

Hearing Date and Time: August 30, 2012, at 11:00 a.m. Eastern Standard Time
Response Deadline: August 23, 2012, at 12:00 p.m. Eastern Standard Time

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Counsel for the Liquidating Trustee

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

| | | |
|---|---|-------------------------|
| ----- | X | |
| | : | |
| In re: | : | Chapter 11 |
| | : | |
| SAINT VINCENTS CATHOLIC MEDICAL | : | Case No. 10-11963 (CGM) |
| CENTERS OF NEW YORK, <u>et al.</u> , ¹ | : | |
| | : | |
| Debtors. | : | Jointly Administered |
| | : | |
| ----- | X | |

**NOTICE OF THIRTY-FIFTH OMNIBUS
OBJECTION OF POST-EFFECTIVE DATE SVCMC
AND THE LIQUIDATING TRUSTEE TO CERTAIN CLAIMS**

(TIER I – CLAIMS THAT CONTRADICT THE DEBTORS' BOOKS AND RECORDS)

¹ In addition to SVCMC, the Debtors in these cases were as follows: (i) 555 6th Avenue Apartment Operating Corporation; (ii) Bishop Francis J. Mugavero Center for Geriatric Care, Inc.; (iii) Chait Housing Development Corporation; (iv) Fort Place Housing Corporation; (v) Pax Christi Hospice, Inc.; (vi) Sisters of Charity Health Care System Nursing Home, Inc. d/b/a St. Elizabeth Ann's Health Care & Rehabilitation Center; (vii) St. Jerome's Health Services Corporation d/b/a Holy Family Home; and (viii) SVCMC Professional Registry, Inc. (the "**Debtors**"). There are certain affiliates of SVCMC who were not Debtors.

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. Post-Effective Date SVCMC² and Eugene I. Davis, as trustee (the “**Liquidating Trustee**” and, together with Post-Effective Date SVCMC, the “**Movants**”) of Saint Vincents Catholic Medical Centers of New York Liquidating Trust (the “**Liquidating Trust**”) have filed the Thirty-Fifth Omnibus Objection of Post-Effective Date SVCMC and the Liquidating Trustee to Certain Claims (the “**Objection**”). You are receiving this notice because **your claim may be reduced and allowed, reclassified, or expunged as a result of the Objection. Therefore, you should read this notice, the Objection, and the proposed order carefully because your rights may be impacted.** If you do not have an attorney, you may wish to consult one.

2. A hearing (the “**Hearing**”) on the Objection will be held on **August 30, 2012, at 11:00 a.m., prevailing Eastern Time**, before the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004-1408. Please note that the specific courtroom will be assigned before the hearing and will be posted by a notice on the Bankruptcy Court’s docket.

3. If one or more of your claims are identified on **Exhibit A** to the Objection, it is the Movants’ position that you have not asserted a valid claim for the reasons set forth in the Objection. If you disagree with the Objection’s treatment of your claim(s), you or your attorney **must** file a written response (a “**Response**”) to the Objection with the Clerk of the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004-1408 and **serve the Response so that it is actually received** by the following parties: (i) Post-Effective Date SVCMC’s attorneys at Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036, Attn: Gregory G. Plotko, Esq.; (ii) the Liquidating Trustee’s attorneys at Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, New York 10036, Attn: David H. Botter, Esq. and Akin Gump Strauss Hauer & Feld LLP, 1700 Pacific Ave., Suite 4100, Dallas Texas 75201, Attn: Sarah Link Schultz; and (iii) the parties on the Special Service List in these cases, established under the First Amended Final Administrative Order Establishing Case Management and Scheduling Procedures [Docket No. 835] (as it may be further amended, the “**Case Management Order**”), **no later than August 23, 2012, at 12:00 p.m. prevailing Eastern Time** (the “**Response Deadline**”). A copy of the Case Management Order and the addresses for the parties on the Special Service List can be obtained at SVCMC’s website at <http://www.svcmcrestructuring.com>.

***** Your failure to file a timely Response may result in the waiver of your rights to contest to the relief sought in the Objection. *****

4. Any Response must be in writing and contain, at a minimum, the following:

- ◆ The approved case caption (indicating the date of the Hearing or an initial status conference in the upper right-hand corner) and the title of the Objection to which the Response is directed (e.g., “Response to Thirty-Fifth Omnibus Objection of Movants to Certain Claims”);

² Unless otherwise noted, capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

- ◆ The name of the claimant (i.e., you) and a statement describing the basis for the amount of its underlying proof of claim;
- ◆ A concise statement setting forth the reasons why the Court should not approve the Objection, including, but not limited to, the factual and legal grounds for your opposition to the Objection;
- ◆ A copy of any documentation or other evidence in support of the Claim that you will rely upon in opposing the Objection at the Hearing, to the extent that such documentation or evidence was not included with your proof(s) of claim;
- ◆ The name(s), address(es), telephone number(s), facsimile number(s) and email address(es) of the person(s) to whom the Movants should serve a reply to the Response (i.e., you and/or your legal representative); and
- ◆ To facilitate a resolution of Objections, you are encouraged to furnish the Movants with the name(s), address(es), telephone number(s), facsimile number(s) and email addresses of the person(s) with the authority to reconcile, settle or otherwise resolve the Objection on your behalf, if any.

