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IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF GEORGIA ROME DIVISION

RECEIVED JAN 25 2016 BMC GROUP

IN RE:

CHAPTER 11

HUTCHESON MEDICAL CENTER, INC. and HUTCHESON MEDICAL DIVISION, INC.,

Jointly Administered Under CASE NO. 14-42863-pwb

Debtors.

REQUEST FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. § 503

COMES NOW the claimant identified below and hereby requests the allowance of an administrative expense claim pursuant to Section 503 of the Bankruptcy Code, arising from November 20, 2014 through November 20, 2015, showing the following:

CLAIMANT'S NAME AND ADDRESS: American Elevator Company, LLC 1700 South Holtzclaw Ave. Chattanooga, TN 37404

Amount of 11 U.S.C. § 503 Administrative Expense \$ 10,424.73 (does not include late fee which is \$25 per 30 days past due.)

1. The undersigned holds an administrative expense claim pursuant to 11 U.S.C. § 503 in the amount identified above against the following Debtor identified in these bankruptcy cases:

- [x] Hutcheson Medical Center, Inc. [ ] Hutcheson Medical Division, Inc.

2. The consideration for this debt (or ground for this liability owed by the Debtor is as follows:

Elevators were dormant - repaired, replace necessary parts, reprogramed, and returned to usable service. Work did not include additional work other than what is specifically noted in the proposal date Jan. 14, 2015 signed by Hutcheson on Jan 16, 2015..

3. The administrative expense is entitled to administrative priority under 11 U.S.C. § 503(b) and 11 U.S.C. § 507(a)(2) because: Work was performed based on signed proposal, and service tickets verifying that work had been completed in accordance with the proposal. American Elevator helped Hutcheson in good faith because no other elevator company in the city would work at the facility because of rumors of bankruptcy. Hutcheson never denied that the money was owed.

Hutcheson Med POC 00386

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4. A copy of the writing (invoice, purchase order, lease agreement, etc.) on which the administrative expense is founded, if any, is attached hereto or cannot be attached for the reason set forth in the statement attached hereto.

5. The amount of all payments on the administrative expense have been credited and deducted for the purpose of making this request.

6. The undersigned is aware that under 18 U.S.C. §§ 152 and 3571, the penalty for presenting a fraudulent claim in a bankruptcy case includes a fine of up to \$500,000 or imprisonment for up to five years, or both.

**WHEREFORE**, the undersigned requests that the Court allow the administrative expense or expenses requested herein, to be paid in accordance with the priorities set forth in the Bankruptcy Code and based upon availability of funds.

Dated: 1-21-16

Name of Claimant: American Elevator Company, LLC

Signed: 

By (if appropriate): JOEDEE HULGAN, PRESIDENT

As Its (if appropriate): \_\_\_\_\_

**INSTRUCTIONS:**

Mail the completed form by March 7, 2016, to the Clerk, United States Bankruptcy Court, Northern District of Georgia, Room 339, 600 East First Street, Rome, Georgia 30161, with a copy served on Trustee's Claims Agent: (i) if by overnight or hand delivery: BMC Group, Attn: Hutcheson Medical Center, Inc. Claims Processing, 300 Continental Blvd., #570, El Segundo, CA 90245; (ii) if by first class mail: BMC Group, Attn: Hutcheson Medical Center, Inc. Claims Processing, PO Box 90100, Los Angeles, CA 90009.

AMERICAN ELEVATOR COMPANY  
1706 S. Holtzclaw Ave.  
Chattanooga, TN 37404  
Phone 423-266-0631

## PROPOSAL

TO: HUTCHESON MEDICAL CENTER  
100 GROSS CRESCENT  
FORT OGLETHORPE, GA 30742

DATE: January 14, 2015

American Elevator proposes to repair, replace necessary parts, reprogram, adjust and service the following dormant elevators located on the campus of Hutcheson Medical Center Elevator:

The objective of this proposal is to bring the existing elevators to an reliable - safe standard and turn the elevators over for use by the tenants and customers visiting the Building. Proposal is based on recent site visit and does not include knowledge of alarm systems, phone lines, shunt trips or other items normally classified as "work by others" including status by the State of Ga Elevator Division.

