

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

In re:	:	
	:	Chapter 7
THE ROSEGARDEN HEALTH AND REHABILITATION CENTER, LLC,	:	Case No. 18-30623 (AMN)
	:	
BRIDGEPORT HEALTHCARE CENTER INC.,	:	Joint Administration
	:	
Debtors.	:	September 29, 2021

**MOTION TO CONTINUE HEARING ON AMENDED APPLICATION FOR
ADMINISTRATIVE EXPENSES (ECF NO. 2051)**

The United States of America, by and through its attorneys, on behalf of the U.S. Department of Health and Human Services (the “United States”) hereby moves to continue the hearing on its Amended Application for Allowance and Payment of the Administrative Expense Claim for Medicare Overpayments in the above-captioned case. In support of this motion, undersigned counsel for the United States respectfully submits the following:

1. On August 23, 2021, the United States filed an Amended Request for Allowance and Payment of Administrative Expense Claims on behalf of the U.S. Department of Health and Human Services (“HHS”). See ECF No. 2051 (“USA Administrative Claim”).

2. On September 7, 2021, the Chapter 7 Trustee filed a Statement in Response to the USA Administrative Claim. See ECF No. 2056. In his Statement, the Trustee indicated that he needed to confirm the allegations set forth in the USA Administrative claim, including the overpayments of \$67,597.72 alleged by HHS, and to

better understand the relief requested by the USA. *Id.* at 2. The Trustee asked the Court to 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.” *Id.*

3. On September 8, 2021, the Court issued a Notice of Hearing with respect to the USA Administrative Claim. See ECF No. 2057. The hearing is scheduled for October 6, 2021. *Id.*

4. Since the issuance of the Notice of Hearing, the undersigned counsel has had discussions with the Chapter 7 Trustee along with Regional Counsel for HHS with a view towards satisfying the Trustee’s concerns regarding HHS’s administrative claim. Discussions are ongoing.

5. The undersigned counsel requests a continuance of the hearing scheduled for October 6, 2021 in the hopes that the USA and the Trustee may reach a resolution with respect to the Trustee’s concerns.

6. The Chapter 7 Trustee has given his consent to the continuance sought by the United States.

WHEREFORE, the United States requests that the hearing scheduled for October 6, 2021 be continued to a future date convenient to the Court.¹

¹ Undersigned counsel has not yet served the Notice of Hearing as required by the Court (ECF No. 2057) and will refrain from doing so in light of this motion for continuance.

Respectfully submitted,

LEONARD C BOYLE
ACTING UNITED STATES ATTORNEY

/s/ Lauren M. Nash

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	:	
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CERTIFICATION OF SERVICE

I hereby certify that on September 29, 2021, a copy of the foregoing **MOTION TO CONTINUE HEARING ON AMENDED APPLICATION FOR ADMINISTRATIVE EXPENSES (ECF NO. 2051)** was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Lauren M. Nash

LAUREN M. NASH, ct01705
ASSISTANT UNITED STATES ATTORNEY