

**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	: :
	: Jointly Administered
Debtors.	: :
-----X	
	Ref. Docket Nos. 3353 & 3355-3361

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

PANAGIOTA MANATAKIS, being duly sworn, deposes and says:

1. I am employed as a Noticing Coordinator by Epiq Bankruptcy Solutions, LLC, located at 757 Third Avenue, New York, New York 10017. I am over the age of eighteen years and am not a party to the above-captioned action.
2. On December 17, 2012, I caused to be served the:
 - a) “Notice of Withdrawal of Motion of Niculae Ciobanu, M.D. to Compel Saint Vincent’s Catholic Medical Centers of New York to Provide Dr. Ciobanu with its Complete Hospital Records Regarding Genevieve Smith [Docket No. 3229],” dated December 17, 2012 [Docket No. 3353], (the “Notice of Withdrawal”),
 - b) “Notice of Forty-Fourth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Forty-Fourth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3355], (the “44th Omnibus Objection”),
 - c) “Notice of Forty-Fifth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Forty-Fifth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3356], (the “45th Omnibus Objection”),

¹ In addition to SVCMC, the Debtors are 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) and SVCMC Professional Registry, Inc. There are certain affiliates of SVCMC who are not Debtors.
T:\Clients\SV2\Affidavits\SV3 - NOW Cioubano & 44th-50th Omni Obj_DI_3353, 3355-3361_AFF_12-17-12_KH.doc

- d) “Notice of Forty-Sixth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Forty-Sixth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3357], (the “46th Omnibus Objection”),
- e) “Notice of Forty-Seventh Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Forty-Seventh Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3358], (the “47th Omnibus Objection”),
- f) “Notice of Forty-Eight Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Forty-Eight Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3359], (the “48th Omnibus Objection”),
- g) “Notice of Forty-Ninth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Forty-Ninth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3360], (the “49th Omnibus Objection”),
- h) “Notice of Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3361], (the “50th Omnibus Objection”), and
- i) a customized version of the “Notice of Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012 [Docket No. 3361], a sample of which is annexed hereto as Exhibit A, (the “50th Omnibus Objection Custom”), consisting of the following:
 - i. a Personalized Slip Sheet,
 - ii. the “Notice of Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, to which was attached the “Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims,” dated December 17, 2012, related to Docket No. 3361,
 - iii. a personalized Exhibit “A”, and
 - iv. the “Exhibit B” related to Docket No. 3361,

by causing true and correct copies of the:

- i. Notice of Withdrawal, 44th Omnibus Objection, 45th Omnibus Objection, 46th Omnibus Objection, 47th Omnibus Objection, 48th Omnibus Objection, 49th Omnibus Objection and 50th Omnibus Objection, to be delivered via electronic mail to the Revised Special Service List, parties identified on the annexed Exhibit B,
- ii. Notice of Withdrawal, 44th Omnibus Objection, 45th Omnibus Objection, 46th Omnibus Objection, 47th Omnibus Objection, 48th Omnibus Objection, 49th Omnibus Objection and 50th Omnibus Objection, to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to the Revised Special Service List, parties identified on the annexed Exhibit C,
- iii. 44th Omnibus Objection, to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those additional parties identified on the annexed Exhibit D,
- iv. 45th Omnibus Objection, to be enclosed securely in a separate postage pre-paid envelope and delivered via first class mail to those additional parties identified on the annexed Exhibit E,
- v. 46th Omnibus Objection, to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those additional parties identified on the annexed Exhibit F,
- vi. 47th Omnibus Objection, to be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those additional parties identified on the annexed Exhibit G,
- vii. 48th Omnibus Objection, be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those additional parties identified on the annexed Exhibit H,
- viii. 49th Omnibus Objection, be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those additional parties identified on the annexed Exhibit I, and
- ix. 50th Omnibus Objection Custom, be enclosed securely in separate postage pre-paid envelopes and delivered via first class mail to those additional parties identified on the annexed Exhibit J.

3. All items served by mail or overnight courier included the following legend affixed on the envelope: "LEGAL DOCUMENTS ENCLOSED: PLEASE DIRECT TO ATTENTION OF ADDRESSEE, PRESIDENT OR LEGAL DEPARTMENT."

/s/ Panagiota Manatakis
Panagiota Manatakis

Sworn to before me this
19th day of December, 2012
/s/ Cassandra Murray
Notary Public, State of New York
No. 01MU6220179
Qualified in the County of Queens
Commission Expires April 12, 2014

EXHIBIT A



SV2 OMNIOBJ 50 12-17-2012 (MERGE2,TXNUM2) 4,000,025,232.00 BAR(23) MAIL ID *** 000066744383 ***

TIETJEN, PATRICIA A., M.D.
802 NORTH SALEM ROAD
RIDGEFIELD, CT 06877

Initial Status Conference Date and Time: February 21, 2013, at 11:00 a.m. Eastern Standard Time
Response Deadline: January 11, 2013, at 12:00 p.m. Eastern Standard Time

