

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS

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

**MOTION TO REJECT UNEXPIRED OFFICE LEASES AND REQUEST FOR
EMERGENCY DETERMINATION**

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, on an emergency basis, pursuant to 11 U.S.C. §§ 365, rejecting certain unexpired leases 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. The Debtor is a multi-specialist physician group engaged in the practice of medicine in Western Massachusetts. It has employed approximately sixty-eight (68) healthcare providers and has served approximately 50,000 patients. The business enterprise has employed a total of approximately 270 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 has operated its own laboratory, sleep disorder center, and urgent care center.

4. 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).

5. The Debtor has identified two (2) 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. Specifically, the Debtor seeks to reject the leases of the premises located at 1158 Springfield Street, Feeding Hills, Massachusetts and at 140 Southampton Road, Westfield, Massachusetts (collectively the "Office Leases").

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

7. The Debtor seeks to reject the Office Leases effective October 2, 2014, the Petition Date.

8. The Debtor has filed a Motion to Consolidate Hearings that seeks an emergency determination of this Motion to avoid immediate and irreparable harm to the Bankruptcy Estate.

WHEREFORE, the Debtor respectfully requests the entry of an Order 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 28, 2014

By: /s/ Andrea M. O'Connor
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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 28th day of October, 2014.

Dated: October 28, 2014

/s/ Andrea M. O'Connor
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Exhibit "A"

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