Proposed cost:

- \* Material, parts, equipment all misc. cost not listed.....cost plus 30%
- \* Outside repairs, i.e. Machine shop...cost plus 30%

\* Testing equipment.....cost plus 30%

- \* Labor: \$125.00/hour/mechanic. Team: \$ 210.00/hour  
Overtime Monday - Friday, 1 1/2 time regular rate listed.  
Overtime Saturday & Sunday. 2 times regular rate listed.

\* Shipping and Permit cost will be added as submitted

Work shall be performed as necessary during regular working hours of the regular working week: 8 am - 4:30 pm, Monday - Friday.

Payment terms: Invoices shall be submitted monthly on the 15th of each month and paid net 30. Invoices still due 10 days past the due date shall be charged \$25.00 every 30 days.

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. AEC is authorized to do the work as specified herein. Payment will be made as outlined above. This proposal was presented at our request, and in no way interferes with any existing elevator repair or maintenance agreement.

Signed by:



Date

1-16-15

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1736  
DATE 01/14/2015  
DUE DATE 02/13/2015  
TERMS Net 30

ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR COMMERCIAL</b>	6.50	210.00	1,365.00
COMMERCIAL LABOR-working on elevator controllers			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-02/23/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-03/23/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/23/2015			

elevator #5

BALANCE DUE

**\$1,440.00**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1743  
DATE 01/19/2015  
DUE DATE 02/18/2015  
TERMS Net 30

ACTIVITY	QTY	RATE	AMOUNT
<b>PARTS COMMERCIAL</b> COMMERCIAL PARTS-cic board #9715710	1	784.94	784.94
<b>PARTS COMMERCIAL</b> COMMERCIAL PARTS-door board #9832439	1	823.62	823.62
<b>FREIGHT</b> FREIGHT-overnight shipping	1	120.00	120.00
<b>LABOR COMMERCIAL</b> COMMERCIAL LABOR-these boards were installed on 01/19/2015-01/20/2015	4	125.00	500.00
<b>LATE CHARGES</b> LATE CHARGES-02/28/2015	1	25.00	25.00
<b>LATE CHARGES</b> LATE CHARGES-03/28/2015	1	25.00	25.00
<b>LATE CHARGES</b> LATE CHARGES-04/28/2015	1	25.00	25.00

elevator 7

BALANCE DUE

**\$2,303.56**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1738  
DATE 01/20/2015  
DUE DATE 02/19/2015  
TERMS Net 30

ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR COMMERCIAL</b>	4	210.00	840.00
COMMERCIAL LABOR-working on controllers			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-02/29/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-03/29/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/29/2015			

elevator 7

BALANCE DUE

**\$915.00**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1739  
DATE 01/21/2015  
DUE DATE 02/20/2015  
TERMS Net 30

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ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR COMMERCIAL</b>	8.25	210.00	1,732.50
COMMERCIAL LABOR-working on controllers and etc			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-03/02/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/02/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-05/02/2015			

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elevator 1

BALANCE DUE

**\$1,807.50**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1740  
DATE 01/26/2015  
DUE DATE 02/25/2015  
TERMS Net 30

ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR COMMERCIAL</b>	7	210.00	1,470.00
COMMERCIAL LABOR-working on controller-# 1 up and back in service-elevator fire service inspection			
<b>PARTS</b>	1	160.00	160.00
PARTS-hd 32-10 gal each elevator-elevator 5 and 11			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-03/07/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/07/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-05/07/2015			

elevator 1  
fire service inspection

BALANCE DUE

**\$1,705.00**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1741  
DATE 02/03/2015  
DUE DATE 03/05/2015  
TERMS Net 30

ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR COMMERCIAL</b>	2.50	210.00	525.00
COMMERCIAL LABOR-elevator not able to lock out at night-checked found 1st floor switch not wired right-repaired checked 2nd floor switch it was fine-turned off switches to stop hall calls worked fine- checked controller-checked all other elevators while there			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-03/15/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/15/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-05/15/2015			

elevator 15

BALANCE DUE

**\$600.00**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1742  
DATE 02/09/2015  
DUE DATE 03/11/2015  
TERMS Net 30