AKIN GUMP STRAUSS HAUER & FELD LLP
David H. Botter
Sarah Link Schultz (admitted *pro hac vice*)
Ashleigh L. Blaylock
One Bryant Park
New York, New York 10036
Telephone: (212) 872-1000
Facsimile: (212) 872-1002

Counsel for the Liquidating Trustee

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

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

**NOTICE OF FIFTIETH OMNIBUS OBJECTION
OF THE LIQUIDATING TRUSTEE TO CERTAIN CLAIMS**

**(TIER II—CLAIMS SUBJECT TO DISALLOWANCE
PURSUANT TO BANKRUPTCY CODE SECTION 502(e)(1)(B))**

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. Eugene I. Davis, as trustee (the “**Liquidating Trustee**”) of Saint Vincents Catholic Medical Centers of New York Liquidating Trust (the “**Liquidating Trust**”) filed the Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims (the “**Objection**”).² You are receiving this notice because **your claim may be expunged as a result of the Objection. 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.

¹ In addition to Saint Vincents Catholic Medical Centers of New York (“**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 Unless otherwise noted, capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

2. An initial status conference (the “**Initial Status Conference**”) on the Objection will be held on **February 21, 2013, 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 Initial Status Conference 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 Liquidating Trustee’s 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) 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, Esq. and (ii) the parties on the Special Service List in these cases, established under the Second Amended Final Administrative Order Establishing Case Management and Scheduling Procedures [Docket No. 3325] (as it may be further amended, the “**Case Management Order**”), **no later than January 11, 2013, 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 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 Fiftieth Objection of Liquidating Trustee to Certain Claims”);
- ◆ The name of the claimant (i.e., you) and a statement describing the basis for the amount of your 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 and, on a preliminary basis, the nature of any evidence you anticipate presenting in support of the Response and whether you anticipate conducting discovery;
- ◆ The name(s), address(es), telephone number(s), facsimile number(s), and email address(es) of the person(s) to whom the Liquidating Trustee 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 Liquidating Trustee with the name(s), address(es), telephone number(s),

facsimile number(s), and email addresses of the person(s) with 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, 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. **If you do not timely file and serve the Response in accordance with these procedures, the Court may enter an order granting the relief requested in the Objection without further notice or hearing.**

6. The Objection falls within the "Tier II 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 II 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>.

7. No hearing will be initially set on the Objection, and all such Objections will first be set for the Initial Status Conference. If you wish to prosecute your Response and contest the Objection, you **must** appear at the Initial Status Conference. The Initial Status Conference may be adjourned and rescheduled by agreement of the parties. If a Response is filed, then the Initial Status Conference shall not be deemed an evidentiary hearing at which witnesses may testify, unless the Liquidating Trustee's proposed hearing agenda provides otherwise.

8. If you file a Response, you are required to confer with counsel for the Liquidating Trustee within 14 days after service of the Response to discuss the preparation of an agreed scheduling order, including the scheduling of a hearing at one of the omnibus hearing dates in these cases or at a special hearing date obtained from the Court.³ Assuming both parties agree to a scheduling order, such scheduling order will be presented to the Court at or following the Initial Status Conference. If no agreement on a scheduling order is reached in advance and no consensus is reached at the Initial Status Conference, the Court may set the scheduling deadlines at or following the Initial Status Conference.

9. **If you fail to (1) comply with the meet and confer requirement and (2) appear at the Initial Status Conference, you will be deemed to have waived your right to conduct any discovery or to present any evidence at the hearing on the Objection that was not included in your Response or Claim.**

10. You may obtain copies of a proof of claim from the website maintained by the Liquidating Trustee's noticing and claims agent, Epiq Systems ("**Epiq**") at <http://www.svcmcrestructuring.com>. You can search a specific 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 the service list from Epiq by calling the SVCMC Information Line at 866-778-1023. You may also contact Ashleigh L. Blaylock, counsel for the Liquidating Trustee, at 202-887-4064 to discuss or resolve the Objection.

³ Examples of the deadlines that each scheduling order is expected to include are: (i) deadlines for conducting discovery; (ii) deadlines for any further briefing; and (iii) an anticipated trial date.

11. Nothing in this notice or the Objection constitutes a waiver of the Liquidating Trustee's right to assert any claims, counterclaims, rights of offset or recoupment, or any other bankruptcy claims against you. The Liquidating Trustee reserves the right to assert additional objections to your proof(s) of claim.

