



**RIKER  
DANZIG  
SCHERER  
HYLAND  
PERRETTI LLP**

**J. Alex Kress**

Direct:  
973.451.8453  
akress@riker.com  
Morristown office

ATTORNEYS AT LAW

January 21, 2010

**EMAIL, ECF and REGULAR MAIL**

Honorable Morris Stern, U.S.B.J.  
M.L. King, Jr. Federal Building and Courthouse, 3<sup>rd</sup> Floor  
50 Walnut Street  
Newark NJ 07102

**Re: In re Bayonne Medical Center, Case No. 07-15195; IJKG, LLC t/a Bayonne Hospital v. Bayonne Medical Center, Inc., Adv. Proc. No. 08-01540**

Dear Judge Stern:

We are counsel to The Bank of New York Mellon, as Master Indenture Trustee, which holds certain liens and rights against the Reorganized Debtor and others as a result of their dealings with the Debtor pursuant to various orders of this Court.

We have been advised that there is a status conference in this matter presently scheduled for this afternoon at 3:00 p.m. today to discuss whether the parties have successfully settled this matter, the terms of that settlement, and the steps to be taken to memorialize and consummate that settlement.

Because the Master Trustee has been allocated numerous rights and claims under various orders of this Court, some of which lay and, in the future, may arise against IJKG, we are concerned about the scope of the settlement and release being contemplated between the parties and the Master Trustee's ability to protect its rights and claims from inadvertently (or nefariously) being impacted by the resolution of this matter.

Headquarters Plaza, One Speedwell Avenue, Morristown, NJ 07962-1981 • t: 973.538.0800 f: 973.538.1984  
50 West State Street, Suite 1010, Trenton, NJ 08608-1220 • t: 609.396.2121 f: 609.396.4578  
500 Fifth Avenue, New York, NY 10110 • t: 212.302.6574 f: 212.302.6628

London Affiliate: 33 Cornhill, London EC3V 3ND, England • t: +44 (0)

www.riker.com



071519510012200000000001

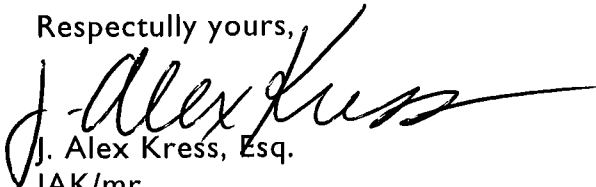
Honorable Morris Stern, U.S.B.J.

January 21, 2010

Page 2

We have requested the consent of the parties to our participation in the scheduled call. But IJKG's counsel has apprised us that their client will not consent. Accordingly, we respectfully request that the Court permit us to participate in this afternoon's call over the objection of IJKG.

Respectfully yours,

A handwritten signature in black ink, appearing to read "J. Alex Kress". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

J. Alex Kress, Esq.

JAK/mr

Encl.

cc:

Edward A. Cienki, Esq. (via email & ECF)

Samuel Israel, Esq. (via email & ECF)

Stephen Falanga, Esq. (via email & ECF)

Andrew Sherman, Esq. (via email & ECF)