5. Only those Responses made in accordance with the above-referenced requirements and received by the Court, SVCMC's counsel, the Liquidating Trustee's counsel, and the parties on the Special Service List on or before the Response Deadline will be considered by the Court at the Hearing. **If you do not timely file and serve the Response in accordance with the above-referenced procedures, the Court may enter an order granting the relief requested in the Objection without further notice or hearing.** If you file a Response and the Objection is not otherwise resolved, the Objection will be presented to the Court at the Hearing.

6. You may obtain copies of a proof of claim from the website maintained by the Movants' noticing and claims agent, Epiq Systems ("Epiq") at <http://www.svcmcrestructuring.com>. You can search for the desired proof of claim using the Claimant's name or the claim number. If you do not have access to the Internet, you can request a copy of any proof of claim, pleading or service list from Epiq by calling the SVCMC Information Line at 866-778-1023.

7. The Objection falls within the "Tier I Objection" category described in Exhibit A ("**Claims Objection and Settlement Procedures**") to the Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 3007 and 9019(b) Approving the Debtors' (i) Claims Objection Procedures and (ii) Settlement Procedures, entered on April 11, 2011 [Docket No. 1552] (the "**Claims Order**"), and is governed by the procedures covering Tier I Objections set forth therein. A copy of the Claims Order and the Claims Objection and Settlement Procedures can be obtained at SVCMC's website at <http://www.svcmcrestructuring.com>.

8. Nothing in this Notice or the Objection constitutes a waiver of the Movants' right to assert any claims, counterclaims, rights of offset or recoupment, or any other bankruptcy claims against you. The Movants reserve the right to assert additional objections to your proof(s) of claim.

Dated: July 30, 2012
New York, New York

KRAMER LEVIN NAFTALIS & FRANKEL LLP

/s/ Adam C. Rogoff

Kenneth H. Eckstein

Adam C. Rogoff

P. Bradley O'Neill

Gregory G. Plotko

1177 Avenue of the Americas

New York, New York 10036

Telephone: (212) 715-9100

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- and -

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/s/ David H. Botter

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| Debtors. | : | Jointly Administered |
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**THIRTY-FIFTH OMNIBUS
OBJECTION OF POST-EFFECTIVE DATE SVC MC
AND THE LIQUIDATING TRUSTEE TO CERTAIN CLAIMS**

(TIER I – CLAIMS THAT CONTRADICT THE DEBTORS’ BOOKS AND RECORDS)

¹ In addition to SVC MC, the Debtors in these cases were as follows: (i) 555 6th Avenue Apartment Operating Corporation; (ii) Bishop Francis J. Mugavero Center for Geriatric Care, Inc.; (iii) Chait Housing Development Corporation; (iv) Fort Place Housing Corporation; (v) Pax Christi Hospice, Inc.; (vi) Sisters of Charity Health Care System Nursing Home, Inc. d/b/a St. Elizabeth Ann’s Health Care & Rehabilitation Center; (vii) St. Jerome’s Health Services Corporation d/b/a Holy Family Home; and (viii) SVC MC Professional Registry, Inc. (the “**Debtors**”). There are certain affiliates of SVC MC who were not Debtors.

Post-Effective Date SVCMC and Eugene I. Davis, as trustee (the “**Liquidating Trustee**” and, collectively with Post-Effective Date SVCMC, the “**Movants**”) of Saint Vincents Catholic Medical Centers of New York Liquidating Trust (the “**Liquidating Trust**”)², make this objection (“**Objection**”) to certain claims and respectfully represent as follows³:

BACKGROUND

1. On April 14, 2010 (the “**Petition Date**”), each Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code (the “**Chapter 11 Cases**”). During the course of their Chapter 11 Cases, the Debtors operated their businesses as debtors in possession.

2. On June 14, 2010, the Debtors filed their schedules of assets and liabilities and statements of financial affairs (as amended thereafter, collectively, the “**Schedules**”).

3. On August 20, 2010, the Court entered an order [Docket No. 773] (the “**Bar Date Order**”) fixing October 12, 2010 as the deadline to file proofs of claim by all creditors against the Debtors for prepetition liabilities (the “**General Bar Date**”). Thereafter, notice of the General Bar Date (the “**Bar Date Notice**”) was served on all known creditors and potential creditors. The Bar Date Notice was also published on September 10, 2010 in the New York Times and the New York Post.

4. To date, more than 4,700 unsecured, secured, priority, and administrative proofs of claim (collectively, the “**Claims**,” the holdings of which being the “**Claimants**”) have been filed in these cases, including late filed Claims, with asserted liabilities in excess of \$7.4 billion, plus unliquidated amounts. In addition, approximately 14,000 additional unsecured, secured,

² Pursuant to section 8.1 of the Plan, the Liquidating Trustee, in consultation with Post-Effective Date Committee, has the exclusive right to file, prosecute, resolve and otherwise deal with objections to Claims. Pursuant to section 6.10 of the Plan, Post-Effective Date SVCMC is authorized to assist the Liquidating Trustee in the reconciliation and administration of Claims.

³ Unless otherwise noted, capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Claims Objection and Settlement Procedures (as defined below).

priority and administrative Claims are identified in the Schedules (collectively, the “**Scheduled Claims**”).

