## Exhibit 1

# UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re: : Chapter 11

GREATER SOUTHEAST COMMUNITY HOSPITAL CORP., I, et al., <sup>1</sup>

Jointly Administered Case No. 02-2250 Judge S. Martin Teel, Jr.

Debtors.

SUBMISSION OF AMENDED PROPOSED ORDER APPROVING THE DCHC LIQUIDATING TRUST'S EIGHTEENTH OMNIBUS OBJECTION TO POST-PETITION CLAIMS PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P. 3007 AND REQUEST TO CONTINUE HEARING WITH RESPECT TO HCA INC.'S CLAIM

# TO THE HONORABLE S. MARTIN TEEL, JR. UNITED STATES BANKRUPTCY JUDGE:

The DCHC Liquidating Trust (the "<u>Trust</u>") hereby submits the attached amended proposed Order (the "<u>Amended Order</u>") Approving the Trust's Eighteenth Omnibus Objection (the "<u>Eighteenth Omnibus Objection</u>") to Postpetition Claims Pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007 and Requests to Continue the Hearing with respect to HCA's Claim to September 22, 2008 at 10:30 a.m., and in support states as follows:

1. On July 14, 2008, the Trust filed with this Court the Eighteenth Omnibus Objection. The Eighteenth Omnibus Objection seeks to reduce and/or disallow the Subject Claims<sup>2</sup> on the basis that they are based, in whole or in part, on goods and services provided postpetition.

¹ The affiliated debtors are PACIN-Hadley Memorial Hospital Corporation of Washington, D.C. ("<u>Hadley</u>"), Michael Reese Medical Center Corporation of Chicago, Illinois ("<u>MR</u>"), Pacifica Hospital of the Valley Corporation of Sun Valley, California ("<u>Pacifica</u>"), Pine Grove Hospital Corporation of Canoga Park, California ("<u>Pine Grove</u>") and their ultimate parent corporation, Doctors Community Hospital Corporation ("<u>DCHC</u>"; collectively with Greater Southeast Community Hospital Corporation I, Hadley, MR, Pacifica and Pine Grove, the "<u>Debtors</u>").

<sup>&</sup>lt;sup>2</sup> All terms not defined herein shall have the meaning assigned to them in the Eighteenth Omnibus Objection.

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- 2. The deadline to respond to the Eighteenth Omnibus Objection was August 13, 2008.
- 3. The Trust served the Eighteenth Omnibus Objection in accordance with the Certificate of Service attached to the Eighteenth Omnibus Objection. *See* Declaration of John Hoke, dated August 25, 2008 (the "Hoke Decl."), attached hereto as Exhibit 1 at ¶ 4.
- 4. With respect to Viromed Laboratories and KWKW Radio, service of the Eighteenth Omnibus Objection was subsequently returned to the Trust by the United States Postal Service (together, the "Returned Service Parties"). Hoke Decl. at ¶ 5. The Trust was able to determine alternative addresses for the Returned Service Parties and re-served the Eighteenth Omnibus Objection via first class mail to these parties' respective new addresses on that same day. Id. Attached to the Hoke Decl. is a chart listing the Returned Service Parties, their original addresses and their new addresses where the Eighteenth Omnibus Objection was served. Id. at ¶ 6.
- 5. Two oppositions to the Eighteenth Omnibus Objection were filed with the Court. The first opposition was filed by the Hospital Association of Southern California on August 5, 2008 (DE 3412). The Trust and the Hospital Association of Southern California consensually resolved this opposition by stipulation filed with the Court on August 19, 2008 (DE 3423).
- 6. The second opposition was filed by HCA Inc. ("<u>HCA</u>") on August 13, 2008 (DE 3419). The Trust filed a reply to HCA's opposition on August 20, 2008 (DE 3427). Because HCA's opposition and the Trust's reply raise new issues, and at the request of HCA, the Trust seeks to continue the hearing solely with respect to the Trust's objection to HCA's claim to September 22, 2008 at 10:30 a.m.

