Case 02-02250 Doc 3621-2 Filed 10/16/09 Entered 10/16/09 17:13:40 Desc Exhibit A to Proposed Order Page 1 of 2

## <u>Exhibit A</u>

<Date>

<Bar Code> <Creditor Name> <Creditor Address> <City, State, Zip>

Re: In re Greater Southeast Community Hospital Corporation, *et al.*, Case No. 02-2250 (SMT), United States Bankruptcy Court for the District of Columbia (the "<u>Court</u>"), jointly administering the following cases: <u>PACIN Healthcare-Hadley Memorial Hospital</u> Corporation, Case No. 02-2248 (SMT); <u>Doctors Community Healthcare Corporation</u>, Case No. 02-2249 (SMT); <u>Greater</u> Southeast Community Hospital Corporation I, Case No. 02-2250 (SMT); <u>Michael Reese Medical Center Corporation</u>, Case No. 02-2251 (SMT); <u>Pine Grove Hospital Corporation</u>, Case No. 02-2252 (SMT); and <u>Pacifica of the Valley Corporation</u>, Case No. 02-2253 (SMT) (collectively, the "<u>Cases</u>"): Notice of Motion for Procedures to Close the chapter 11 Cases
Claim No.: [•]; Your Claim has been [Allowed in the amount of \$[•] or Disallowed] as a Class [•] Claim. You have

already received \$ [•] on your Claim (If this amount is \$0 it is because you have either not returned a W-9 Form or failed to cash a distribution check

Dear Claimant:

On November 20, 2002, the above-referenced entities (the "Debtors") each filed separate chapter 11 petitions under title 11 of the United States Code in the Court. On April 2, 2004, the Court entered an order (the "Confirmation Order") confirming the Debtors' Second Joint Amended Plan of Reorganization (the "<u>Plan</u>"). On April 5, 2004, the Plan went into effect, several of the Debtors reorganized, the DCHC Liquidating Trust (the "<u>Trust</u>") was formed and certain assets, claims and responsibilities were transferred to the Trust.

On  $[\bullet]$ , the Trust filed its Motion Seeking an Order Establishing Procedures for Case Closure (the "<u>Motion</u>"). Capitalized terms not defined in this Notice are defined in the Motion. If you wish to obtain a copy of the Motion, you may request one from the Trustee at the address below. Pursuant to the Motion, the Trustee seeks approval of the following:

- a final deadline of November 23, 2009, for <u>any</u> creditor with an Allowed Claim in these cases to submit to the Trust a W-9 Form. With respect to creditors with Allowed Claims entitled to receive a distribution that fail to submit a validly executed W-9 Form by November 23, 2009, their claim(s) shall be disallowed and they will not receive any distributions thereon;
- a Second Distribution prior to December 31, 2009, to all deemed Allowed Claims entitled to receive a distribution at the *pro rata* portion of their claims. The Trustee anticipates the Second Distribution will total approximately 8-9% *pro rata* of the Allowed Claim amount. (Creditors with Allowed Claims entitled to receive a distribution that did not receive the First Distribution (30% *pro rata* of the Allowed Claim amount) shall receive approximately 38-39% *pro rata* of their claim amount);
- the Trustee to file a final report and motion for final decree in accordance with Rule 3022-1 of the Local Rules of the Court to be granted on or before December 31, 2009. The final report shall be filed with the Court, and served only the U.S. Trustee and any other entity that requests service in writing;
- as of December 31, 2009, these Cases will be deemed closed for all purposes, other than with respect to final resolution of the HCA Proceeding and the EBG Motion. The Court shall retain jurisdiction with respect to the HCA Proceeding and the EBG Motion;
- to the extent the Trust holds or receives funds pursuant to the HCA Proceeding, the Trust shall make a final distribution to the all Allowed Claims at the *pro rata* portion of their claims. *De minimis* funds (*i.e.*, funds of less that \$5,000) remaining in the Liquidating Trust Reserve shall be paid to a charitable and/or not-for-profit institution chosen by the Trust;
- the Trust shall maintain the records and documents from these cases that are in its possession for a period of one-year after these Cases are closed, after which it will destroy all such records and documents; and
- upon closure of these Cases, the Trust, Trustee and Trust Committee, including each of the members, all their agents, employees and attorneys and consultants shall be released from all claims and causes of action relating to their actions in these cases.

PLEASE TAKE NOTICE THAT in order to object to any of the aforementioned proposed procedures or relief, then on or before [•] you must file and serve a written objection to the Motion, together with the proposed order required by Local Bankruptcy Rule 9072-1. The objection and proposed order must be filed with the Clerk of the Bankruptcy Court, U.S. Courthouse, 3rd and Constitution Ave., N.W., Washington, D.C. 20001, and served (by delivery or mailing of a copy) upon the Trust c/o White & Case LLP, 701 Thirteenth St., N.W., Washington, D.C. 20005. The objection must contain a complete specification of the factual and legal grounds upon which it is based. You may append affidavits and documents in support of your objection.

IF YOU FAIL TO FILE A TIMELY OBJECTION, THE MOTION MAY BE GRANTED BY THE COURT WITHOUT A HEARING. The Court may grant the Motion without a hearing if the objection filed states inadequate grounds for denial of the objection. Parties in interest with questions may contact [White & Case LLP contact number].