

Fill in this information to identify the case:

Debtor 1 Hutcheson Medical Center, Inc.

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Georgia

Case number 14-42863-PWB

RECEIVED  
OCT 21 2016  
BMC GROUP

Official Form 410  
**Proof of Claim**

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

1. Who is the current creditor? Siemens Financial Services, Inc.  
Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor \_\_\_\_\_

2. Has this claim been acquired from someone else?  No  
 Yes. From whom? \_\_\_\_\_

3. Where should notices and payments to the creditor be sent? **Where should notices to the creditor be sent?** **Where should payments to the creditor be sent? (if different)**

<p>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)</p>	<p><u>Todd A. Ritschdorff, Esq.</u> Name <u>Omni Plaza, 30 South Pearl Street</u> Number Street <u>Albany NY 12207</u> City State ZIP Code Contact phone <u>(518) 472-1224</u> Contact email <u>tritschdorff@phillipslytle.com</u></p>	<p><u>Siemens Financial Services, Inc.</u> Name <u>170 Wood Avenue South, 7th Floor</u> Number Street <u>Iselin NJ 08830</u> City State ZIP Code Contact phone <u>(732) 476-3473</u> Contact email <u>curtiss.burrell@siemens.com</u></p>
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Uniform claim identifier for electronic payments in chapter 13 (if you use one):  
\_\_\_\_\_

4. Does this claim amend one already filed?  No  Yes. Claim number on court claims registry (if known) 297 \*  
\* Claim No. provided by BMC Group, Inc., as claims agent. Filed on 04/29/2015  
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?  No  Yes. Who made the earlier filing? \_\_\_\_\_

Hutcheson Med POC  
00468

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?  No  Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 2 9 4 8

7. How much is the claim? \$ 407,081.90. Does this amount include interest or other charges? \*  No  Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A). \* See Claim No. 297.

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. See attachment.

9. Is all or part of the claim secured?  No  Yes. The claim is secured by a lien on property.

**Nature of property:**

Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

Motor vehicle

Other. Describe: \_\_\_\_\_

**Basis for perfection:** \_\_\_\_\_

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

**Value of property:** \$ \_\_\_\_\_

**Amount of the claim that is secured:** \$ \_\_\_\_\_

**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)

**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_

**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %

Fixed

Variable

10. Is this claim based on a lease?  No  Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?  No  Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check one:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

\$ \_\_\_\_\_

Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

\$ \_\_\_\_\_

Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

\$ \_\_\_\_\_

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

\$ \_\_\_\_\_

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

\$ \_\_\_\_\_

Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.

\$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

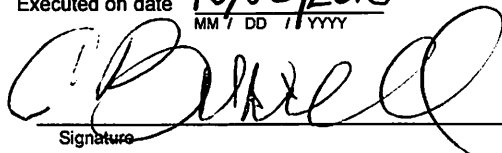
I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

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

Executed on date 10/03/2016  
MM / DD / YYYY

  
Signature

Print the name of the person who is completing and signing this claim:

Name Curtiss Burrell  
First name Middle name Last-name

Title Director of Workout

Company Siemens Financial Services, Inc.  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 170 Wood Avenue South, 7th Floor  
Number Street  
Iselin NJ 08830  
City State ZIP Code

Contact phone (732) 476-3470 Email curtiss.burrell@siemens.com

**Attachment to  
Amended Proof of Claim of Siemens Financial Services, Inc.**

**In re: Hutcheson Medical Center, Inc.  
Case No. 14-42863-pwb**

**In The United States Bankruptcy Court  
For The Northern District of Georgia**

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1. This Amended Proof of Claim amends Proof of Claim No. 297 filed by Siemens Financial Services, Inc. (“**Claimant**”) on April 29, 2015 with BMC Group, Inc., the Debtor’s claims agent, in the amount of \$494,196.90 (“**Prior Claim**”). The Prior Claim is incorporated by reference herein, including, without limitation, all attachments thereto.<sup>1</sup>

2. On May 16, 2016 (“**Sale Date**”), Claimant sold the Equipment in accordance with the Leases for and in consideration of \$135,000.00 (“**Sale Amount**”). As of the Sale Date, the total amount owed by the Debtor to Claimant pursuant to the Prior Claim, after crediting the Sale Amount and deducting the costs of sale, was \$407,081.90 together with all other amounts due and unpaid under the Leases.<sup>2</sup>

3. Claimant hereby reserves the right to, at any time during this bankruptcy case, further amend or supplement this Amended Proof of Claim and the Prior Claim in any respect.

4. This Amended Proof of Claim is being filed to protect the rights of Claimant, and is not intended as, and shall not be construed as, (a) a waiver or release of any rights of Claimant to have the reference withdrawn in this bankruptcy case or with respect to any proceeding, controversy, matter or other issue, or to demand and obtain a trial by jury therein; (b) a waiver or release of the right of Claimant to have final orders in non-core matters entered only after de

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<sup>1</sup> Unless otherwise defined herein, all capitalized terms in this Amended Proof of Claim shall have the meaning given to them in the Prior Claim.

<sup>2</sup> No part of the Sale Amount was credited to Claimant’s Proof of Claim No. 450 in the amount of \$232,536.40, all of which remains due and owing to Claimant.

novo review by a district judge; (c) a waiver or release of any rights of Claimant against any other person or other entity liable for any or all of the claims described herein; (d) a waiver of any right of subordination in favor of Claimant of indebtedness or liens held by any other creditors; (e) an election of any remedy waiving or otherwise affecting any other remedy of Claimant; (f) a waiver or release of any additional claims or other rights that Claimant may have in or against the Debtor, its estate or the property thereof; (g) a waiver or release of any other rights, claims, actions, defenses, set-offs or recoupments to which Claimant is or may be entitled under agreements, in law or in equity; (h) a waiver or release of any right to assert that all of any part of the amounts set forth herein or otherwise due or to come due pursuant to the Leases enjoy or will enjoy administrative expense claim priority or other priority, or that Claimant should be immediately paid any or all of such amounts, pursuant to the Bankruptcy Code or any other applicable law or statute. All of the rights, claims, actions, defenses, set-offs and recoupments described above are hereby reserved.

5. Nothing contained in this Amended Proof of Claim shall be deemed or construed as a waiver, or other limitation on, any rights or remedies of Claimant under the Leases or any other agreement with the Debtor, at law, or in equity, all of which rights are expressly reserved.

Doc #01-2963567.4



**Phillips Lytle LLP**

**Via Federal Express**

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

October 12, 2016

Re: *In re Hutcheson Medical Center, Inc., et al.*  
United States Bankruptcy Court, Northern District of Georgia  
Chapter 11 Case No. 14-42863-pwb

Dear Sir or Madam:

On April 28, 2015, Siemens Financial Services, Inc. ("SFS") filed claim number 297 ("Prior Claim") in the above matter. Enclosed for filing is the original and one copy of SFS' proof of claim amending the Prior Claim. Please file the original, and time/date stamp and return the copy to me in the self-addressed, stamped envelope provided.

Thank you for your time and attention to this matter.

Very truly yours,

Phillips Lytle LLP

By

  
Todd A. Ritschdorff

TAR/

Doc #06-110084.1

**TODD A. RITSCHDORFF**  
Direct 518 472 1224, ext 1232 tritschdorff@phillipslytle.com

ATTORNEYS AT LAW

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