

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 (AS-6061)  
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*

**FILED**  
JAMES J. DEBON CLERK  
OCT 20 2009  
U.S. BANKRUPTCY COURT  
NEWARK, N.J.  
BY *[Signature]* DEPUTY

2261

In re:  
  
BAYONNE MEDICAL CENTER,  
  
Debtor.

Hon. Morris Stern  
  
Case No.: 07-15195(MS)  
  
Chapter 11

**ORDER PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P. 3007  
EXPUNGING SECURED CLAIM OF GMAC OBJECTED TO BY THE  
LIQUIDATING TRUSTEE AS A DUPLICATE CLAIM**

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

10/20/09  
*[Signature]*

1653249 v2

*[Signature]*



Debtor: BAYONNE MEDICAL CENTER  
Case No.: 07-15195(MS)  
Caption of Order: ORDER PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P.  
3007 EXPUNGING SECURED CLAIM OF GMAC OBJECTED TO BY  
THE LIQUIDATING TRUSTEE AS A DUPLICATE CLAIM

This matter having been raised before this Court by the Objection (the "Objection") of Allen D. Wilen, as Liquidating Trustee and Estate Representative to a certain duplicate secured claim filed by GMAC (the "Duplicate Claim"), 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) the Duplicate Claim set forth on Exhibit A attached hereto is disallowed and expunged in its entirety and (ii) the Remaining Claim 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 thereto; 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

**OBJECTION TO SECURED CLAIM OF GMAC**

EXHIBIT A

<u>Name</u>	<u>Claim to be Expunged Claim No.</u>	<u>Claim to be Expunged Classification</u>	<u>Claim to be Expunged Claim Amount</u>	<u>Remaining Claim Claim No.</u>	<u>Remaining Claim Classification</u>	<u>Remaining Claim Claim Amount</u>
GMAC	4	Secured	\$20,315.87	5	Secured	\$20,315.87

# CERTIFICATE OF NOTICE

District/off: 0312-2  
Case: 07-15195

User: whealy  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 9

Date Rcvd: Oct 20, 2009

The following entities were noticed by first class mail on Oct 22, 2009.

db Bayonne Medical Center, 29th Street & Avenue E, Bayonne, NJ 07002

aty +Adam C. Rogoff, Cooley Godward Kronish, LLP, 1114 Avenue of the Americas,  
New York, NY 10036-7703

aty +Connell Foley, LLP, Connell Foley, LLP, 85 Livingston Ave., Roseland, NJ 07068-3790

aty +Cooley Godward Kronish, LLP, 1114 Avenue of the Americas, New York, NY 10036-7703

aty Eric J. Haber, Cooley Godward Kronish, LLP, 1114 Ave. of the Americas,  
New York, NY 10036-7798

aty +Forman Holt Eliades & Ravin LLC, 80 Route 4 East, Ste. 290, Paramus, NJ 07652-2661

aty +Lawrence C. Gottlieb, Cooley Godward Kronish, LLP, 1114 Avenue of the Americas,  
New York, NY 10036-7703

aty +Lindabury, McCormick & Estabrook, Lindabury, McCormick & Estabrook, 53 Cardinal Drive,  
PO Box 2369, Westfield, NJ 07091-2369

aty +Norris McLaughlin & Marcus, 721 Route 202-206, Bridgewater, NJ 08807-1760

The following entities were noticed by electronic transmission.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 22, 2009

Signature:

