**UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF COLUMBIA**

| | | |
|---|---|---|
| **IN RE:** | : | |
| **GREATER SOUTHEAST COMMUNITY:** | | |
| **HOSPITAL CORPORATION I, *et al.*,** | : | **Case No: 02--2250** |
| | : | **Jointly Administered** |
| **Debtors.** | : | **(Chapter 11)** |
| | : | |
| | : | |
| **LINDA HAINES, Individually and as** | : | |
| **Personal Representative and** | : | |
| **of the Estate of BEATRICE PHILLIPS** | : | |
| | : | |
| **Movant,** | : | |
| **V** | : | |
| | : | |
| | : | |
| **GREATER SOUTHEAST COMMUNITY:** | | |
| **HOSPITAL CORPORATION I, *et al.*,** | : | |
| | : | |
| **Respondent.** | : | |

FILED AND ENTERED

MAR - 9 2005

Denise H. Curtis, Clerk
U.S. Bankruptcy Court for D.C.

## ORDER

Upon consideration of the *Motion to Allow Late Filing of Claim*, it is this 9th day of ~~January~~ March, 2005 by the United States Bankruptcy Court of the District of Columbia:

**ORDERED**, that the *Motion to Allow Late Filing of Claim and Notice of Deadline to File and Serve Objection to Motion* be and hereby is **GRANTED**;

and **FURTHER ORDERED,** that Movant's Proof of Claim (the original of which was appended to Docket Entry No. 2411) is filed in this Court, and the clerk shall docket the attached copy in the claims register in place of the original.

S. Martin Teel Jr.
Judge S. Martin Teel, Jr.
Bankruptcy Judge

Copies to:

[next page]

Copies to:

Andrew M. Troop
Weil, Gotshal & Manges LLP
100 Federal Street
34th Floor
Boston, MA 02110

Deryck A. Palmer
Weil, Gotshal & Manges LLP
767 Fifth Ave.
New York, NY 10153

Holly E. Loiseau
Peter D. Isakoff
Cleveland Lawrence III
Douglas Southard
1501 K Street NW Suite 100
Washington, DC 20005

Ted A. Berkowitz
Patrick Collins
Farrell Fritz, PC
EAB Plaza
Uniondale, NY 11556-0120

Sam J. Alberts
White & Case LLP
601 Thirteenth Street, N.W. Suite 600
Washington, DC 20005

Barry J. Nace
Gabriel A. Assaad
Paulson & Nace
1814 N Street, NW
Washington, DC 20036

Office of United States Trustee

FORM B10 (Official Form 10) (04/04)

UNITED STATES BANKRUPTCY COURT _____ DISTRICT OF Columbia

**PROOF OF CLAIM**

| Name of Debtor | Case Number |
|---|---|
| Greater Southeast Community Hospital, et al. | 02-2250 |

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (The person or other entity to whom the debtor owes money or property): Linda Haines, Personal Representative of the Estate of Beatrice Phillips, deceased

Name and address where notices should be sent:
Paulson & Nace
1814 N Street, N.W.
Washington, D.C. 20036

Telephone number:

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☒ Check box if you have never received any notices from the bankruptcy court in this case.

☐ Check box if the address differs from the address on the envelope sent to you by the court.

Filed January 3, 2005 (as part of Docket Entry No. 2411).

S. Martin Teel, Jr.
S. Martin Teel, Jr.
U.S. Bankruptcy Judge

THIS SPACE IS FOR COURT USE ONLY

Account or other number by which creditor identifies debtor:

Check here if this claim ☐ replaces ☐ amends a previously filed claim, dated: _____

**1. Basis for Claim**

☐ Goods sold
☐ Services performed
☐ Money loaned
☒ Personal injury/wrongful death
☐ Taxes
☐ Other _____

☐ Retiree benefits as defined in 11 U.S.C. § 1114(a)
☐ Wages, salaries, and compensation (fill out below)
Last four digits of SS #: _____
Unpaid compensation for services performed
from _____ (date) to _____ (date)

**2. Date debt was incurred:** 5/21/02

**3. If court judgment, date obtained:** Pending

**4. Total Amount of Claim at Time Case Filed:** $ $1,000,000.00 (unsecured) _____ (secured) _____ (priority) $1,000,000.00 (Total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 7 below.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

**5. Secured Claim.**

☐ Check this box if your claim is secured by collateral (including a right of setoff).

