

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In Re:

THE ROSEGARDEN HEALTH AND
REHABILITATION CENTER LLC, et al.,

Debtors¹

CHAPTER 7

CASE NO. 18-30623 (AMN)

(Joint Administration)

Re: ECF No. 2051

**TRUSTEE'S STATEMENT IN RESPONSE TO, AND REQUEST FOR HEARING
REGARDING, UNITED STATES OF AMERICA'S AMENDED REQUEST FOR
ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM FOR
MEDICARE OVERPAYMENTS**

Jon Newton, Chapter 7 Trustee (the "Trustee") for the jointly administered estates of The Rosegarden Health and Rehabilitation Center LLC ("Rosegarden") and Bridgeport Health Care Center Inc. ("Bridgeport Health"; together with Rosegarden, the "Debtors"), by and through his counsel, Reid and Riege, P.C., hereby submits his statement in response to, and request for hearing regarding (the "Statement"), the United States of America's Amended Request for Allowance and Payment of Administrative Expense Claim for Medicare Overpayments (the "USA Administrative Claim") and, in support thereof, respectfully represents as follows.

1. On August 23, 2021, the United States of America (the "USA"), on behalf of the Department of Health and Human Services, filed the USA Administrative Claim against Bridgeport Health. The basis of the USA Administrative Claim is alleged post-petition Medicare overpayments of \$67,597.72. In filing the USA Administrative Claim, the USA utilized this

¹ The Debtors in these cases and the last four digits of each Debtor's tax identification number are: The Rosegarden Health and Rehabilitation Center LLC (4423) and Bridgeport Health Care Center Inc. (6665).

Court's contested matter procedure, with a response/objection deadline of September 6, 2021 which, due to the holiday on that date, makes today as the actual response date.

2. By his Statement, and to comply with the contested matter procedure, the Trustee submits that he needs, on his end, to confirm the allegations set forth in the USA Administrative Claim – more specifically, the alleged overpayments of \$67,597.72. In addition, while the Trustee believes he understands the relief requested by the USA, he wishes to confirm that as well. Accordingly, the Trustee hereby requests that the Court schedule a hearing on the USA Administrative Claim so that relief will not simply enter as part of the Court's contested matter procedure, and the Trustee will have an opportunity to perform due diligence in connection with a hearing.

WHEREFORE, the Trustee requests this Court to schedule to a hearing on the USA Administrative Claim prior to the entry of the requested relief, and to grant the Trustee such other and further relief as is just and equitable.

Dated at Hartford, Connecticut this 7th day of September, 2021.

JON NEWTON, TRUSTEE

By /s/ Jon P. Newton

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