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8 **UNITED STATES BANKRUPTCY COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10 **FRESNO DIVISION**

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12 In re
13 MADERA COMMUNITY HOSPITAL,
14 Debtor in Possession.

15 Tax ID#: 23-7429117
16 Address: 1250 E. Almond Avenue
Madera, CA 93637

Case No. 23-10457
Chapter: 11
DCN: PSJ-025
Date: N/A
Time: N/A
Place: 2500 Tulare Street
Courtroom 13
Fresno, CA 93721
Judge: Honorable René Lastreto II

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19 **DECLARATION OF PAUL S. JASPER IN SUPPORT OF APPLICATION FOR ORDER**
20 **SHORTENING TIME FOR HEARING ON JOINT MOTION OF THE OFFICIAL**
21 **COMMITTEE OF UNSECURED CREDITORS AND AMERICAN ADVANCED**
22 **MANAGEMENT, INC. TO STRIKE OBJECTIONS TO CONFIRMATION FILED BY**
MADERA COALITION FOR COMMUNITY JUSTICE AND CALIFORNIA RURAL
LEGAL ASSISTANCE AND RELATED PLEADINGS

23 I, Paul S. Jasper, hereby declare and represent as follows:

24 1. I am co-counsel to the Official Committee of Unsecured Creditors (the
25 "Committee") and maintain an office at 505 Howard Street, Suite 1000, San Francisco, California
26 94105.

27 2. The Official Committee of Unsecured Creditors (the "Committee") and American
28

1 Advanced Management, Inc. (“AAM” and, together with the Committee, the “Movants”) seek to
2 have the Court approve their *Joint Motion of the Debtor, The Official Committee of Unsecured*
3 *Creditors and American Advanced Management, Inc. to Strike Objections to Confirmation Filed*
4 *by Madera Coalition For Community Justice and California Rural Legal Assistance and Related*
5 *Pleadings* (the “Motion to Strike”) attached hereto as Exhibit A on shortened notice.

6 3. Movants seek authority to notice the hearing on the Motion to Strike for April 11,
7 2024 at 9:30 a.m. and propose to give notice by no later than April 9, 2024 to the prescribed limited
8 notice service list (ECF No. 116) by U.S. mail or E-mail, if known.

9 4. The interests of the Debtor and creditors will be served by shortening time because
10 the Court’s ruling on the Motion to Strike on shortened time will provide clarity to the parties as to
11 whether the Confirmation Hearing¹ will proceed as scheduled on April 16, 2024, potentially saving
12 all parties substantial time and expense (including the cost of travel), and avoiding delay of the
13 Confirmation Hearing caused by an otherwise unnecessary evidentiary hearing.

14 5. Madera Coalition for Community Justice and California Rural Legal Assistance (the
15 “Objectors”) lack standing to object to the Plan because neither of them is a party in interest under
16 section 1109(b) of the Bankruptcy Code as they are not creditors of the Debtor and have no legally
17 protected interest that could be affected by confirmation of the Plan. Even if they had statutory
18 standing to object to the Plan, which they do not, the Objectors also lack constitutional standing to
19 object to the Plan because they do not hold any financial stake in whether the Plan is confirmed.

20 6. The Objectors’ objections and request for an evidentiary hearing are also collaterally
21 estopped because the substance of their objections to confirmation of the Plan was already litigated
22 and denied in connection with the Court’s approval of the AAM Transaction Approval Motion over
23 the Objectors’ objection at the hearing held on February 13, 2024.

24 7. There was only one other objection filed to confirmation of the Plan – an objection
25 filed by California Physicians’ Service dba Blue Shield of California – which Movants believe will
26 be resolved consensually prior to the Confirmation Hearing.

27 _____
28 ¹ Capitalized terms that are used but not defined in this Declaration are defined in the Motion to Strike.

1 8. The Objectors' request for an evidentiary hearing is unnecessary and a waste of
2 judicial resources because the Objectors' objections and request for an evidentiary hearing are
3 improper for the reasons stated above. Moreover, if the Objectors' objections and request for an
4 evidentiary hearing are stricken on an expedited basis, plan confirmation will likely proceed
5 uncontested on April 16, 2024.

6 9. Absent granting this application to shorten time, Movants will not know until the
7 Confirmation Hearing whether that hearing will be continued or move forward, nor whether they
8 must prepare for an evidentiary hearing. As a result, this application for shortened time, if granted,
9 will allow the Motion to Strike to be heard sufficiently in advance of the Confirmation Hearing to
10 allow all parties in interest to plan accordingly.

11 10. For these reasons, Movants seek a hearing on the requested relief as soon as possible
12 and a hearing on shortened time is needed.

13 I declare under penalty of perjury that the foregoing facts are true and correct under the laws
14 of the United States.

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16 DATED: April 8, 2024

PERKINS COIE LLP

17 By: /s/ Paul S. Jasper

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