5. On April 11, 2011, the Court entered the Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 3007 and 9019(b) Approving the Debtors’ (i) Claims Objection Procedures and (ii) Settlement Procedures [Docket No. 1552] (the “**Claims Order**”). Among other things, Exhibit A of the Claims Order (the “**Claims Objection and Settlement Procedures**”) established procedures for the filing and prosecution of objections to Claims filed or scheduled in these Chapter 11 Cases. Pursuant to the Claims Objection and Settlement Procedures, the Movants are required to first send a letter attempting to resolve any potential objections before making a formal objection (an “**Informal Objection Letter**”).

6. On June 29, 2012, the Bankruptcy Court entered an order approving the Debtors’ Second Amended Joint Chapter 11 Plan [Docket No. 3060] (the “**Plan**”). The Plan effective date (the “**Effective Date**”) occurred on June 29, 2012. The Liquidating Trustee was appointed pursuant to the Plan as of the Effective Date.

7. The Movants have reviewed the Debtors’ books and records with respect to certain of the Claims. Based on this review, the Movants determined that the Debtors’ books and records reflect that there is no record of certain of the Claims. In compliance with the Claims Objection and Settlement Procedures, the Movants have mailed Informal Objection Letters to the Claimants covered by this Objection. The Informal Objection Letters described the Movants’ objection to the applicable Claim and requested that the Claimant either (a) agree to expunge the Claim(s) as set forth in the letter or (b) provide a written response or further documentation to support the validity of the Claim. Certain Claimants did not respond or provide further

documentation regarding the Informal Objection Letters described above. Therefore, the Movants hereby object to such Claims.

JURISDICTION

8. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

REQUESTED RELIEF

9. The Movants seek entry of an order pursuant to section 502(b) of title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) disallowing and expunging the Disputed Claims found on **Exhibit A** from the Debtors’ claims register. A proposed form of order is attached as **Exhibit B** hereto (the “**Proposed Order**”).

BASIS FOR OBJECTION

10. The Movants are engaged in the highly detailed process of reconciling in excess of 4,700 Claims filed against the Debtors’ estates. As part of the Claims reconciliation process, the Movants have identified certain proofs of Claim that they believe should be expunged. Specifically, pursuant to sections 502(b), 503(b) and 507(a)(4) of the Bankruptcy Code and Bankruptcy Rules 3001 and 3007, the Movants hereby object to the Disputed Claims and seek entry of an order expunging each of the Disputed Claims as indicated below.

11. A filed proof of claim is deemed allowed unless a party in interest objects thereto. See 11 U.S.C. § 502(a); see also id. § 1111(a) (“A proof of claim . . . is deemed filed under section 501 of this title for any claim . . . that appears in the schedules . . . except a claim . . . that is scheduled as disputed, contingent, or unliquidated.”). If an objection refuting at least one of the claim’s essential allegations is asserted, the claimant has the burden to demonstrate validity

of the claim. See, e.g., Sherman v. Novak (In re Reilly), 245 B.R. 768, 773 (2d Cir. BAP 2000); In re Rockefeller Ctr. Props., 272 B.R. 524, 539 (Bankr. S.D.N.Y. 2000); In re St. Johnsbury Trucking Co., 206 B.R. 318, 323 (Bankr. S.D.N.Y. 1997).

12. Bankruptcy Rule 3007 expressly permits omnibus claim objections when the grounds for the objections are that the claims should be disallowed, in whole or in part, because:

(1) they duplicate other claims; (2) they have been filed in the wrong case; (3) they have been amended by subsequently filed proofs of claim; (4) they were not timely filed; (5) they have been satisfied or released during the case in accordance with the Code, applicable rules, or a court order; (6) they were presented in a form that does not comply with applicable rules, and the objection states that the objector is unable to determine the validity of the claim because of the noncompliance; or (7) they are interests, rather than claims; or (8) they assert priority in an amount that exceeds the maximum amount under § 507 of the Code.

Fed. R. Bankr. P. 3007(d).

13. The Bar Date Order provides that each proof of claim must include supporting documentation, or if voluminous, a summary or explanation as to why documentation is not available. Absent such documentation, a proof of claim lacks prima facie validity. Ashford v. Consolidated Pioneer Mortgage (In re Consolidated Pioneer Mortgage), 178 B.R. 222, 226 (9th Cir. BAP 1995), aff'd, 91 F.3d 151 (9th Cir. 1996); In re Taylor, 363 B.R. 303, 308 (Bankr. M.D. Fla. 2007) (“Attaching supporting documentation is mandatory prerequisite to establishing a claim’s prima facie validity”). For a proof of claim to be legally sufficient, it must (a) “be in writing;” (b) “make a demand upon the debtor’s estate;” (c) “express the intent to hold the debtor liable for the debt;” (d) “be properly filed;” and (e) “be based upon facts [that] would allow, as a matter of equity, . . . the document [to be] accepted as a proof of claim.” First Nat’l Bank of Fayetteville, Ark. V. Circle J. Dairy, Inc. (In re Circle J Dairy, Inc.), 112 B.R. 297, 299-300 (Bankr. W.D. Ark. 1990).

