

SILLS CUMMIS & GROSS P.C.

Andrew H. Sherman, Esq.

Charles N. Panzer, Esq.

One Riverfront Plaza

Newark, New Jersey 07102-5400

(973) 643-7000

*Attorneys for Allen D. Wilen, as Liquidating Trustee and
Estate Representative*

Hearing Date and Time:

December 8, 2009 at 11:00 a.m.

Response Deadline:

December 1, 2009

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BAYONNE MEDICAL CENTER,

Debtor.

Chapter 11

Case No. 07-15195 (MS)

**NOTICE OF FOURTEENTH OMNIBUS OBJECTION OF LIQUIDATING
TRUSTEE TO CERTAIN AMENDED AND SUPERSEDED GENERAL
UNSECURED CLAIMS, PURSUANT TO 11 U.S.C. § 502 AND
FED. R. BANKR. P. 3007**

PLEASE TAKE NOTICE that on October 19, 2009, Allen D. Wilen, in his capacity as Liquidating Trustee and Estate Representative (the "Liquidating Trustee") for the bankruptcy estate of Bayonne Medical Center, filed an Omnibus Objection (the "Objection"), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, to certain general unsecured claims filed in this case which have been amended and superseded by corresponding general unsecured claims filed by the same claimants based on the same claims, and requested the entry of an Order expunging those claims. The Objection and any responses will be heard on October 20, 2009, at 11:00 a.m. before the Honorable Morris Stern, U.S.B.J., on the third floor of the Martin Luther King Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07102.



PLEASE TAKE FURTHER NOTICE that objections to the relief sought in the Objection must be filed no later than October 13, 2009 (the “Response Deadline”). Failure to timely file a response by the Response Deadline may result in the entry of an Order granting the relief requested in the Objection.

YOUR RIGHTS MAY BE AFFECTED. Claimants receiving this notice and the accompanying Objection should locate their names and claims in the Objection and the Exhibit attached thereto, review the papers carefully, discuss them with their attorneys (any claimant who does not have an attorney may wish to consult one), and take appropriate action.

SILLS CUMMIS & GROSS P.C.
One Riverfront Plaza
Newark, New Jersey 07102
973-643-7000
*Attorneys for Allen D. Wilen, as Liquidating
Trustee and Estate Representative*

By: /s/Charles N. Panzer
Andrew H. Sherman
Charles N. Panzer

Dated: October 19, 2009

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BAYONNE MEDICAL CENTER,

Debtor.

Chapter 11

Case No. 07-15195 (MS)

**FOURTEENTH OMNIBUS OBJECTION OF LIQUIDATING TRUSTEE
TO CERTAIN GENERAL UNSECURED CLAIMS, PURSUANT TO
11 U.S.C. § 502 AND FED. R. BANKR. P. 3007
(AMENDED AND SUPERSEDED GENERAL UNSECURED CLAIMS)**

Allen D. Wilen, in his capacity as Liquidating Trustee and Estate Representative (the "Liquidating Trustee") for the bankruptcy estate of the captioned debtor, Bayonne Medical Center (the "Debtor"), files this Fourteenth Omnibus Objection (the "Objection") to certain amended and superseded general unsecured claims (each, a "Superseded Claim"), pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure ("*Fed.R.Bankr.P.*"), and respectfully represents as follows:

PRELIMINARY STATEMENT

The Trustee objects to the Claims listed on the schedule attached hereto as Exhibit A on the ground that each was amended and superseded by a corresponding general unsecured claim

filed by the same claimant based on the same claim, and also listed in Exhibit A (each, a “Superseding Claim”). Therefore, the Trustee respectfully requests the entry of an Order, pursuant to 11 U.S.C. § 502 and *Fed.R.Bankr.P.* 3007, expunging each Superseded Claim and providing that each Superseding Claim shall survive subject to any and all defenses and objections that have been or may be asserted by the Trustee with respect to each Superseding Claim.