Dated: December 17, 2012
New York, New York

AKIN GUMP STRAUSS HAUER & FELD LLP

/s/ David H. Botter

David H. Botter

Sarah Link Schultz (admitted *pro hac vice*)

Ashleigh L. Blaylock

One Bryant Park

New York, New York 10036

Telephone: (212) 872-1000

Facsimile: (212) 872-1002

Counsel for the Liquidating Trustee

Initial Status Conference Date and Time: February 21, 2013, at 11:00 a.m. Eastern Standard Time
Response Deadline: January 11, 2013, at 12:00 p.m. Eastern Standard Time

AKIN GUMP STRAUSS HAUER & FELD LLP
David H. Botter
Sarah Link Schultz (admitted *pro hac vice*)
Ashleigh L. Blaylock
One Bryant Park
New York, New York 10036
Telephone: (212) 872-1000
Facsimile: (212) 872-1002

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, <i>et al.</i> , ¹	:	
	:	
Debtors.	:	Jointly Administered
	:	
-----	X	

**FIFTIETH OMNIBUS OBJECTION
OF THE LIQUIDATING TRUSTEE TO CERTAIN CLAIMS**

**(TIER II—CLAIMS SUBJECT TO DISALLOWANCE
PURSUANT TO BANKRUPTCY CODE SECTION 502(e)(1)(B))**

Eugene I. Davis, as trustee (the “**Liquidating Trustee**”) of Saint Vincents Catholic Medical Centers of New York Liquidating Trust (the “**Liquidating Trust**”), makes this objection (“**Objection**”) to certain claims and respectfully represent as follows:²

¹ In addition to Saint Vincents Catholic Medical Centers of New York (“**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 Unless otherwise noted, capitalized terms not otherwise defined herein shall have the meaning ascribed to them in **Exhibit A** (the “**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**”).

BACKGROUND

1. On April 14, 2010 (the “**Petition Date**”), each Debtor filed a voluntary petition for relief (the “**Chapter 11 Cases**”) under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”). 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 pre-petition 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 4,900 unsecured, secured, priority, and administrative proofs of claim (collectively, the “**Claims**,” the holders of which being the “**Claimants**”) have been filed in these cases with asserted liabilities in excess of \$7.4 billion, plus unliquidated amounts. In addition, approximately 14,000 additional unsecured, secured, priority, and administrative Claims are identified in the Debtors’ schedules.

5. On April 11, 2011, the Court entered the Claims Order establishing, among other things, 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 Liquidating Trustee is required to 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 Liquidating Trustee has reviewed the Debtors' books and records and the claims register with respect to certain unliquidated claims. Based on this review, the Liquidating Trustee determined that the Claims listed on **Exhibit A** hereto are subject to disallowance pursuant to Bankruptcy Code section 502(e)(1)(B) (collectively, the "**Disputed Claims**") as set forth in detail below. Accordingly, such Disputed Claims should be disallowed and expunged in their entirety.

8. Following its review of the Claims described above, the Liquidating Trustee mailed Informal Objection Letters to the Claimants covered by this Objection. The Informal Objection Letters requested that the Claimant either (a) agree to expunge the Claim(s) as set forth in the letter or (b) if the Claim was not unliquidated, provide documentation to support the basis for the Claim. Certain Claimants did not respond or provide further documentation regarding the Informal Objection Letters described above. Therefore, the Liquidating Trustee hereby objects to such Claims.

JURISDICTION

9. 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

10. The Liquidating Trustee seeks entry of an order pursuant to Bankruptcy Code section 502(e)(1)(B) 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

11. The Liquidating Trustee is engaged in the highly detailed process of reconciling in excess of 1,300 remaining Claims filed against the Debtors’ estates. As part of the Claims reconciliation process, the Liquidating Trustee has identified certain proofs of Claim that should be expunged. Specifically, pursuant to Bankruptcy Code section 502(e)(1)(B) and Bankruptcy Rules 3001 and 3007, the Liquidating Trustee hereby objects to the Disputed Claims and seeks entry of an order expunging each of the Disputed Claims as indicated below.

12. A filed proof of claim is deemed allowed unless a party in interest objects thereto. *See* 11 U.S.C. §§ 502(a), 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). Bankruptcy Code section 502(b)(1) provides, in relevant part, that a claim may not be allowed to the extent that “such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law.” 11 U.S.C. § 502(b)(1). Moreover, a claimant must allege facts that, if true, would support a finding that the debtor is legally liable to the claimant. *See In re Int’l March Corp.*, 69 F. 2d 73, 76 (2d Cir. 1934) (finding that proof of claim must at least allege facts from which legal liability could arise).

13. The Disputed Claims are not enforceable against the Debtors. Specifically, the Disputed Claims must be disallowed by operation of Bankruptcy Code section 502(e)(1)(B), which provides as follows:

[T]he court shall disallow any claim for reimbursement or contribution of an entity that is liable with the debtor on or has secured the claim of a creditor to the extent that—

(B) such claim for reimbursement or contribution is contingent as of the time of the allowance or disallowance of such claim for reimbursement or contribution.