14. Following a thorough review of the Disputed Claims, the Movants have determined that the Disputed Claims identified on Exhibit A do not comport with the Debtors' books and records and, as such, are not entitled to receive any distribution should be disallowed and expunged in their entirety.

15. Even after the Movants reached out the Claimants holding these Claims (e.g., through the Informal Objection Letters) to request that they provide documentation or other forms of evidence to support their Claims, the Movants did not receive a response or sufficient documentation from such Claimants. Thus, the Movants request that the Court enter an order disallowing and expunging the Disputed Claims found on Exhibit A from the Debtors' claims register.

RESERVATION OF RIGHTS

16. To the extent not expunged by this Objection, the Movants reserve the right to object to all Disputed Claims on any and all other factual or legal grounds (whether or not covered by this Objection). Without limiting the generality of the foregoing, the Movants specifically reserve the right to amend this Objection, file additional papers in support of this Objection or take other appropriate actions, including to (a) respond to any allegation or defense that may be raised in a Response filed in accordance with the Claims Objection and Settlement Procedures by or on behalf of any of the Claimants or other interested parties; (b) object further to any documentation for which a Claimant provides (or attempts to provide) additional documentation or substantiation; (c) object further to any documentation based on additional information that may be discovered upon further review by the Movants or through discovery pursuant to the applicable provisions of Part VII of the Bankruptcy Rules and Section II.C of the Claims Objection and Settlement Procedures; and (d) in the event the Movants deem it necessary, re-designate this Objection as a Tier II Objection as to any particular Claim.

NOTICE

This Objection is designated as a Tier I Objection under the Claims Objection and Settlement Procedures. Under the Claims Objection and Settlement Procedures, notice of this Objection has been served upon (a) the party whose name appears in the address and notice block for each of the Disputed Claims' documentation; (b) the parties identified on the Special Service List in these cases, established under the First Amended Final Administrative Order Establishing Case Management and Scheduling Procedures [Docket No. 835] (as it may be further amended, the "**Case Management Order**"); and (c) the parties on the General Service List in these cases, established under the Case Management Order. The method of service conformed to the requirements set forth in the Case Management Order. The Movants submit that no other or further notice need be provided.

WHEREFORE, the Movants respectfully request that the Court (i) enter an order, substantially in the form attached hereto as **Exhibit B** disallowing and expunging the Disputed Claims as specified in **Exhibit A** and (ii) grant such other and further relief to the Movants as the Court may deem proper.

Dated: July 30, 2012
New York, New York

KRAMER LEVIN NAFTALIS & FRANKEL LLP

/s/ Adam C. Rogoff

Kenneth H. Eckstein

Adam C. Rogoff

P. Bradley O'Neill

Gregory G. Plotko

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Counsel for the Liquidating Trustee

EXHIBIT A

Disputed Claims¹

¹ Where no amount is listed under the heading “Expunged Claim Amount” in the attached Exhibit, the filed Claim either did not specify an amount for the Claim or was listed as unliquidated.

In re Saint Vincents Catholic Medical Centers of new York et al. (Lead Case No. 10-11963)