PROCEDURAL BACKGROUND

1. On April 16, 2007 (the “Petition Date”), the Debtor filed with this Court a voluntary petition for relief under chapter 11, title 11, United States Code (the “Bankruptcy Code”). Since the Petition Date, the Debtor has remained a debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.
2. On May 3, 2007, the United States Trustee appointed the Committee pursuant to section 1102 of the Bankruptcy Code.
3. On November 8, 2007, the Debtor held a Court supervised auction of substantially all of its assets (the “Sale”), at which IJKG, LLC and certain related entities (collectively, “IJKG”) was determined to be the successful bidder. The Court approved the Sale to IJKG by order dated November 9, 2007.
4. By Order dated April 22, 2008, the Court established May 30, 2008 as the deadline to file prepetition claims against the Debtor.
5. On February 23, 2009, the Debtor and the Committee filed a First Amended Joint Plan of Liquidation under Chapter 11 of the Bankruptcy Code (the “Plan”), which provided for, among other things, the creation of a liquidating trust pursuant to a Liquidating Trust Agreement and the appointment of a liquidating trustee at or prior to confirmation of the Plan.

6. On April 9, 2009, the Plan was confirmed by Order of the Court (“Confirmation Order”). Pursuant to the Confirmation Order, Allen D Wilen was appointed as liquidating trustee and the estate representative for the Debtor’s bankruptcy estate.

7. Under the Plan, the deadline to object to claims is 120 days after the Effective Date of the Plan, though the deadline may be extended by the Court, or by agreement with a claimant. If no objection to a claim is filed by the objection bar date(s), the subject claim will be deemed allowed for purposes of distribution under the Plan.

8. In accordance with these procedures, the Liquidating Trustee hereby objects to each of the Superseded Claims set forth in Exhibit A on the grounds that each was amended and superseded by a corresponding Superseding Claim filed prior to the prepetition claim filing bar date of May 30, 2008 by the same claimant based on the same claim, and that each Superseding Claim shall survive subject to any and all defenses and objections that have been or may be asserted by the Trustee with respect thereto.

JURISDICTION AND VENUE

9. Jurisdiction is proper pursuant to 28 U.S.C. §§ 157 and 1334.

10. This is a “core” proceeding pursuant to 28 U.S.C. §§ 157(b).

11. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

RELIEF REQUESTED AND BASIS FOR RELIEF

12. 11 U.S.C. § 502 and *Fed.R.Bankr.P.* 3007 afford parties in interest the opportunity to object to claims against a debtor’s estate. The Trustee, as a party in interest, objects pursuant to § 502 and Rule 3007, and requests that the Court enter an Order expunging the Superseded Claims set forth in Exhibit A.

13. Each of the Superseded Claims was amended and replaced by a corresponding Superseding Claim, which Superseding Claim shall survive subject to any and all defenses and objections that have been or may be asserted by the Trustee with respect thereto. The Trustee submits that the requested relief is necessary and appropriate to prevent incorrect, double payments on single claims. Accordingly, each of the Claims should be expunged.

RESERVATION OF RIGHTS

14. This Objection does not constitute a waiver of any defense or any ground for objection to the Superseded Claims set forth in Exhibit A, and the Trustee reserves the right to assert any such defense and object on any such ground to any Superseded Claim not expunged as a result of this Objection.

15. This Objection does not constitute a waiver of any defense or ground for objection to any claim against the Debtor not set forth in Exhibit A, including but not limited to Superseding Claims. The Trustee reserves the right to assert any such defense and object on any such ground to any such claim.

WHEREFORE, for the foregoing reasons, the Trustee respectfully requests that the Superseded Claims set forth in Exhibit A be expunged, that the Court enter an Order substantially in the form of the Proposed Order accompanying this Objection expunging the Superseded Claims and providing that the Superseding Claims shall survive, subject to any and

all defenses and objections that have been or may be asserted by the Trustee with respect thereto,
and for such other and further relief as the Court deems necessary and just.

SILLS CUMMIS & GROSS P.C.
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Newark, New Jersey 07102
973-643-7000
*Attorneys for Allen D. Wilen, as Liquidating
Trustee and Estate Representative*