11 U.S.C. § 502(e)(1)(B).

14. Courts apply a three-part test to determine whether a claim should be disallowed under Bankruptcy Code section 502(e)(1)(B), as follows: “(1) the claim must be for reimbursement or contribution; (2) the party asserting the claim must be liable with the debtor on the claim of a third party; and (3) the claim must be contingent at the time of its allowance or disallowance.” *In re Chemtura Corp.*, 436 B.R. 286, 292–93 (Bankr. S.D.N.Y. 2010); *In re Alper Holdings USA*, No. 07-12148, 2008 WL 4186333, at *4 (Bankr. S.D.N.Y. Sept. 10, 2008) (quoting *In re GCO, LLC*, 324 B.R. 459, 465 (Bankr. S.D.N.Y. 2005)).

A. The Disputed Claims Are for Reimbursement or Contribution

15. According to the proofs of claim filed by the Claimants, the Disputed Claims each indicate that they are for reimbursement, contribution, and/or indemnification. *Black’s Law Dictionary* defines indemnity as follows:

1. A duty to make good any loss, damage, or liability incurred by another.
2. The right of an injured party to claim reimbursement for its loss, damage, or liability from a person who has such a duty.
3. Reimbursement or compensation for loss, damage, or liability in tort; esp. the right of a party who is secondarily liable to recover from the party who is primarily liable for reimbursement of expenditures paid to a third party for injuries resulting from a violation of a common-law duty.

BLACK'S LAW DICTIONARY 784 (8th ed. 2004). Courts have consistently determined that the concept of reimbursement includes indemnity. *See, e.g., In re Wedtech Corp.*, 85 B.R. 285, 289 (Bankr. S.D.N.Y. 1988); *In re GCO Servs., LLC*, 324 B.R. 459, 465 (Bankr. S.D.N.Y. 2005); (*In re Drexel Burnham Lambert Grp., Inc.*, 148 B.R. 982, 986 (Bankr. S.D.N.Y. 1992)). The Liquidating Trustee, with the assistance of his counsel, has reviewed the Disputed Claims and determined that they each assert claims for contribution and indemnification. Accordingly, the first prong of Bankruptcy Code section 502(e)(1)(B) is satisfied.

B. The Claimants Are “Liable with” the Debtors

16. The Disputed Claims presume co-liability insofar as each of the Claimants asserts that they may be found liable to plaintiffs in actual or potential underlying litigation, a portion of which liability may be attributable to the Debtors. As courts have recognized, the co-liability prong is a broad principle and does not require that the secondary claimant and the debtor be subject to a common civil proceeding or agency action. *See In re Chemtura Corp.*, 436 B.R. 286, 294,-295 (Bankr. S.D.N.Y. 2010) (reasoning that “section 502(e)(1)(B) is applicable whether the underlying claimant files a proof of claim or not” and should be interpreted broadly); *In re Amatex Corp.*, 110 B.R. 168, 171 (Bankr. E.D. Pa. 1990) (“Congress clearly meant to include all situations wherein indemnitors or contributors could be liable with the debtor within the scope of § 502(e)(1)(B).”). In fact, in *Norpak v. Eagle-Picher Indus., Inc.*, 131 F.3d 1185, 1190 (6th Cir. 1997), the Court of Appeals for the Sixth Circuit held that “[t]he phrase ‘an entity that is liable with the debtor’ is broad enough to encompass any type of liability shared with the debtor, *whatever its basis*,” (emphasis in original) (quotation marks omitted) (citing *In re Pettibone Corp.*, 110 B.R. 837, 848 (Bankr. N.D. Ill. 1990)). In so ruling, the court reasoned that because the claimant and the debtor were both potentially responsible for the cleanup of a contaminated site, “the legal theory underpinning that shared responsibility is irrelevant.” *Id.* In

the instant case, Disputed Claims seek to hold the Debtors liable for a portion of any judgment rendered against them in underlying actual or potential litigation. Accordingly, and based on the foregoing, the co-liability prong of section 502(e)(1)(B) has been met.

C. The Disputed Claims Are Contingent

17. Generally, a claim is deemed contingent “if the debtor’s legal duty to pay does not come into existence until triggered by the occurrence of a future event.” *Pearl-Phil GMT (Far East) Ltd. v. Caldor Corp.*, 266 B.R. 575, 580 (S.D.N.Y. 2001) (quotation marks omitted) (quoting *Mazzeo v. United States (In re Mazzeo)*, 131 F.3d 295, 303 (2d Cir. 1997)). More specifically, in the context of claims for contribution or indemnification under section 502(e)(1)(B), this Court has recognized that a claim for contribution is contingent “where the liability itself does not arise unless and until the payment is made to a third party.” *In re Chemtura*, 436 B.R. at 297 (quotation marks omitted) (discussing *In re RNI Wind Down Corp.*, 369 B.R. 174, 184 (Bankr. D. Del. 2007)).

18. Here, the Disputed Claims purportedly seek payment for contribution or indemnification with respect to liability that may be assessed against the Claimants in the future, rather than reimbursement for any actual costs that the Claimants have paid. Critically, the Claimants have not provided any documentation to indicate that the Disputed Claims have been liquidated or that amounts have been paid by the Claimants with respect to the underlying litigation relevant to the Disputed Claims. Accordingly, to the knowledge of the Liquidating Trustee, the Disputed Claims remain unliquidated and contingent. Therefore, the contingency requirement of Bankruptcy Code section 502(e)(1)(B) is satisfied.