Thirty-Fifth Omnibus Claims Objection

Expunged Claims

| | Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|----|---|--------------------------|----------------|--------------------|-----------------------|-------|--------------|---------------|
| | | | | | Secured | Admin | Priority | Unsecured |
| 1 | ABBRUZZESE, PATRICIA 283 ROSS AVENUE STATEN ISLAND, NY 10306 | 1658 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 196,128.51 |
| 2 | ABI SAAB, PATTY 257 VAN DUZER ST PO BX 40070 STATEN ISLAND, NY 10304 | 4420 | 10-11969 | Sisters of Charity | | | \$ 1,605.31 | \$ 532.51 |
| 3 | ACOSTA, MARY 51 WINTHROP STREET LYNBROOK, NY 11563 | 3657 | 10-11963 | SVCMC | | | \$ 1,875.00 | \$ 1,698.11 |
| 4 | ADLAWAN, VICTORIA 3702 AVENUE P BROOKLYN, NY 11234 | 2583 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 5 | AFXENDIOU, SOPHIA 931 RICHMOND RD STATEN ISLAND, NY 10304 | 1809 | 10-11969 | Sisters of Charity | | | | \$ - |
| 6 | AGUSTIN, ELVIRA T 790 WESTMINSTER RD FL 1 BROOKLYN, NY 11230-2402 | 3731 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 7 | ALBA, ESMERALDA 93 FEATHERBED LANE # 5E BRONX, NY 10452 | 672 | 10-11963 | SVCMC | | | \$ 41.69 | |
| 8 | ALI, FRANK 59 VILLA AV YONKERS, NY 10704 | 2904 | 10-11963 | SVCMC | | | \$ 11,725.00 | |
| 9 | ANDREWS, EILEEN M. 162 ELLISON AVE BRONXVILLE, NY 10708 | 3571 | 10-11963 | SVCMC | | | \$ 713.30 | \$ 713.30 |
| 10 | ANTOINE, HENRY 169-08 107TH AVENUE JAMAICA, NY 11433 | 1494 | 10-11963 | SVCMC | | | \$ 2,014.23 | |
| 11 | ARGENTINA, MARGARET 83 CARROLLWOOD DRIVE TARRYTOWN, NY 10591 | 698 | 10-11963 | SVCMC | | | \$ 2,723.59 | |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|--|--------------------------|----------------|--------------------|-----------------------|-------|-----------|--------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 12 AVERACK, PATRICIA 16 BROWN PLACE STATEN ISLAND, NY 10305 | 3484 | 10-11969 | Sisters of Charity | | | | \$ - |
| 13 AWOBAJO, OLAWUNMI 1834 CATON AVENUE 6-L BROOKLYN, NY 11226 | 2486 | 10-11969 | Sisters of Charity | | | | \$ - |
| 14 BAEZ, EVELYN 50 DEBEVOISE AVE APT 2E BROOKLYN, NY 11211 | 576 | 10-11963 | SVCMC | | \$ | 11,725.00 | \$ 13,993.00 |
| 15 BAGBY, DOROTHY 66 LINCOLN AVENUE WHITE PLAINS, NY 10606 | 663 | 10-11963 | SVCMC | | \$ | 2,708.33 | \$ 801.34 |
| 16 BAGGETT, SARAH M. 4265A HARTFORD ST SAINT LOUIS, MO 63116-1905 | 2575 | 10-11969 | Sisters of Charity | | | | \$ - |
| 17 BAILEY, DONNA M. 10 HEMINWAY AVENUE NEW ROCHELLE, NY 10801 | 1092 | 10-11963 | SVCMC | | \$ | 1,504.53 | \$ 176.97 |
| 18 BARATTA, KATHLEEN M. 290 BRIGHTON AVE STATEN ISLAND, NY 10301 | 2720 | 10-11969 | Sisters of Charity | | | | \$ 472.24 |
| 19 BELLO, AHMED 92 ROBERT LANE STATEN ISLAND, NY 10301 | 2310 | 10-11963 | SVCMC | | \$ | 2,048.07 | \$ 44.80 |
| 20 BELTRAN, JOAN PO BOX 140479 STATEN ISLAND, NY 10314-0479 | 720 | 10-11966 | Chait Housing | | \$ | 11,725.00 | \$ 775.00 |
| 21 BENDICK, DANUTA 588 11TH STREET BROOKLYN, NY 11215 | 2529 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 22 BEYER, ELYSE 22 CRESTVIEW DRIVE PLEASANTVILLE, NY 10570 | 1621 | 10-11963 | SVCMC | | \$ | 450.84 | |
| 23 BLACK, PAULA 342 HUDSON WALK 2A BROOKLYN, NY 11201 | 2936 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 24 BLACKBURN, MICHELE 87 AUTUMN DRIVE POUGHKEEPSIE, NY 12603 | 2286 | 10-11963 | SVCMC | | | | \$ - |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|---|--------------------------|----------------|--------------------|-----------------------|-------|--------------|--------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 25 BLAKE, SARAH 53 CARPENTER AVE APT A MOUNT KISCO, NY 10549-4418 | 1467 | 10-11963 | SVCMC | | | \$ 878.28 | \$ 112.43 |
| 26 BLOSS, JOSEPH 351 COLUMBUS AVENUE VALHALLA, NY 10595 | 3957 | 10-11969 | Sisters of Charity | | | | \$ - |
| 27 BONNET, MICKAELE 34 BRADLEY AVE 1ST FLOOR STATEN ISLAND, NY 10314 | 869 | 10-11969 | Sisters of Charity | | | | \$ - |
| 28 BREWER, DANA J 8205 15TH AVENUE BROOKLYN, NY 11228 | 861 | 10-11963 | SVCMC | | | \$ 7,563.23 | \$ 4,969.30 |
| 29 BROCKETT, CAROLYN 9 BARNES LANE E NORTHPORT, NY 11731 | 2582 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 30 BROWN, BERNADETTE 107 MILTON AVENUE STATEN ISLAND, NY 10306 | 3815 | 10-11969 | Sisters of Charity | | | \$ 944.72 | |
| 31 BRUNO, MARIA 160 OAKLAND AVE STATEN ISLAND, NY 10310 | 2922 | 10-11963 | SVCMC | | | | \$ - |
| 32 BRUNO, MOISE 1136 EAST 87TH STREET BROOKLYN, NY 11236 | 4141 | 10-11965 | Bishop Mugavero | | | \$ 394.33 | |
| 33 BUGAYENKO, IRINA 137 NORTH 8TH STREET APT 4 BROOKLYN, NY 11211 | 3939 | 10-11969 | Sisters of Charity | | | | \$ - |
| 34 BURCALOW, ERIN 402 COLUMBUS AVENUE WEST HARRISON, NY 10604 | 1971 | 10-11963 | SVCMC | | | | \$ - |
| 35 BURFEIND, WILLIAM 54 BARTON AVENUE STATEN ISLAND, NY 10306 | 971 | 10-11969 | Sisters of Charity | | | | \$ - |
| 36 BURTON-MCGEACHY, SHANIQUE 909 MAPLE LEAF DRIVE MCDONOUGH, GA 30253 | 3368 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 11,851.87 |
| 37 CALDAROLA, MAURA 94 STRATFORD AVENUE WHITE PLAINS, NY 10605 | 1047 | 10-11963 | SVCMC | | | | \$ - |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|---|--------------------------|----------------|--------------------|-----------------------|-------|-------------|--------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 38 CANGRO, ELIZABETH 11 WADSWORTH AVE. STATEN ISLAND, NY 10305 | 3761 | 10-11969 | Sisters of Charity | | | \$ 506.80 | |
| 39 CAPUANO, ROLAND P.O. BOX 193 ARMONK, NY 10504 | 2057 | 10-11963 | SVCMC | | | \$ 502.76 | |
| 40 CARLINO, ROSEMARIE 1036 RENSSELAER AVE STATEN ISLAND, NY 10309 | 823 | 10-11969 | Sisters of Charity | | | | \$ - |
| 41 CARTAGENA, YOUNING M 3G DELMAR AVE. STATEN ISLAND, NY 10312 | 2074 | 10-11969 | Sisters of Charity | | | | \$ 2,712.00 |
| 42 CARUCCI, KIMBERLY 105 FREEDOM AVE 1-D STATEN ISLAND, NY 10314 | 1447 | 10-11963 | SVCMC | | | \$ 2,833.33 | \$ 3,595.39 |
| 43 CASTRO, ELIZABET 106 LAGUARDIA AVE STATEN ISLAND, NY 10314 | 2644 | 10-11963 | SVCMC | | | | \$ - |
