

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

TO: JAMES J. WALDRON, CLERK

CASE NO. 07-15195 (MS)  
IN RE: BAYONNE MEDICAL CENTER

CHAPTER 7

**INFORMATION FOR NOTICE OF SETTLEMENT OF CONTROVERSY**

**Allen D. Wilen, Liquidating Trustee for Bayonne Medical Center Liquidating Trust**, proposes to settle a claim and/or action, the nature of which is described below.

If any creditor or other party in interest has an objection to the settlement, an objection and request for a hearing on such objection shall be in writing, served upon the trustee and filed with the Clerk of the United States Bankruptcy Court.

Such objection and request shall be filed with the Clerk and served upon the trustee no later than (date to be fixed by the Court).

In the event an objection is timely filed a hearing thereon will be held on (date and location of hearing will be supplied by the Court).

If no objection is filed with the Clerk and served upon the trustee on or before above date, the settlement will be consummated as proposed on (date to be fixed by the Court).

The nature of the action and the terms of the settlement are as follows:

NATURE OF ACTION	PERTINENT TERMS OF THE SETTLEMENT
<p>Bayonne Medical Center ("Debtor") filed Adv. Pro. No. 09-1657 against Archive Systems, Inc. ("Defendant"), to recover the sum of \$85,837.85 as alleged preferential transfers pursuant to 11 U.S.C. §547. Allen D. Wilen, Liquidating Trustee for Bayonne Medical Center Liquidating Trust, was substituted as plaintiff by Order dated June 17, 2009. The Defendant disputed the allegations contained in the complaint and asserted that payments received from the Debtor were made in the ordinary course of business.</p>	<p>The Defendant has agreed to pay the sum of \$10,000.00 to the trustee and waive all claims against the Debtor's estate, including its right to assert a claim under Section 502 (h), in full settlement of all claims raised in Adv. Pro. No. 09-1657. The Trustee believes that the settlement is in the best interests of the Debtor's estate in light of possible defenses and in order to avoid incurring costs in litigating this case.</p>

Request for additional information about the nature of the action or the terms of the settlement should be directed to:

NAME: Erin J. Kennedy, Esq.  
ADDRESS: Forman Holt Eliades & Ravin LLC  
80 Route 4 East, Suite 290  
Paramus, New Jersey 07652  
TELEPHONE NO.: (201)845-1000

SUBMITTED BY: /s/ Erin J. Kennedy POSITION: Special Counsel for Trustee PHONE: (201) 845-1000  
Erin J. Kennedy, Esq.

FOR CLERK'S OFFICE USE ONLY

TYPE OF TASK 11  
FORM # BL STATEMENT SET