ACTIVITY	QTY	RATE	AMOUNT
<b>LABOR COMMERCIAL</b>	3	210.00	630.00
COMMERCIAL LABOR-elevator 4 out of service-checked found key stop switch cut off in car on panel-opened panel and repaired elevator 10 not working-found door lock not making up good-cleaned ran ok			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-03/21/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/21/2015			

elevator 4  
elevator 10

BALANCE DUE

**\$680.00**

**AMERICAN ELEVATOR COMPANY LLC**

1700 S HOLTZCLAW AVE  
CHATTANOOGA, TN 37404  
(423)267-5438  
americanelevator@yahoo.com

BILL TO  
CH152HUTCHESON MEDICAL  
CENTER  
100 GROSS CRESCENT  
FT OGLETHORPE,, GA 30742

INVOICE # 1749  
DATE 03/06/2015  
DUE DATE 04/05/2015  
TERMS Net 30

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ACTIVITY	QTY	RATE	AMOUNT
<b>PARTS COMMERCIAL</b>	1	923.67	923.67
COMMERCIAL PARTS-tract adapter-2 relays-labor board-shipping			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-04/15/2015			
<b>LATE CHARGES</b>	1	25.00	25.00
LATE CHARGES-05/15/2015			

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BALANCE DUE

**\$973.67**



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for Claim Allowance”) for all claims that arose between the Petition Date and November 30, 2015;

2. All Post-Petition Claimants, except those listed in paragraph 5 below, must file their Requests for Claim Allowance **no later than March 7, 2016** (the “Administrative Bar Date”). The Request for Claim Allowance must be filed with the Clerk, United States Bankruptcy Court, Northern District of Georgia, Room 339, 600 East First St., Rome, Georgia 30161-3187 or filed electronically through the CM/ECF system no later than the Administrative Bar Date. Post-Petition Claimants must also serve a copy of any Request for Claim Allowance upon the Claims Agent at the following address:

**If by overnight or hand delivery:**

BMC Group  
Attn: Hutcheson Medical Center, Inc. Claims Processing  
300 Continental Blvd., #570  
El Segundo, CA 90245

**If by First Class Mail:**

BMC Group  
Attn: Hutcheson Medical Center, Inc. Claims Processing  
PO Box 90100  
Los Angeles, CA 90009

3. Any Post-Petition Claimant, except those listed in paragraph 5 below, who does not file a Request for Claim Allowance by the Administrative Bar date may be forever barred from any recovery for any such claim.

4. This Order does not apply to the following claimants, who are not required to submit a Request for Claim Allowance by the Administrative Bar Date:

(a) current or former employees of the Debtors with respect to claims arising out of their employment;

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(b) current or former patients of the Debtors with respect to claims arising out of medical treatment received from the Debtors,

(c) claimants asserting claims under 11 U.S.C. § 503(b)(9) for the value of goods provided to the Debtors within 20 days before the Petition Date;

(d) claimants requesting compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a) and 503(b)(2);

(e) creditors who have filed a proof of claim asserting a claim against the Debtors that arose before the Petition Date and who do not contend that they have a claim arising after the Petition Date;

(f) any claimant listed as undisputed on the List of Post-Petition Claims filed by the Trustee pursuant to paragraph 5; and

(g) claimants asserting any claims arising on or after December 1, 2015.

5. The Trustee shall within seven days from the date hereof file a list of Post-Petition Claims that the Debtors' books and records show are unpaid as of November 30, 2015. This list will be available through BMC Group, the Trustee's claim agent (the "Claims Agent") on its website [www.bmcgroup.com](http://www.bmcgroup.com) and accessible to all parties that receive notice of this Order and Notice. The Trustee shall identify the claims on said list that are not disputed. Any Post-Petition Claimant included on the Trustee's list, but who disputes the claim amount must file a Request for Claim Allowance. Any claims listed as undisputed shall be allowed as administrative expenses subject to later objection by the Trustee or any other party in interest.

Counsel for the Trustee shall promptly serve a copy of this Order and Notice on (a) the Office of the United States Trustee, (b) all other interested parties requesting notice, (c) all parties listed on the creditors matrix maintained in this case, and (d) any other party who has transacted

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business with the Debtors' estates post-petition with respect to which (i) the Debtors' records do not reflect payment in full or (ii) the party, by written communication to the Debtors, has disputed that it has been paid in full. Counsel for the Trustee shall file a certificate of such service.

**[END OF DOCUMENT]**

Prepared and presented by:

SCROGGINS & WILLIAMSON, P.C.

/s/ J. Robert Williamson

J. ROBERT WILLIAMSON

Georgia Bar No. 765214

J. HAYDEN KEPNER, JR.

Georgia Bar No. 416616

One Riverside

4401 Northside Parkway

Suite 450

Atlanta, Georgia 30327

(404) 893-3880

*Special Counsel for the Trustee*