| 44 CHARLES, SHURLA A. 36 PAERDEGAT 2ND STREET BROOKLYN, NY 11236 | 3684 | 10-11963 | SVCMC | | | | \$ - |
| 45 CHASE, PAUL F. 1761 VICTORIA STREET BALDWIN, NY 11510 | 2726 | 10-11963 | SVCMC | | | \$ 6,140.17 | \$ 12,481.10 |
| 46 CHEN, MARGARITA 50-14 185TH STREET FRESH MEADOWS, NY 11365 | 2099 | 10-11963 | SVCMC | | | \$ - | |
| 47 CHOJNOWSKA, JANINA 65 BAY 19 ST 4C BROOKLYN, NY 11214 | 2909 | 10-11965 | Bishop Mugavero | | | \$ 1,343.65 | \$ 1,321.26 |
| 48 CIKANA, JANET 362 HAWTHORNE DR STATEN ISLAND, NY 10314 | 2911 | 10-11965 | Bishop Mugavero | | | \$ 5,375.00 | |
| 49 CIKANA, JANET 362 HAWTHORNE AVE STATEN ISLAND, NY 10314 | 2910 | 10-11965 | Bishop Mugavero | | | \$ 3,628.33 | \$ 4,402.82 |
| 50 COLAIACOVO, RINA 122 CATSKILL AVENUE YONKERS, NY 10704 | 1790 | 10-11963 | SVCMC | | | \$ 3,242.12 | |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|---|--------------------------|----------------|--------------------|-----------------------|-------|-------------|-------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 51 COLEY, CLAYTON 506 E 35 ST BROOKLYN, NY 11203 | 2327 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 52 COLON, HEIDI 740 AVENUE Y BROOKLYN, NY 11235 | 3656 | 10-11963 | SVCMC | | | \$ 1,584.38 | \$ 1,416.09 |
| 53 CONA, JOANN 15 DELL COURT STATEN ISLAND, NY 10307 | 848 | 10-11963 | SVCMC | | | | \$ - |
| 54 CONA, LILLIAN 20 BANCROFT AVE STATEN ISLAND, NY 10306 | 1280 | 10-11963 | SVCMC | | | | \$ - |
| 55 COOK, WILLIAM A., M.D. 255 WEST 84TH STREET, APT. 3A NEW YORK, NY 10024 | 3107 | 10-11963 | SVCMC | | | | \$ - |
| 56 COPELAND, PHYLLIS 43 MARCUS GARVEY BOULEVARD APT 4-B BROOKLYN, NY 11206 | 1167 | 10-11969 | Sisters of Charity | | | | \$ - |
| 57 CORDERO, MIGDALIA 147-53 71ST RD #102B #102B FLUSHING, NY 11367 | 374 | 10-11963 | SVCMC | | | \$ 4,269.26 | |
| 58 CORSO, LOUIS 404 ISABELLA AVE. STATEN ISLAND, NY 10306 | 2586 | 10-11969 | Sisters of Charity | | | | \$ - |
| 59 CRAWFORD, JOAN 219-22 131 AVENUE LAURELTON, NY 11413 | 3017 | 10-11963 | SVCMC | | | | \$ - |
| 60 CRISPINO, RACHELLE PO BOX 606 SAYLORSBURG, PA 18353-0606 | 2929 | 10-11963 | SVCMC | | | | \$ 4,019.97 |
| 61 CUPOLO, JACQUELINE 393 MCKINLEY ST. WEST HEMPSTEAD, NY 11552 | 2977 | 10-11963 | SVCMC | | | \$ 3,083.50 | \$ 609.21 |
| 62 CUSTODIO, EUCLIDES 51 GRANT STREET STATEN ISLAND, NY 10301 | 1044 | 10-11963 | SVCMC | | | \$ 972.83 | |
| 63 DAVIS, DEBORAH 355 EAST 184TH ST. #823 BRONX, NY 10458 | 1484 | 10-11963 | SVCMC | | | \$ 441.41 | |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|--|--------------------------|----------------|--------------------|-----------------------|-------|--------------|--------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 64 DAVIS, PATRICIA E. 41-39 WEST 129TH STREET - 4C NEW YORK, NY 10027 | 625 | 10-11963 | SVCMC | | | | \$ - |
| 65 DE SOUZA, JANE 84 BLUEBERRY DRIVE BREWSTER, NY 10509 | 1865 | 10-11963 | SVCMC | | | \$ 308.71 | |
| 66 DEFEO, JESSICA 94 ORMSBY AVE STATEN ISLAND, NY 10309-4018 | 4342 | 10-11963 | SVCMC | | | | \$ - |
| 67 DESANNO, ANGELA 189 JEFFERSON AVE STATEN ISLAND, NY 10306 | 3982 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 11,867.63 |
| 68 DEVIVO, JOSEPH 75 VANDERBILT AVE. 5TH FLOOR STATEN ISLAND, NY 10304 | 2069 | 10-11963 | SVCMC | | | \$ 3,191.58 | \$ 2,484.52 |
| 69 DHARAMDAS, PARAMDAI 94-26 116TH STREET RICHMOND HILL, NY 11419 | 717 | 10-11963 | SVCMC | | | \$ 744.00 | \$ - |
| 70 DI BARI, CAROLINA P.O. BOX 116 BROOKLYN, NY 11204 | 1547 | 10-11969 | Sisters of Charity | | | | \$ 2,068.00 |
| 71 DIMINO, MICHAEL 58 HETT AVE STATEN ISLAND, NY 10306 | 817 | 10-11963 | SVCMC | | | \$ 2,583.34 | \$ 3,149.28 |
| 72 DITOMMASO, MARIANNE 72 PRINCEWOOD AVE STATEN ISLAND, NY 10309 | 584 | 10-11963 | SVCMC | | | \$ 11,069.08 | \$ 15,286.40 |
| 73 DOSIL, EVA 26 OVERLOOK CMNS YORKTOWN HTS, NY 10598-5150 | 2370 | 10-11963 | SVCMC | | | \$ 2,495.55 | |
| 74 DRUMMOND, VERONICA 165 E 179TH STREET BRONX, NY 10453 | 2854 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 88,275.00 |
| 75 DUNNE, KATHLEEN 95-22 68TH AVENUE FOREST HILLS, NY 11375 | 3331 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 11,681.41 |
| 76 DUPerval, JOSEPH 24 IMPERIAL COURT STATEN ISLAND, NY 10304 | 2896 | 10-11965 | Bishop Mugavero | | | | \$ - |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|--|--------------------------|----------------|-----------------|-----------------------|-------|--------------|---------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 77 DY, GLENDA 259 EGE AVE #1 JERSEY CITY, NJ 07304-1001 | 3842 | 10-11965 | Bishop Mugavero | | | \$ 1,576.93 | \$ 1,131.18 |
| 78 DYER, NANCY 4 WESTMINSTER DRIVE CROTON ON HUDSON, NY 10520 | 2660 | 10-11963 | SVCMC | | | \$ 2,500.23 | \$ 950.64 |
| 79 EDWARDS, WENDY, M.D. C/O WEISS & ZARETT, P.C. 3333 NEW HYDE PARK ROAD, # 211 NEW HYDE PARK, NY 11042 | 3302 | 10-11963 | SVCMC | | | \$ - | \$ - |
| 80 ELLIS, DONALD 23 HIGHLAND AVENUE RED BANK, NJ 07701 | 3073 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 142,025.00 |
| 81 ELLIS, LOUISE 1350 HANOVER ROAD YORKTOWN HEIGHTS, NY 10598 | 2284 | 10-11963 | SVCMC | | | | \$ - |
| 82 ELLIS, LOUISE M 1350 HANOVER ROAD YORKTOWN HEIGHTS, NY 10598 | 2285 | 10-11963 | SVCMC | | | | \$ - |
| 83 ESKENAZI, ALAN 512 BENNETTS FARM RD. RIDGEFIELD, CT 06877 | 1046 | 10-11963 | SVCMC | | | \$ 4,888.28 | |
| 84 EZIKE, ROBERT 309 SIMONSON AVENUE STATEN ISLAND, NY 10303 | 924 | 10-11963 | SVCMC | | | \$ 1,997.67 | |
| 85 FAHEY, CAROLYN 257 HARVEST AVENUE STATEN ISLAND, NY 10310 | 1514 | 10-11963 | SVCMC | | | | \$ - |
| 86 FAST, JAY I. 2929 WYNSUM AVENUE MERRICK, NY 11566 | 2169 | 10-11963 | SVCMC | | | \$ 4,193.44 | |
| 87 FAZIO, JOANN 212 JENSEN AVENUE MAMARONECK, NY 10543 | 1941 | 10-11963 | SVCMC | | | \$ 381.78 | |
| 88 FERRARA, MARY L 57A GARRETSON AVE BAYONNE, NJ 07002 | 762 | 10-11963 | SVCMC | | | \$ 3,426.34 | |
| 89 FERRARI, MELISSA 75 HUSSON ST STATEN ISLAND, NY 10305-1225 | 1382 | 10-11968 | Pax Christi | | | | \$ - |

