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13 District Counsel for Tulare Local Healthcare District

14 IN THE UNITED STATES BANKRUPTCY COURT  
 15 EASTERN DISTRICT OF CALIFORNIA  
 16 FRESNO DIVISION

17 In re

18 TULARE LOCAL HEALTHCARE  
 DISTRICT, dba TULARE REGIONAL  
 19 MEDICAL CENTER,

20 Debtor.

21 Tax ID #: 94-6002897  
 Address: 869 N. Cherry Street  
 22 Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC NO.: WW-41

Date: N/A  
 Time: N/A  
 Place: 2500 Tulare Street  
 Fresno, CA 93721  
 Courtroom 13  
 Judge: Honorable René Lastreto II

24 APPLICATION FOR ORDER SHORTENING TIME ON MOTION FOR AUTHORITY TO  
 25 ENTER INTO TRANSACTION INCLUDING BORROWING FUNDS, SALES OF  
 PERSONAL PROPERTY AND PROVIDING SECURITY, ASSUMPTION AND  
 26 ASSIGNMENT OF CONTRACTS AND LEASES AND FOR AUTHORITY TO LEASE  
 REAL PROPERTY PURSUANT TO §§ 105, 362, 364, 365, 901 AND 922

27 TO THE HONORABLE RENÉ LASTRETO II, UNITED STATES BANKRUPTCY

28 JUDGE:

1 The Debtor, Tulare Local Healthcare District, dba Tulare Regional Medical  
2 Center, by and through counsel, respectfully seeks an Order specially setting a hearing  
3 on shortened time on the Debtor's Motion for Authority to Enter into Transaction  
4 including Borrowing Funds and Providing Security, Assumption and Assigning Contracts  
5 and Leases and for Authority to Lease Real Property Pursuant to §§ 105, 362, 364, 365,  
6 901 and 922 as follows:

7 **RELIEF SOUGHT:**

8 The Debtor seeks an Order approving its Motion for Authority to Enter into  
9 Transaction and Borrow Funds and Provide Security, Assumption and Assigning  
10 Contracts and Leases and for Authority to Lease Real Property Pursuant to §§ 105,  
11 362, 364, 365, 901 and 922. Attached as Exhibit A to the Declaration filed herewith in  
12 support of this Application is a copy of the draft proposed Motion showing the relief  
13 sought.

14 The Debtor requests an emergency hearing date.

15 **REASON FOR REQUEST:**

16 The Declaration in Support describes the reason for the requested order.

17 **DATE REQUESTED:** August 2, 2018 at 9:30 a.m.

18 **WHEREFORE,** Debtor requests that this Court enter its Order as follows:

- 19 1. That this Application be granted;
- 20 2. That the time for notice be shortened;
- 21 3. The Debtor shall give notice only to Adventist Health West dba Adventist  
22 Health, California Department of Public Health, all secured creditors and counsel,  
23 trustees on bonds issued by the Debtor, all persons having requested special notice,  
24 the twenty largest unsecured creditors, all persons whose contracts and leases are  
25 being assigned, all taxing authorities, the Debtor, and the U.S. Trustee's Office by July  
26 20, 2018<sup>1</sup>;
- 27 4. The hearing will be held on August 2, 2018 at 9:30 a.m.;

28 <sup>1</sup> A courtesy notice to all creditors will also be given on July 24, 2018 summarizing the Transaction and pointing creditors to the definitive documents.

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5. Debtor shall give notice to the above prescribed parties on or before July 20, 2018, by email or U.S. Mail, postage prepaid<sup>2</sup>;

6. Objections, if any, may be presented:

Up to 1 day prior to

the hearing

7. FRBP 4001(c) provides that a motion to obtain credit be accompanied by a copy of the agreement. The subject motion herein calls for approval of several agreements related to the overall transaction including the credit agreement, security agreement, management services agreement, asset purchase agreement, lease, and other documents related to the transaction. The agreements comprise approximately 250+ pages of documents and the documents are summarized by their material terms within the motion. The Debtor requests that it be allowed to reference each document including the credit agreement by reference to a publically accessible website containing the final or nearly final version of each definitive document, and this be permitted in lieu of the actual service of the credit agreement, lease and other exhibits; and

8. For such other relief as is just and proper.

Dated: July 19, 2018

WALTER WILHELM LAW GROUP,  
a Professional Corporation

By: Riley C. Walter  
Riley C. Walter, Attorneys for Debtor,  
Tulare Local Healthcare District, dba Tulare  
Regional Medical Center

<sup>2</sup> The nearly final Motion and definitive documents have not been approved by the District's board and will not be until the night of August 1, 2018. Thus the Debtor makes the request now so it will be able to post the documents to the website and make the needed copies to be in a position to give notice on July 20, 2018.