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- 7. The Trust also entered into a stipulation with SBC Pacific Bell, dated August 25, 2008 (DE 3431), which resolved the Eighteenth Omnibus Objection with respect SBC Pacific Bell's claim.
- 8. Attached hereto is the Amended Order. The Amended Order does not include the Hospital Association of Southern California or SBC Pacific Bell claims that were resolved by stipulation, or HCA's claim for which the parties seek a continuance of the hearing. In light of the fact that the Trust received no opposition to the Eighteenth Omnibus Objection with respect to the remaining claims not discussed above, all parties were properly served, and in an effort to minimize the Trust's administrative expenses, the Trust requests that this Court approve the attached Amended Order, without further hearing.
- 9. The Trust hereby reserves its right to object in the future to any of the Subject Claims listed in the Eighteenth Omnibus Objection (and/or Exhibit A to the Eighteenth Omnibus Objection), this Submission and/or the Amended Order on any ground, whether legal or equitable, and whether or not stated herein or in the Eighteenth Omnibus Objection, and to amend, modify and/or supplement the Eighteenth Omnibus Objection and/or this Submission, including without limitation, to object to any other postpetition claims. Separate notice and hearing will be scheduled for such objection.

WHEREFORE, the Trust respectfully requests that the Court enter the attached Amended Order without further hearing and grant such other and further relief as is just and proper.

Dated: August 25, 2008

Respectfully submitted,

#### WHITE & CASELLP

By: /s/ Jeffrey E. Schmitt

Sam J. Alberts (D.C. Bar No. 443260) Jeffrey E. Schmitt (D.C. Bar No. 490013) 701 Thirteenth St., N.W. Washington, D.C. 20005 tel.: (202) 626-3600

fax: (202) 639-9355

Counsel to Sam J. Alberts, Trustee for The DCHC Liquidating Trust

#### **CERTIFICATE OF SERVICE**

I certify that on August 25, 2008, a copy of the foregoing Submission of Amended Proposed Order Approving the DCHC Liquidating Trust's Eighteenth Omnibus Objection to Postpetition Claims Pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007 and Request to Continue Hearing With Respect to HCA's Claim was sent by First Class Mail to the parties identified in Exhibit A to the Eighteenth Omnibus Objection and to the parties listed below.

Dennis Early, Esq. Office of the U.S. Trustee 115 S. Union Street Alexandria VA 22314

Andrew Troop, Esq.
Cadwalader, Wickersham & Taft
One World Financial Center
New York, NY 10281

Ted A Berkowitz, Esq. Patrick Collins, Esq. Farrell Fritz, P.C. 1320 RexCorp Plaza Uniondale, NY 11556 Tel: 516-227-0700

Counsel to the Reorganized Debtors

/s/ Jeffrey E. Schmitt
Jeffrey E. Schmitt

# UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re: : Chapter 11

GREATER SOUTHEAST COMMUNITY: Jointly Administered HOSPITAL CORP., I, et al., Case No. 02-2250

Judge S. Martin Teel, Jr.

Debtors.

# ORDER APPROVING THE TRUST'S EIGHTEENTH OMNIBUS OBJECTION TO POSTPETITION CLAIMS PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P. 3007

Upon consideration of the Eighteenth Omnibus Objection (the "<u>Eighteenth Omnibus Objection</u>") of The DCHC Liquidating Trust (the "<u>Trust</u>") seeking the entry of an order disallowing and reducing certain claims, and the Submission (the "<u>Submission</u>") of Amended Proposed Order Approving the Eighteenth Omnibus Objection,