19. 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). Furthermore, the Claims Order provides that Tier II Objections may be filed with respect to substantive objections to the merits of an asserted Claim that does not fall within one of the categories described above, including specialized objections to the merits of a Claim. *See* Claims Order, at § II.B.2.

20. Following a thorough review of the Disputed Claims, as set forth in detail above, the Liquidating Trustee determined that the Disputed Claims identified on **Exhibit A** are contingent claims for reimbursement or contribution by entities that are allegedly liable with the debtors. As such, the Dispute Claims should be disallowed and expunged in their entirety.

21. Even after the Liquidating Trustee reached out the Claimants holding these Claims (i.e., through the Informal Objection Letters) to request that they provide documentation or other forms of evidence to support any additional bases for their Claims, the Liquidating Trustee did not receive a response or sufficient documentation from such Claimants to prove that they have valid, non-contingent claims against the Debtors. Thus, the Liquidating Trustee requests that the Court enter an order disallowing and expunging the Disputed Claims found on **Exhibit A** from the Debtors' claims register.

RESERVATION OF RIGHTS

22. To the extent not expunged by this Objection, the Liquidating Trustee reserves 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 Liquidating Trustee specifically reserves 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 that a Claimant provides (or attempts to provide); and (c) object further to any documentation based on additional information that may be discovered upon further review by the Liquidating Trustee 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.

NOTICE

23. This Objection is designated as a Tier II Objection under the Claims Objection and Settlement Procedures. Pursuant to 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 Second Amended Final Administrative Order Establishing Case Management and Scheduling Procedures [Docket No. 3325] (as 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 Liquidating Trustee submits that no other or further notice need be provided.

WHEREFORE, the Liquidating Trustee respectfully requests 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 Liquidating Trustee as the Court may deem proper.

Dated: December 17, 2012
New York, New York

AKIN GUMP STRAUSS HAUER & FELD LLP

/s/ David H. Botter

David H. Botter
Sarah Link Schultz (admitted *pro hac vice*)
Ashleigh L. Blaylock
One Bryant Park
New York, New York 10036
Telephone: (212) 872-1000
Facsimile: (212) 872-1002

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)
Fiftieth Omnibus Claims Objection
Exhibit A: Disputed Claims

<u>Name</u>	<u>Expunged Claim Amount</u>						
	<u>Expunged Claim</u>	<u>Case Number</u>	<u>Debtor</u>	<u>Secured</u>	<u>Admin</u>	<u>Priority</u>	<u>Unsecured</u>
TIETJEN, PATRICIA A., M.D. 802 NORTH SALEM ROAD RIDGEFIELD, CT 06877	3174	10-11963	SVCMC				\$ --
TIETJEN, PATRICIA A., M.D. 802 NORTH SALEM ROAD RIDGEFIELD, CT 06877	3168	10-11963	SVCMC				\$ --

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	

**FIFTIETH OMNIBUS ORDER
DISALLOWING AND EXPUNGING CERTAIN CLAIMS**

**(TIER II—CLAIMS SUBJECT TO DISALLOWANCE
PURSUANT TO BANKRUPTCY CODE SECTION 502(e)(1)(B))**

[Related Docket No. __]

Upon the Fiftieth Omnibus Objection of the Liquidating Trustee to Certain Claims (the “**Objection**”),² filed by the Liquidating Trustee in the above-captioned cases; the Court having reviewed the Objection; 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 Order; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein;

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.

IT IS HEREBY ORDERED THAT:

1. The Objection is SUSTAINED.
2. Each of the Claims identified on **Exhibit A** to the Objection are disallowed and expunged in their entirety.
4. The Liquidating Trustee' claims and noticing agent, Epiq Systems, 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: _____, 2013
New York, New York

THE HONORABLE CECELIA G. MORRIS
CHIEF UNITED STATES BANKRUPTCY JUDGE

EXHIBIT B

Email List

keckstein@kramerlevin.com
arogoff@kramerlevin.com
boneill@kramerlevin.com
gplotko@kramerlevin.com
ayerramalli@kramerlevin.com
dmlabey@kramerlevin.com
jshifer@kramerlevin.com
achouprouta@kramerlevin.com
AWong@kramerlevin.com
dbotter@akingump.com
sschultz@akingump.com
kdavis@akingump.com
blaylocka@akingump.com
ckarambelas@svcmcnny.org
rkarambelas@svcmcnny.org
enid.stuart@oag.state.ny.us
dohweb@health.state.ny.us
askdoj@usdoj.gov