By: /s/Charles N. Panzer
Andrew H. Sherman
Charles N. Panzer

Dated: October 19, 2009

In re: Bayonne Medical Center
 Case No. 07-15195-MS

**FOURTEENTH OMNIBUS OBJECTION TO CLAIMS
 (AMENDED AND SUPERSEDED GENERAL UNSECURED CLAIMS)**

EXHIBIT A

<u>Name</u>	<u>Superseded Claim to be Expunged Claim No.</u>	<u>Superseded Claim to be Expunged Classification</u>	<u>Superseded Claim to be Expunged Claim Amount</u>	<u>Superseding Claim No.</u>	<u>Superseding Claim Classification</u>	<u>Superseding Claim Amount</u>
American Red Cross	62	General Unsecured	\$274,729.27	358	General Unsecured	\$42,480.32
CCW Inc. d/b/a Filebank Inc.	133	General Unsecured	\$10,223.50	380	General Unsecured	\$15,125.00
EMC Corporation	141	General Unsecured	\$5,800.00	168	General Unsecured	\$9,715.00
Empire Healthchoice Assurance Inc. d/b/a Empire BCBS	2	General Unsecured	\$1,115.00	125	General Unsecured	\$1,355.00
Hygrade Business Group Inc.	79	General Unsecured	\$103,704.89	209	General Unsecured	\$110,159.07
Hygrade Business Group Inc.	81	General Unsecured	\$103,704.89	209	General Unsecured	\$110,159.07
New Jersey Dept. of Labor & Workforce Development	159	General Unsecured	\$540,863.79	260	General Unsecured	\$712,553.12
NOITU Insurance Trust Fund	82	General Unsecured	\$3,951.40	174	General Unsecured	\$4,132.63
NOITU Insurance Trust Fund	92	General Unsecured	\$3,951.40	174	General Unsecured	\$4,132.63

In re: Bayonne Medical Center
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State of New Jersey Division of Employer Accounts	130	General Unsecured	\$485,231.18	159 & 160	General Unsecured General Unsecured	\$608,719.83 \$15,732.46
TD Banknorth	236	General Unsecured	\$2,006,255.57	334	General Unsecured	\$7,281,731.59
Vie Healthcare Inc.	14	General Unsecured	\$21,002.91	226	General Unsecured	\$20,862.89

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)
SILLS CUMMIS & GROSS P.C.
Andrew H. Sherman, Esq.
Charles N. Panzer, Esq.
Michael E. Blaine, Esq.
One Riverfront Plaza
Newark, New Jersey 07102-5400
(973) 643-7000
*Attorneys for Allen D. Wilen, as Liquidating Trustee
and Estate Representative*

In re:

BAYONNE MEDICAL CENTER,

Debtor.

Hon. Morris Stern

Case No.: 07-15195(MS)

Chapter 11

ORDER EXPUNGING CLAIMS OBJECTED TO IN THE LIQUIDATING TRUSTEE'S FOURTEENTH OMNIBUS OBJECTION TO CERTAIN AMENDED AND SUPERSEDED GENERAL UNSECURED CLAIMS PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P. 3007

The relief set forth on the following page number two (2) hereby **ORDERED**.

Case No.: 07-15195(MS)
Caption of Order: ORDER EXPUNGING CLAIMS OBJECTED TO IN THE LIQUIDATING TRUSTEE'S FOURTEENTH OMNIBUS OBJECTION TO CERTAIN AMENDED AND SUPERSEDED GENERAL UNSECURED CLAIMS PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P. 3007

This matter having been raised before this Court by the Seventh Omnibus Objection (the "Objection") of Allen D. Wilen, as Liquidating Trustee and Estate Representative to certain general unsecured claims that have been amended and superseded (collectively, the "Superseded Claims"), pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure; and this Court having jurisdiction to consider the relief requested therein under 28 U.S.C. §§ 157 and 1334; and this matter being a core proceeding under 28 U.S.C. § 157(b); and this Court having considered the Objection, its supporting materials, and all responses thereto, if any; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby:

ORDERED that the Objection is SUSTAINED, and (i) each of the Superseded Claims set forth on Exhibit A attached hereto is disallowed and expunged in its entirety and (ii) each of the designated Superseding Claims set forth on Exhibit A attached hereto shall survive subject to any and all defenses and objections that have been or may be asserted by the Trustee with respect to each Superseding Claim; and it is further

ORDERED that this Order does not expunge, impair, or otherwise affect any claim not set forth on the schedule attached hereto as Exhibit A, including, but not limited to, any general unsecured claim.

In re: Bayonne Medical Center
Case No. 07-15195-MS

**FOURTEENTH OMNIBUS OBJECTION TO CLAIMS
(AMENDED AND SUPERSEDED GENERAL UNSECURED CLAIMS)**

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