| Claimant | Expunged Claim Number | Case Number | Debtor | Expunged Claim Amount | | | |
|---|--------------------------|----------------|--------------------|-----------------------|-------|--------------|-------------|
| | | | | Secured | Admin | Priority | Unsecured |
| 90 FESTA, LINDA 92 WEED AVE STATEN ISLAND, NY 10306 | 2912 | 10-11969 | Sisters of Charity | | | | \$ - |
| 91 FILIPKOWSKA, TERESA 60-25 78 STREET ELMHURST, NY 11373 | 1584 | 10-11963 | SVCMC | | | \$ 4,086.05 | |
| 92 FINE, ELANA 142 GARTH ROAD APT. 6 D SCARSDALE, NY 10583 | 2235 | 10-11963 | SVCMC | | | \$ 3,205.07 | |
| 93 FINE, ELANA 142 GARTH ROAD SCARSDALE, NY 10583 | 2236 | 10-11963 | SVCMC | | | \$ - | |
| 94 FISCH, CHARLES 1623 THIRD AVENUE APT. 18F NEW YORK, NY 10128-3641 | 642 | 10-11963 | SVCMC | | | \$ 11,725.00 | \$ 78.29 |
| 95 FOFANAH, BINTU 124 BRABANT STREET APT. 5 F STATEN ISLAND, NY 10303 | 1032 | 10-11969 | Sisters of Charity | | | \$ 455.60 | \$ 277.83 |
| 96 FRANCIS, DALE 3855 AMUNDSON AVENUE BRONX, NY 10466 | 1803 | 10-11963 | SVCMC | | | \$ 2,041.67 | \$ 1,302.18 |
| 97 FRANCIS, KATHLEEN 197 POTTER AVE STATEN ISLAND, NY 10314 | 3716 | 10-11963 | SVCMC | | | \$ 2,000.00 | |
| 98 FRANCIS-GILLIES, PAULETTE 1017 LINCOLN PLACE BROOKLYN, NY 11213 | 2613 | 10-11965 | Bishop Mugavero | | | \$ - | |
| 99 FRANKLIN, GREGORY 213 SONNY DRIVE WIND GAP, PA 18091 | 3027 | 10-11965 | Bishop Mugavero | | | | \$ - |
| 100 FRIEDMAN, CATHERINE 7 REEVE PLACE BROOKLYN, NY 11218 | 2534 | 10-11965 | Bishop Mugavero | | | \$ - | |