EXHIBIT C

Claim Name	Address Information
AKIN GUMP STRAUSS HAUER & FELD LLP	ONE BRYANT PARK ATTN: DAVID H. BOTTER & KENNETH DAVIS (COUNSEL FOR THE LIQUIDATING TRUSTEE) NEW YORK NY 10036
AKIN GUMP STRAUSS HAUER & FELD LLP	ROBERT S. STRAUSS BUILDING 1333 NEW HAMPSHIRE AVENUE, N.W. ATTN: ASHLEIGH BLAYLOCK, ESQ. (COUNSEL FOR THE LIQUIDATING TRUSTEE) WASHINGTON DC 20036-1564
AKIN GUMP STRAUSS HAUER & FELD LLP	1700 PACIFIC AVENUE, SUITE 4100 ATTN: SARAH LINK SCHULTZ, ESQ. (COUNSEL FOR THE LIQUIDATING TRUSTEE) DALLAS TX 75201-4675
ASSISTANT UNITED STATES ATTORNEY	SOUTHERN DISTRICT OF NEW YORK ONE ST. ANDREW'S PLAZA CLAIMS UNIT - ROOM 417 NEW YORK NY 10007
ATTORNEY GENERAL OF THE STATE OF NEW YORK	ATTN: ENID STUART, ASSISTANT ATTORNEY (ON BEHALF OF THE DEPARTMENT OF HEALTH) 120 BROADWAY - 24TH FLOOR NEW YORK NY 10271
INTERNAL REVENUE SERVICE	SPECIAL PROCEDURES BRANCH ATTN: DISTRICT DIRECTOR 290 BROADWAY NEW YORK NY 10007
INTERNAL REVENUE SERVICE	CENTRALIZED INSOLVENCY OPERATION 2970 MARKET STREET MAIL STOP 5-Q30.133 PHILADELPHIA PA 19104-5016
INTERNAL REVENUE SERVICE	CENTRALIZED INSOLVENCY OPERATION PO BOX 7346 PHILADELPHIA PA 19114-0326
KRAMER LEVIN NAFTALIS & FRANKEL LLP	1177 AVENUE OF THE AMERICAS ATTN: KENNETH H ECKSTEIN, ESQ, ADAM C ROGOFF, ESQ P. BRADLEY O'NEILL, ESQ., GREGORY G. PLOTKO, ESQ. NEW YORK NY 10036
NEW YORK STATE DEPARTMENT OF HEALTH	ATTN: TOM JUNG 433 RIVER STREET, 6TH FLOOR TROY NY 12180
NEW YORK STATE DEPARTMENT OF HEALTH	OFFICE OF THE COMMISSIONER CORNING TOWER EMPIRE STATE PLAZA ROOM 2450, ATTN: HAROLD ROSENTHAL ALBANY NY 12237
OFFICE OF THE UNITED STATES ATTORNEY GENERAL	U.S. DEPARTMENT OF JUSTICE 950 PENNSYLVANIA AVENUE, NW ATTN: ERIC H. HOLDER, JR, ATTORNEY GENERAL WASHINGTON DC 20530-0001
OFFICE OF THE UNITED STATES TRUSTEE	FOR THE SOUTHERN DISTRICT OF NEW YORK 33 WHITEHALL STREET, 21ST FLOOR ATTN: SUSAN GOLDEN, ESQ. ATTN: SERENE NAKANO, ESQ. NEW YORK NY 10004
UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN	DISTRICT OF NEW YORK ONE BOWLING GREEN ATTN: THE HONORABLE CECELIA G. MORRIS NEW YORK NY 10004-1408

Total Creditor count 14

EXHIBIT D

Claim Name	Address Information
DOMFEH, JULIANA	3640 BRONX BLVD APT 4F BRONX NY 10467
SCHIANO, CARL	1 LONG COVE DR MONROE NJ 08831

Total Creditor count 2

EXHIBIT E

Claim Name	Address Information
FITZPATRICK-CRISAFULLI, CHRISTINE	166-36 22ND AVE WHITESTONE NY 11357
SAMUEL, SANJAY, MD	220 W HILL ST ROCHESTER NY 14626-4506

Total Creditor count 2

EXHIBIT F

Claim Name	Address Information
ADAMS, ERMINE	321 BERRIMAN STREET BROOKLYN NY 11208
CIGNA INSURANCE	P.O. BOX 92889 ROCHESTER NY 11492
D'MELLO, CELCIA	5 FLINT LANE JERICHO NY 11753
KRAVITZ, JACK	106-68 97TH STREET OZONE PARK NY 11417
MAXOR NATIONAL PHARMACY SERVICES CORP	UNDERWOOD LAW FIRM ATTN: ROGER S COX PO BOX 9158 AMARILLO TX 79105-9158
MCMAHON, EMILY	34 RAINBOW DRIVE HAPPAUGE NY 11782
MONDROW, STANLEY, MD	65-43 180 STREET FLUSHING NY 11367
MOORE, LYDIA I.	9400 DUNHILL DRIVE MIRAMAR FL 33025
NATURE	PO BOX 5055 BRENTWOOD TN 37024
ROBERTS, TINA	2031 EAST 54TH STREET BROOKLYN NY 11234
SANCHEZ, DORIS	596 LOGAN STREET APT # 3B BROOKLYN NY 11208
U.S. YELLOW PAGES	MAIL PROCESSING CENTER P.O. BOX 3110 JERSEY CITY NJ 07303-3110
VILLAYERDE, LIELL, MD	105 BYRNE AVE., #1 STATEN ISLAND NY 10314-4406

