

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

In re)	
)	Chapter 11, No. 14-30961
HAMPDEN COUNTY PHYSICIAN)	
ASSOCIATES, LLC)	
)	
Debtor)	

MOTION TO REJECT UNEXPIRED OFFICE LEASES AND EQUIPMENT LEASES

To the HONORABLE HENRY J. BOROFF, Bankruptcy Judge:

Now comes HAMPDEN COUNTY PHYSICIAN ASSOCIATES, LLC ("Debtor"), the Debtor in the above-captioned matter, and it does hereby move this Court for the entry of an Order, pursuant to 11 U.S.C. §§ 365, rejecting certain unexpired leases and executory contracts to which the Debtor is a party. In support of this Motion, the Debtor represents as follows:

1. On October 2, 2014 ("Petition Date"), the Debtor filed a Voluntary Petition under the provisions of Chapter 11 of the United States Bankruptcy Code ("Bankruptcy Code") with the United States Bankruptcy Court for the District of Massachusetts ("Bankruptcy Court").

2. Pursuant to the provisions of §§ 1107 and 1108 of the Bankruptcy Code, the Debtor has continued to operate its business and manage its business affairs as a Debtor-in-Possession. No Trustee or Examiner has been requested or appointed.

3. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core matter within the meaning of 28 U.S.C. § 157(b). Venue in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The Debtor is a multi-specialist physician group engaged in the practice of medicine in Western Massachusetts. Its approximately sixty-eight (68) healthcare providers serve about 55,000 patients. The business enterprise employs a total of approximately 300 individuals and operates fourteen (14) offices primarily located throughout Hampden County, Massachusetts. In addition, the Debtor and its staff serve patients at local hospitals, skilled-nursing facilities, and long-term care facilities. The Debtor operates its own laboratory, sleep disorder center, and urgent care center.

5. Pursuant to § 365(a) of the Bankruptcy Code, and subject to the Bankruptcy Court's approval, the Debtor is authorized to reject unexpired leases. A debtor-in-possession may reject a pre-petition contract at any time prior to confirmation of its plan. 11 U.S.C. § 365(d)(2).

6. The Debtor has identified nine (9) leased office locations that are not necessary for the Debtor's successful reorganization of its financial affairs and for which the accrual of an administrative expense claim would constitute a burden to the Bankruptcy Estate. A detailed list of the nine (9) leases that the Debtor seeks to reject is annexed hereto as Exhibit "A" ("Office Leases").

7. The Debtor has identified certain leases of equipment relating primarily to equipment used in the operation of its

laboratory, that are not necessary for the Debtor's successful reorganization of its financial affairs and for which the accrual of an administrative expense claim would constitute a burden to the Bankruptcy Estate. A detailed list of the equipment leases that the Debtor seeks to reject is annexed hereto as Exhibit "B" ("Equipment Leases").

8. The Debtor says that rejection of the Office Leases and Equipment Leases is in the best interests of the Debtor's Estate.

9. The Debtor seeks to reject the Office Leases and Equipment Leases effective October 2, 2014.

WHEREFORE, the Debtor respectfully requests the entry of an Order, in substantially the form of the proposed Order filed herewith, granting the relief requested in this Motion and providing such other and further relief as the Court may deem just and proper.

HAMPDEN COUNTY PHYSICIAN
ASSOCIATES, LLC

Dated: October 2, 2014

By: /s/ Andrea M. O'Connor
JOSEPH B. COLLINS, ESQ.
(BBO No. 092660)
HENRY E. GEBERTH, JR., ESQ.
(BBO No. 187940)
ANDREA M. O'CONNOR, ESQ.
(BBO No. 679540)
For HENDEL & COLLINS, P.C.
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Springfield, MA 01103
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hgeberth@hendelcollins.com
aoconnor@hendelcollins.com

Exhibit "A"

