

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

August 2, 2021

Christopher M. Wolpert
Clerk of Court

REBECCA SMITH, et al.,

Plaintiffs - Appellees,

v.

THE ALIERA COMPANIES, INC., a
Delaware corporation, f/k/a Alieria
Healthcare Inc.,

Defendant - Appellant,

and

TRINITY HEALTHSHARE INC., a
Delaware corporation, et al.,

Defendants.

No. 21-1185
(D.C. No. 1:20-CV-02130-RBJ)
(D. Colo.)

REBECCA SMITH, et al.,

Plaintiffs - Appellees,

v.

ONESHARE HEALTH LLC, f/k/a Unity
Healthshare, LLC and as Kingdom
Healthshare Ministries, LLC, a Virginia
limited liability corporation,

Defendant - Appellant,

and

THE ALIERA COMPANIES, INC., a
Delaware corporation, f/k/a Alieria

No. 21-1186
(D.C. No. 1:20-CV-02130-RBJ)
(D. Colo.)

Healthcare Inc., et al.,

Defendants.

REBECCA SMITH, et al.,

Plaintiffs - Appellees,

v.

TRINITY HEALTHSHARE INC., a
Delaware corporation,

Defendant - Appellant,

and

ONESHARE HEALTH LLC, f/k/a Unity
Healthshare, LLC and as Kingdom
Healthshare Ministries, LLC, a Virginia
limited liability corporation, et al.,

Defendants.

No. 21-1187
(D.C. No. 1:20-CV-02130-RBJ)
(D. Colo.)

ORDER

Before **MATHESON** and **BACHARACH**, Circuit Judges.

These matters are before the court on: (1) Appellant Trinity Healthshare Inc.'s *Suggestion of Bankruptcy* filed in Appeal No. 21-1187, which the court has construed as a motion to abate these consolidated appeals; (2) Appellant The Alera Companies, Inc.'s response in support of the abatement of these consolidated appeals; (3) Appellant Oneshare Health LLC's response in support of the abatement of these consolidated appeals; and (4) Appellees' response, indicating that they do not object to the abatement

of Appeal No. 21-1187 but do oppose the abatement of Appeal Nos. 21-1185 and 21-1186.

Upon consideration, the court grants the motion to abate as construed. Pending further order of the court, Appeal No. 21-1187 is abated pursuant to 11 U.S.C. § 362, and Appeal Nos. 21-1185 and 21-1186 are abated in the interest of judicial efficiency. All pending deadlines are vacated.

Within 30 days from the date of this order, Appellant Trinity Healthshare Inc. shall file a written report advising this court as to the status of the bankruptcy proceedings and whether the abatement should continue. Any status report shall address, *inter alia*, whether a motion seeking relief from the automatic stay has been filed in the bankruptcy court and the status of any such motion. In addition, within 5 days of an order lifting the automatic stay, or of any other event affecting the abatement of these appeals, Appellant Trinity Healthshare Inc. shall file an appropriate motion or status report with this court.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



By: Candice Manyak
Counsel to the Clerk