Brief Description of Collateral:

☐ Real Estate ☐ Motor Vehicle ☐ Other _____

Value of Collateral: $_____

Amount of arrearage and other charges at time case filed included in secured claim, if any: $_____

**6. Unsecured Nonpriority Claim** $ 1,000,000.00

☐ Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.

**7. Unsecured Priority Claim.**

☐ Check this box if you have an unsecured priority claim

Amount entitled to priority $_____

Specify the priority of the claim:

☐ Wages, salaries, or commissions (up to $4,925),* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3).
☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4).
☐ Up to $2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).
☐ Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).
☐ Taxes or penalties owed to governmental units-11 U.S.C. § 507(a)(8).
☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).

*Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.*

**8. Credits:** The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

**9. Supporting Documents:** *Attach copies of supporting documents,* such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

**10. Date-Stamped Copy:** To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim

THIS SPACE IS FOR COURT USE ONLY

| Date | Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): |
|---|---|
| 1/3/05 | Gabriel A. Assaad, Esq. Attorney for Plaintiff |

*Penalty for presenting fraudulent claim:* Fine of up to $500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

# INSTRUCTIONS FOR PROOF OF CLAIM FORM

*The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.*

## DEFINITIONS

***Debtor***

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

***Creditor***

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

***Proof of Claim***

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

***Secured Claim***

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

***Unsecured Claim***

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

***Unsecured Priority Claim***

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

## Items to be completed in Proof of Claim form (if not already filled in)

**Court, Name of Debtor, and Case Number:**
Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

**Information about Creditor:**
Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

**1. Basis for Claim:**
Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in the last four digits of your social security number and the dates of work for which you were not paid.

**2. Date Debt Incurred:**
Fill in the date when the debt first was owed by the debtor.

**3. Court Judgments:**
If you have a court judgment for this debt, state the date the court entered the judgment.

**4. Total Amount of Claim at Time Case Filed:**
Fill in the applicable amounts, including the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

**5. Secured Claim:**
Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

**6. Unsecured Nonpriority Claim:**
Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority.

**7. Unsecured Priority Claim:**
Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

**8. Credits:**
By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

**9. Supporting Documents:**
You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

**BAE SYSTEMS**

**Enterprise Systems Incorporated**
**11487 Sunset Hills Road**
**Reston, Virginia 20190-5234**

# CERTIFICATE OF SERVICE

District/off: 0090-1 User: myers Page 1 of 1 Date Rcvd: Mar 09, 2005
Case: 02-02250 Form ID: pdf001 Total Served: 6

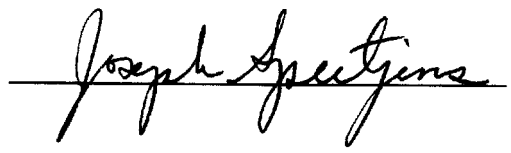
The following entities were served by first class mail on Mar 11, 2005.
aty +Andrew M. Troop, Weil, Gotshal & Manges LLP, 100 Federal Street, 34th Floor, Boston, MA 02110-1802
aty +Deryck A. Palmer, 767 Fifth Ave, New York, NY 10153-0023
aty +Holly E. Loiseau, 1501 K Street NW Suite 100, Washington, DC 20005-1411
aty +Sam J. Alberts, White & Case LLP, 601 Thirteenth Street, N.W. Suite 600, Washington, DC 20005-3807
aty Ted A. Berkowitz, Farrell Fritz, PC, EAB Plaza, Uniondale, NY 11556-0120
+Gabriel A. Assaad, Paulson & Nace, 1814 N St NW, Washington, DC 20036-2404

The following entities were served 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 served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.**

**First 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: Mar 11, 2005** **Signature:**