Total Creditor count 13

EXHIBIT G

Claim Name	Address Information
AIU INSURANCE COMPANY, ET AL	CHARTIS U.S. MICHELLE A. LEVITT, AUTHORIZED REP. 175 WATER STREET, 18TH FLOOR NEW YORK NY 10038
BILDSTEIN, JANINE	6 BRYANT CRESCENT APT 1L WHITE PLAINS NY 10605
NATIONAL UNION FIRE INSURANCE COMPANY OF	PITTSBURGH PA, ET AL RYAN G. FOLEY, ESQ., ATTORNEY 5 WOOD HOLLOW ROAD, 3RD FL PARSIPPANY NJ 07054
RIGGIO, RUTH	60 BARBARA STREET BETHPAGE NY 11714
SULKER, JACQUELINE	102-42 187TH STREET HOLLIS NY 11423

Total Creditor count 5

EXHIBIT H

Claim Name	Address Information
AFFILIATES OF VERIZON COMMUNICATIONS, IN	DARRYL S. LADDIN, ESQ. ARNALL GOLDEN GREGORY LLP 171 17TH STREET NW, SUITE 2100 ATLANTA GA 30363-1031
VERIZON	PO BOX 3037 BLOOMINGTON IL 61702-3037
VERIZON WIRELESS	PO BOX 3397 BLOOMINGTON IL 61702

Total Creditor count 3

EXHIBIT I

Claim Name	Address Information
BARTNETT, MARY	151 GLENN RD STATEN ISLAND NY 10314
DIRKS, FRANCES	60 SECOND STREET BROOKLYN NY 11231
FORRESTER, GERALDINE V.	87-28 125TH STREET RICHMOND HILL NY 11418
LALINE, CAROL P.	717 NAUGHTON AVENUE STATEN ISLAND NY 10305
LEDWITH, MARCIA	43 D CRESTWOOD PKWY WHITING NJ 08759
LIQUIDITY SOLUTIONS, INC.	TRANSFEROR: HEALTH INTEGRATED D/B/A REVENUE MANAGEMENT ONE UNIVERSITY PLAZA, SUITE 312 HACKENSACK NJ 07601
LIQUIDITY SOLUTIONS, INC.	TRANSFEROR: TRANSWORLD SYSTEMS ONE UNIVERSITY PLAZA, SUITE 312 HACKENSACK NJ 07601
ORTEGA, MARIA	848 PARK PLACE 2ND FLOOR UNIONDALE NY 11553
PIETRACATELLA, CAROL	189 CENTRE AVENUE SECAUCUS NJ 07094
WEIR, NATASHA	855 OCEAN AVENUE APT # 1 D BROOKLYN NY 11226