<u>Name</u>	<u>Property Address</u>
ENFIELD CORPORATE CENTER, LLC	113 Elm Street, Enfield
WING MEMORIAL HOSPITAL CORPORATION	2377 Boston Road, Wilbraham
NEW SILK MILL, LLC	269 Locust Street, Florence
FRANKLIN ORTHOPEADIC GROUP, PC	33 Riddell Street, Greenfield
KLONDIKE INVESTMENT GROUP, INC.	354 Birnie Avenue
ENGINEERS REALTY CORPORATION	53 Southampton Road, Westfield
MICHAEL B. GUARCO, SR	800-802 College Hghwy, Southwick
80 CONGRESS STREET, LLC	900 Memorial Avenue, West Springfield
WESTMASS AREA DEVELOP CORPORATION	100 State Street, Suites 162, 164, 262, Ludlow

Exhibit "B"

<u>Name</u>	<u>Description</u>
GE HEALTHCARE	VIVID 1 SERVICE CONTRACT - Account No. 000250646
T.J. CONWAY CO.	HVAC SERVICE CONTRACT
THERMO FISHER SCIENTIFIC	ALLERGY/GASTRO ANALYZER INSTRUMENT
PROFESSIONAL SOLUTIONS FINANCIAL SERVICES	C-ARM LEASE
PHADIA US, INC., a division of THERMO FISHER SCIENTIFIC	PHADIA ALLERGY/GASTRO ANALYZER SERVICE CONTRACT
ABBOTT LABORATORIES INC.	CHEMISTRY ANALYZER SERVICE CONTRACT
EVOQUA, a division of WATER TECHNOLOGIES, LLC	LAB WATER SYSTEM SERVICE CONTRACT
DE LAGE LANDEN FINANCIAL SERVICES, INC.	LEASE FOR ABBOTT c4000 CHEMISTRY ANALYZER
ABBOTT LABORATORIES INC.	LEASE FOR ALLERGY ANALYZER
DE LAGE LANDEN FINANCIAL SERVICES, INC.	HEMATOLGY ANALYZER ABBOTT RUBY LEASE & SERVICE CONTRACT
LABDAQ, a division of COMPUGROUP MEDICAL	LIS INTERFACE SOFTWARE SERVICE CONTRACT
POLYMEDCO, INC.	SEDIMENTATION ANALYZER SERVICE CONTRACT

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)
In re) Chapter 11, No. 14-
)
HAMPDEN COUNTY PHYSICIAN)
ASSOCIATES, LLC)
)
Debtor)
_____)

**ORDER ON MOTION TO REJECT UNEXPIRED OFFICE LEASES AND EQUIPMENT
LEASES**

Upon the Motion to Reject Unexpired Leases and Executory Contracts ("Motion") filed by HAMPDEN COUNTY PHYSICIAN ASSOCIATES, LLC ("Debtor"), the Debtor in the above-captioned matter, seeking the entry of an Order rejecting certain unexpired leases, after notice and hearing, and for good cause shown, it is hereby

ORDERED that the Motion is GRANTED; and it is further

ORDERED that the Office Leases set forth on Exhibit "A" to the Motion and Equipment Leases set forth as Exhibit "B" to the Motion shall be deemed rejected effective as of October 2, 2014.

Dated:

HONORABLE HENRY J. BOROFF
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____))
In re) Chapter 11, No. 14-
))
HAMPDEN COUNTY PHYSICIAN)
ASSOCIATES, LLC)
))
Debtor)
_____)

CERTIFICATE OF SERVICE

I, ANDREA M. O'CONNOR, of the law firm of HENDEL & COLLINS, P.C., 101 State Street, Springfield, Massachusetts do hereby certify that I caused a copy of the attached Motion to be served by first class mail, postage prepaid, to any of the parties listed on the attached Exhibit "A" not noted as having received service through the Court's CM/ECF system on the 2nd day of October, 2014.