EXHIBIT B

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

| | | |
|---|---|-------------------------|
| ----- | X | |
| | : | |
| In re: | : | Chapter 11 |
| | : | |
| SAINT VINCENTS CATHOLIC MEDICAL | : | Case No. 10-11963 (CGM) |
| CENTERS OF NEW YORK, <u>et al.</u> , ¹ | : | |
| | : | |
| Debtors. | : | Jointly Administered |
| | : | |
| ----- | X | |

**THIRTY-FIFTH OMNIBUS ORDER
DISALLOWING AND EXPUNGING CERTAIN CLAIMS**

(TIER I –CLAIMS THAT CONTRADICT THE DEBTORS’ BOOKS AND RECORDS)

[Related Docket No. ____]

Upon the Thirty-Fifth Omnibus Objection of Post-Effective Date SVCMC and the Liquidating Trustee to Certain Claims (the “**Objection**”),² filed by the Movants in the above-captioned cases; the Court having reviewed the Objection and having heard the statements of counsel regarding the relief requested in the Objection at a hearing before the Court (the “**Hearing**”); the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and the Amended Standing Order M-431 of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated January 31, 2012 (Preska, Acting C.J.); and (c) notice of the Objection and the Hearing being sufficient under the circumstances and in full compliance with the requirements of the Bankruptcy Code, the Bankruptcy Rules and the Claims

¹ In addition to SVCMC, the Debtors in these cases were as follows: (i) 555 6th Avenue Apartment Operating Corporation; (ii) Bishop Francis J. Mugavero Center for Geriatric Care, Inc.; (iii) Chait Housing Development Corporation; (iv) Fort Place Housing Corporation; (v) Pax Christi Hospice, Inc.; (vi) Sisters of Charity Health Care System Nursing Home, Inc. d/b/a St. Elizabeth Ann’s Health Care & Rehabilitation Center; (vii) St. Jerome’s Health Services Corporation d/b/a Holy Family Home; and (viii) SVCMC Professional Registry, Inc. (the “**Debtors**”). There are certain affiliates of SVCMC who were not Debtors.

² Capitalized terms not otherwise defined herein have the meanings given to them in the Objection.

Order; and the Court having determined that the legal and factual bases set forth in the Objection and at the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Objection is SUSTAINED.
2. Each of the Claims identified on **Exhibit A** are disallowed and expunged in their entirety.
4. The Movants' claims and noticing agent, Epiq, and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.
5. This Court shall retain jurisdiction over any and all issues arising from or related to the implementation and interpretation of this Order.

Dated: _____, 2012
New York, New York

THE HONORABLE CECELIA G. MORRIS
CHIEF UNITED STATES BANKRUPTCY JUDGE