Total Creditor count 10

EXHIBIT J

Notices mailed by: December 18, 2012

ASTIZ, MARK, M.D.
2 TREMONT TERRACE
LIVINGSTON, NJ 07039

BARSA, JEAN M., M.D.
833 GULL POINT ROAD
WILMINGTON, NC 28405-5266

BENNETT, STEPHEN J., M.D.
MANHATTAN WEST PULMONARY PC
254 WEST 10TH STREET
NEW YORK, NY 10014

BLOOMFIELD, DENNIS, MD
99 SIGNAL HILL ROAD
STATEN ISLAND, NY 10301

CACCIARELLI, ARMAND, M.D.
101 WEST 12TH STREET
NEW YORK, NY 10011

CARPATI, CHARLES M., M.D.
58 WEST 58TH STREET, APT. 29E
NEW YORK, NY 10019

CASSIDY, EILEEN M., M.D.
2201 MURPHY AVENUE, SUITE 110
NASHVILLE, TN 37203

CATAQUET, DAVID, MD
34 CLINTON AVENUE
MAPLEWOOD, NJ 07040

CENON, PEARL, MD
511 22ND STREET
UNION CITY, NJ 07087

CICENIA, JOSEPH C., M.D.
5455 N. MARGINAL ROAD
#311
CLEVELAND, OH 44114

DAS, KAUSHIK, MD
38 CONCORD ROAD
ARDSLEY, NY 10505

DIAZ, LILLIAN, M.D.
8 CALLE GORRION
GURABO, PR 00778-5020

DURGAM, VERENDA, M.D.
45 CHIPPERFIELD COURT
STATEN ISLAND, NY 10301

FAVATE, ALBERT, M.D.
FIFTH AVENUE NEUROLOGY
80 FIFTH AVENUE, SUITE 1605
NEW YORK, NY 10011

FONG, PO CHING, M.D.
39 JOYCE ROAD
EASTCHESTER, NY 10709

GASKIN, RICHELLE, M.D.
1240 HARBOR ISLAND WALK
BALTIMORE, MD 21230

GILBERT, MARTI, M.D.
272 PLAINFIELD AVENUE
FLORAL PARK, NY 10001

GRIGORYAN, GENNADIY, M.D.
314 WEST 14TH STREET, 4TH FLOOR
NEW YORK, NY 10014

Notices mailed by: December 18, 2012

HUANG, ROBERTA, M.D.
2301 WEST LYNN STREET
SEATTLE, WA 98199

KIRSCHENBAUM, LINDA A., M.D.
58 WEST 58TH STREET, APT. 29E
NEW YORK, NY 10019

KLEIN, PAULA, M.D.
535 EAST 86TH STREET
NEW YORK, NY 10028

LEUNG, TINA, M.D.
C/O MICHAEL SULLIVAN, ESQ.
HEIDELL, PITTONI, MURPHY & BACH, LLP
99 PARK AVENUE
NEW YORK, NY 10016

MAATVEEVSKI, ALEXANDER, M.D.
10305 SW 27TH PLACE
GAINESVILLE, FL 32608

MACALUSO, CLAUDE, MD
FIFTH AVENUE NEUROLOGY
80 FIFTH AVENUE, SUITE 1605
NEW YORK, NY 10011

MANFREDI, RONALD, MD
REGIONAL RADIOLOGY
360 BARD AVENUE
STATEN ISLAND, NY 10310

MARFATIA, SALIL, M.D.
FUREY, FUREY, LEVERAL, MANZIONE,
WILLIAMS & DARLINGTON, P.C.
600 FRONT STREET
NEW YORK, NY 11550-4459

MARRON-CORWIN, MARY, M.D
67 MAYHEW DRIVE
SOUTH ORANGE, NJ 07079-1210

MATARESE, MICHAEL J., M.D.
254 WEST 10TH STREET
NEW YORK, NY 10014

MORETTI, MICHAEL L., M.D.
46 HARBOUR CT #B-9
STATEN ISLAND, NY 10308-3364

MORETTI, MICHAEL L., M.D.
70 ST. JAMES PLACE
STATEN ISLAND, NY 10304

MORRISH, DONALD, M.D.
420 EAST 61ST STREET, APT. 42D
NEW YORK, NY 10065

MU, HARRISON T., MD
C/O MICHAEL SULLIVAN, ESQ.
HEIDELL, PITTONI, MURPHY & BACH, LLP
99 PARK AVENUE
NEW YORK, NY 10016

MURALI, RAJ, M.D.
C/O MICHAEL SULLIVAN, ESQ.
HEIDELL, PITTONI, MURPHY & BACH, LLP
99 PARK AVENUE
NEW YORK, NY 10016

NFONOYIN, JAY, DR.
15 MAGUIRE COURT
STATEN ISLAND, NY 10309

PULLANO, JAMES M.D.
106 HILL COUNTRY ROAD
GEORGETOWN, TX 78633

RAWANDUZY, AMED A., M.D.
421 HUGUENOT STREET, 2ND FLOOR
NEW ROCHELLE, NY 10801

Notices mailed by: December 18, 2012

RUIZ, REGINALD, M.D.
555 WEST 23RD STREET
SOUTH 12E
NEW YORK, NY 10011

SAMBANDAM, KAYALVIZHI, M.D.
233 COLLEGE AVENUE, SUITE 202
LANCASTER, PA 17603

SMITH, ANTHONY J., M.D.
NEW YORK DOWNTOWN HOSPITAL
DEPARTMENT OF MEDICINE
170 WILLIAM STREET
NEW YORK, NY 10038

SODOMA, LINDA, M.D.
3921 E. BASELINE ROAD, SUITE 100
GILBERT, AZ 85234

TIETJEN, PATRICIA A., M.D.
802 NORTH SALEM ROAD
RIDGEFIELD, CT 06877

VALLEJO, CHRISTINA E., M.D.
548 WOODMERE BOULEVARD
WOODMERE, NY 11598

VARTOLO, MARIE L., M.D.
708 LAMONT AVENUE
STATEN ISLAND, NY 10312

VON PECHMAN, WALTER M.D
8804 CHALON DR
BETHESDA, MD 20817-3041

WAGNER, IRA J., M.D.
30 AVE AT PORT IMPERIAL
APT 318
WEST NEW YORK, NJ 07093

WHITAKER-LEWIS, KATHERINE, P.A.
16 STEBBINS AVENUE
STATEN ISLAND, NY 10310

WOMEN'S HEALTH CARE SPECIALIST
C/O FRANCIS MARTINGANO, M.D.
97 NEW DORP LANE, SUITE C
STATEN ISLAND, NY 10306

ZABLOW, BRUCE C., M.D.
329 MILLWOOD ROAD
CHAPPAQUA, NY 10514

Total Parties: 48