#### FINDING THAT:

1. No previous application for the relief requested therein having been made;

- 2. The Hospital Association of Southern California (Claim No. 1814) and HCA Inc. (Claim No. 416) each filed a timely opposition to the Eighteenth Omnibus Objection. The Hospital Association of Southern California's opposition and claim was resolved by stipulation filed with the Court on August 19, 2008 (DE 3423).
- 3. SBC Pacific Bell's claim (Claim No. 1214) was resolved by stipulation filed with the Court on August 25, 2008 (DE 3431).
- 4. The claims filed by the Hospital Association of Southern California (Claim No. 1814), HCA Inc. (Claim No. 416) and SBC Pacific Bell (Claim No. 1214) have been removed from <u>Exhibit A</u> to this Order (formerly <u>Exhibit A</u> to the Eighteenth Omnibus Objection);
- 5. Due and proper notice of the Eighteenth Omnibus Objection having been given;
- 6. Sufficient cause exists for granting the requested relief; and
- 7. Granting the relief requested is in the best interests of the above-captioned Debtors' estates and creditors.

After due deliberation and cause appearing therefor; it is HEREBY ORDERED,

#### ADJUDGED AND DECREED THAT:

- 1. The relief requested in the Eighteenth Omnibus Objection and the Submission is granted to the extent provided in this Order.
- 2. Each Claim listed on <u>Exhibit A</u> to this Order is disallowed and/or reduced in accordance with the column labeled "Disallowed Claim Amount" detailed on <u>Exhibit A</u> to this Order.
- 3. The Trust hereby reserves its right to object in the future to any of the claims listed in the Eighteenth Omnibus Objection on any ground, whether legal or equitable, and whether or

- not stated herein or on <u>Exhibits A</u> to the Eighteenth Omnibus Objection or in the Submission or on <u>Exhibits A</u> to this Order.
- 4. Within 10 days of entry of this Order the Trust shall file a certificate of mailing of copies of this Order upon the parties listed on Exhibits A to the Eighteenth Omnibus Objection.

cc: Sam J. Alberts, Esq.
Jeffrey E. Schmitt, Esq.
White & Case, LLP
701 Thirteenth Street N.W.
Washington, D.C. 20005

Darrell W. Clark Stinson Morrison Hecker LLP 1150 18<sup>th</sup> St., N.W. Suite 800 Washington, D.C. 20036

Dennis Early, Esq.
Office of the U.S. Trustee
115 S. Union Street
Alexandria VA 22314

Ted Berkowitz, Esq. Patrick Collins, Esq. Farrell Fritz, P.C. EAB Plaza Uniondale, NY 11556-0120

All parties listed on Exhibits A to the Eighteenth Omnibus Objection.

## Exhibit A

See Omnibus Objection, page 5

# In re: Doctors Community Healthcare Omnibus 18: Exhibit A Claims With Post Petition Amounts To Be Disallowed

		As Filed		Allowed Claim	Disallow
Creditor Name/Address	Case Number	Claim Number	Total Claimed Amount	Unsecured	
1 BECKMAN COULTER INC BERNSTEIN LAW FIRM PC C/O KIRK B BURKLEY ESQUIRE GULF TOWER 707 GRANT ST STE 2200 PITTSBURGH PA 15219-1912	02-2250	1373	\$ 324,514.06	\$ 318,927.32	\$ 5,586.74
2 FISHER SCIENTIFIC GARY BARNES REGIONAL CREDIT MGR 2000 PARK LN PITTSBURGH PA 15275	02-2251	1916	28,939.02	14,888.07	14,050.95
3 KWKW RADIO 1645 VINE ST STE 201 LOS ANGELES CA 90028-8841	02-2253	1096	39,050,19	33,200.19	5,850.00
4 PENTAX PRECISION INSTRUMENT CORPORATION 30 RAMLAND RD ORANGEBURG NY 10962-2606	02-2250	633	81,070.41	66,070.41	15,000.00
5 PRAXAIR DISTRIBUTION INC CO D&B/RMS BANKRUPTCY SERVICES P O BOX 5126 TIMONIUM MD 21094-5126	02-2251	1520	77,706.89	64,040.17	13,666.72
6 SUNGARD RECOVERY SERVICES LP ATTN MAUREEN A MCGREEVEY ESQ 680 E SWEDESFORD RD WAYNE PA 19087	02-2251	1991	129,996.33	40,657.33	89,339.00
7 SUNGARD RECOVERY SERVICES LP ATTN MAUREEN A MCGREEVEY ESQ 680 E SWEDESFORD RD WAYNE PA 19087	02-2250	1992	138,185.00	50,936.00	87,249.00
8 SYSCO FOOD SVC OF LOS ANGELES HEMAR ROUSSO & HEALD LLP KENNETH G LAU 15910 VENTURA BLVD, 12TH FL. ENCINO CA 91436-2802	02-2253	1097	65,321.26	56,135.29	9,185.97
9 VIROMED LABORATORIES PERKINS LAW GROUP ATTN: KAREN IRVING 108 ESPLANADE STE 310 LEXINGTON KY 40507-1962	02-2251	1557	85,584.40	74,034.40	11,550.00
Totals			\$ 970,367.56	\$ 718,889.18	\$ 251,478.38

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## UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re:

GREATER SOUTHEAST COMMUNITY HOSPITAL CORP., I, et al.,

Debtors.

Chapter 11

Jointly Administered Case No. 02-2250 Judge S. Martin Teel, Jr.

#### DECLARATION OF JOHN B. HOKE IN SUPPORT OF SUBMISSION OF AMENDED PROPOSED ORDER APPROVING THE DCHC LIQUIDATING TRUST'S EIGHTEENTH OMNIBUS OBJECTION TO POST PETITION CLAIMS PURSUANT TO 11 U.S.C. § 502 AND FED. R. BANKR. P. 3007

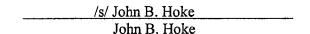
- 1. I, John B. Hoke, hereby submit this Declaration (the "<u>Declaration</u>") in support of the Submission (the "<u>Submission</u>") of the Amended Proposed Order Approving the DCHC Liquidating Trust's Eighteenth Omnibus Objection (the "<u>Eighteenth Omnibus Objection</u>") to Postpetition Claims Pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007.
- 2. I am a legal assistant at White & Case LLP ("W&C"), 701 Thirteenth Street, NW Washington, DC 20005. I have been employed by W&C since January 14, 2008, and I participated in the service of the Eighteenth Omnibus Objection and related materials to the parties whose claims were listed the Certificate of Service and on Exhibit A to the Eighteenth Omnibus Objection.
  - 3. I have personal knowledge of the matters discussed in this Declaration.
- 4. On July 14, 2008, W&C completed service of the Eighteenth Omnibus Objection in accordance with the Certificate of Service filed in support of the Eighteenth Omnibus Objection.

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5. With respect to Viromed Laboratories and KWKW Radio, service of the Eighteenth Omnibus Objection was subsequently returned to the Trust by the United States Postal Service (together, the "Returned Service Parties"). I was able to determine alternative addresses for the Returned Service Parties and re-served the Eighteenth Omnibus Objection *via* first class mail to these parties' respective new addresses on that same day.

6. Attached as Exhibit A hereto is a chart listing the Returned Service Parties, their original addresses and their alternative addresses where the Eighteenth Omnibus Objection was served.

I declare under penalty of perjury that the foregoing is true and correct.



Executed this 25th day of August, 2008 Washington, DC

## Exhibit A

Original Address	Address to Which Returned Service was Sent	Date Returned Service was Received by White & Case LLP	Date Returned Service was Re-mailed
Viromed Laboratories Perkins Law Group ATTN: Karen Irving 108 Esplanade STE 310 Lexington, KY 40507-1962	Viromed Laboratories 6101 Blue Circle Dr. Minnetonka, MN 55343	7/22/08	7/22/08
KWKW Radio 1645 Vine St. Ste. 201 Los Angeles, CA 90028-8841	KWKW Radio 3301 Barham Blvd. #201 Los Angeles, CA 90068	7/23/08	7/23/08