

UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLUMBIA

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In re	:	
	:	
GREATER SOUTHEAST COMMUNITY	:	Case No.
HOSPITAL CORPORATION I., <u>et al.</u> ,	:	02-2250 (SMT)
	:	Chapter 11
	:	
Debtors.	:	(Jointly Administered)
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**STIPULATION BETWEEN THE DCHC LIQUIDATING TRUST AND HCA INC.
RESOLVING THE 18TH OMNIBUS OBJECTION AS TO HCA INC.**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, that HCA Inc.'s ("HCA") Claim No. 416 in the amount of \$377,122.66 filed against Michael Reese Medical Center Corporation on May 29, 2003, shall be reduced and allowed as a Class 10 – General Unsecured Claim in the amount of \$200,000 ("HCA's Settled Claim"). The parties further agree that, upon the first otherwise permissible distribution, the pro-rata share of HCA's Settled Claim shall be held in escrow (the "Escrow") by the Trust until there is a final determination, including exhaustion of any and all appeals, in the Trust's adversary proceeding pending against HCA, Adv. Proc. No. 04-10366, concerning whether HCA is transferee of an avoidable transfer within the meaning of 11 U.S.C. § 550(b).

On the one hand, if there is a final determination, after exhaustion of any and all appeals, that HCA is not a transferee of an avoidable transfer within the meaning of 11 U.S.C. § 550(b), then the Trust shall release the Escrow to HCA. If this determination is made before the Trust makes distributions to other general unsecured creditors holding allowed claims (Class 8 or Class 10), then the Trust shall release the Escrow to HCA at the same time that it makes distributions to those general unsecured creditors.

On the other hand, if there is a final determination, after exhaustion of any and all appeals, that HCA is a transferee of an avoidable transfer within the meaning of 11 U.S.C. § 550(b), then the Trust shall not release the Escrow to HCA until any amounts owed to the Trust in Adversary Proceeding No. 04-10366 are paid to the Trust. In this case, once any amounts owed to the Trust in Adversary Proceeding No. 04-10366 are paid to the Trust, the Trust shall release the Escrow.

It is further agreed that The DCHC Liquidating Trust's 18th Omnibus Objection to Claims Against Non-Debtors (DE 3396) shall be deemed resolved *solely* with respect to HCA Claim No. 416 in the amount of \$377,122.66 filed against Michael Reese Medical Center Corporation on May 29, 2003, subject to the terms of this Stipulation. This Stipulation does not otherwise effect or impact The DCHC Liquidating Trust's 18th Omnibus Objection to Claims Against Non-Debtors (DE 3396) in any way.

Dated: October 21, 2008

By: /s/ Jeffrey E. Schmitt
Sam J. Alberts (D.C. Bar No. 443260)
Jeffrey E. Schmitt (D.C. Bar No. 490013)
White & Case LLP
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*

Dated: October 21, 2008

By: /s/ George R. Calhoun
George R. Calhoun, V
Steptoe & Johnson, LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
tel.: (202) 429-6226
fax (202) 261-0610

Counsel for HCA Inc.

CERTIFICATE OF SERVICE

I certify that on October 21, 2008, a copy of the foregoing pleading was sent via first-class mail, postage prepaid, to:

George R. Calhoun, V
Steptoe & Johnson, LLP
1330 Connecticut Avenue, N.W.
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

/s/ Jeffrey E. Schmitt
Jeffrey E. Schmitt