Dated: October 2, 2014

/s/ Andrea M. O'Connor
ANDREA M. O'CONNOR, ESQ.
(BBO No. 679540)
For HENDEL & COLLINS, P.C.
101 State Street
Springfield, MA 01103
Tel. (413) 734-6411
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EXHIBIT "A"

ENFIELD CORPORATE CENTER, LLC
3580 Main Street
Hartford, CT 06120

GE HEALTHCARE
175 Carew Street
Springfield, MA 01104

POLYMEDCO, INC.
510 Furnace Dock Road
Cortlandt Manor, NY 10567

WING MEMORIAL HOSPITAL
CORPORATION
40 Wright Street
Palmer, MA 06120

T.J. CONWAY, CO.
P.O. Box 2800
Springfield, MA 01101

Lisa A. Patenaude, CPA
HAMPDEN COUNTY PHYSICIAN
ASSOCIATES, LLC
354 Birnie Avenue
Springfield, MA 01107

NEW SILK MILL, LLC
P.O. Box 60266
Florence, MA 01062

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4169 Commercial Avenue
Portage, MI 49002-9701

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OFFICE OF THE U.S. TRUSTEE
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Clive, IA 50325-8258

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INC.
1537 Main Street
Springfield, MA 01103

PHADIA US, INC.,
DIVISION OF TERMO FISHER
SCIENTIFIC
4169 Commercial Avenue
Portage, MI 49002-9701

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MERCY MEDICAL GROUP
271 Carew Street
Springfield, MA 01104

ABBOTT LABORATORIES, INC.
100 Abbott Park Road, D-943
CPI-4
Abbott Park, IL 60064-6095

INTERNAL REVENUE SERVICE
Attn: Bankruptcy Unit
P.O. Box 7346
Philadelphia, PA 19101

ENGINEERS REALTY CORPORATION
53 Southampton Road
Westfield, MA 01085

EVOQUA, DIVISION OF WATER
TECHNOLOGIES, LLC
10 Technology Drive
Lowell, MA 01851

INTERNAL REVENUE SERVICE
Attn: Bankruptcy Unit
P.O. Box 9112
Boston, MA 02203-9112

MICHAEL B. GUARCO, SR.
7 Bayberry Drive
East Granby, CT 06026

DE LAGE LANDEN FINANCIAL
SERVICES, INC.
1111 Old Eagle School Road
Wayne, PA 19087

MASSACHUSETTS DEPARTMENT OF
REVENUE
Attn: Bankruptcy Unit
P.O. Box 9564
Boston, MA 02114-9564

80 CONGRESS STREET, LLC
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WESTMASS AREA DEVELOP
CORPORATION
255 Padgette Street
Chicopee, MA 01022

LABDAQ, DIVISION OF COMPUGROUP
MEDICAL
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Reinsterstown, ME 21136

Mr. Daniel P. Moen
SISTERS OF PROVIDENCE HEALTH
SYSTEM, INC.
271 Carew Street
Springfield, MA 01104

EXHIBIT "A"

Mr. Thomas Robert
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West Springfield, MA 01090

ALLSCRIPTS HEALTHCARE, LLC
24630 Network Place
Chicago, IL 60673-1246

MERCY INTERNAL MEDICINE
SERVICES
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Holyoke, MA 01040

CONVERGENT
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Wilbraham, MA 01095

SPYGLASS
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PSS WORLD MEDICAL, INC.
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West Springfield, MA 01089

ALK-ABELLO PHARMACEUTICALS,
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7806 Solutions Center
Chicago, IL 60677-7806

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1441 Main Street
Springfield, MA 01103

SYSTEM COORDINATED SERVICES,
INC.
c/o Sisters of Providence
1233 Main Street
Holyoke, MA 01040

LYON OFFICES, LLC
P.O. Box 180
West Springfield, MA 01090

PRIORITY HEALTHCARE
DISTRIBUTION, INC.
d/b/a CuraScript Specialty
P.O. Box 533307
Charlotte, NC 28290-3307

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