Entry Date	ВТ	Prov	Name		Amount	os
06/30/2021	06/30/2021	4	DENT	ROMO, JARED		-73.00	
09/16/2021	09/16/2021	14	HMO2	HMO, Access Dental		-40.00	
10/27/2021	10/27/2021	1	HOUS	Weisner, Dillon		-65.00	
10/27/2021	10/27/2021	1	MARC	Weisner, Dillon		-98.00	
12/31/2021	02/08/2022	1	HMO2	GOMEZ, STEVE		-238.00	
01/19/2022	01/19/2022	14	HMO2	NGUYEN, LESLIE		-78.00	
01/19/2022	01/19/2022	1	MARC	Uy, Jebron H		-43.00	
					TOTAL:	-635.00	
Cl CareCredit Pr	ovider Adjustme	nt (-)					
Proc Date	Entry Date	BT	Prov	Name		Amount	os
08/05/2021	08/05/2021	3	MARC	WILBUR, DAVID JR		-20.86	
08/05/2021	08/05/2021	3	MARC	WILBUR, RAEANNE		-6.31	
08/05/2021	08/05/2021	3	MARC	WILBUR, SUMMER D		-9.70	
08/06/2021	08/09/2021	1	MARC	Franks, Jadae		-12.26	
08/13/2021	08/13/2021	1	MARC	Macias, Karina		-201.15	
08/20/2021	08/20/2021	1	MARC	AGUIRRE, MIGUEL		-924.96	
08/20/2021	08/20/2021	3	MARC	Dixon, Steven A		-178.20	
08/24/2021	08/24/2021	3	NOUR	Jennifer, Thomas M		-22.67	
08/26/2021	08/26/2021	1	MARC	HULL, JENNIFER		-11.80	
08/31/2021	08/31/2021	3	NOUR	Jennifer, Thomas M		-0.41	
09/02/2021	09/02/2021	1	MARC	HULL, JENNIFER		-20.65	
09/09/2021	09/09/2021	1	MARC	Boswell, Kathleen		-128.70	
09/14/2021	09/16/2021	3	NOUR	Kalapaca, Monica		-56.10	
09/24/2021	09/24/2021	1	MARC	LOZANO, LAWERENCE		-346.50	
09/29/2021	09/29/2021	3	MARC	Kalapaca, Monica		-287.39	
09/30/2021	09/30/2021	1	MARC	AVAKIAN, HERMI		-346.82	
10/01/2021	10/01/2021	1	MARC	Lopez, Jose		-130.68	
10/04/2021	10/04/2021	- 1	KIC M ID	LINATANIC III V		1/1/1/1/	

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EUWJONG, LILY

Mackenzie, Brenda

Ewing, Kathy

Todd, Kayla N

Buck, Donna

Jimenez, Luis H

MEIER, STACI

Egan, Kathleen

Salazar, Leticia C

Ramirez, Cristian

Loewen, Kristopher

Martinez, Bryana M

Copeland, Theora

01/20/2023

Date: