

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

KELLY KELLY & MAROTTA

Kevin P. Kelly, Esq.
141 W. Pleasant Avenue
Maywood, New Jersey 07607
(201) 368-7713
Attorney for Judith A. Day

In re:

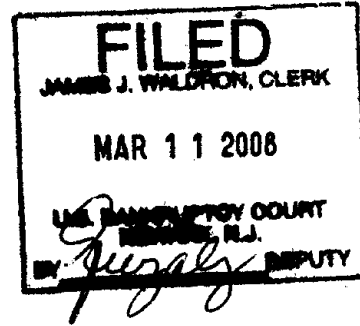
PASCACK VALLEY HOSPITAL ASSOCIATION,

Debtor.

Case No.: 07-23686 (RG)

Judge: Rosemary Gambardella

Chapter: 11



**STIPULATION AND CONSENT ORDER GRANTING
LIMITED RELIEF FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through five (5) is hereby

ORDERED.

Dated: March 11, 2008


HON. ROSEMARY GAMBARDELLA, U.S.B.J.

(Page 2)

Debtor: Pascack Valley Hospital Association, Inc.
Case No: 07-23686 (RG)
Caption of Order: **STIPULATION AND CONSENT ORDER GRANTING LIMITED
RELIEF FROM THE AUTOMATIC STAY**

The matter having been brought before the Court on application of Judith A. Day (“Day”), alleged creditor of Pascack Valley Hospital Association, Inc. (the “Debtor”), by and through its counsel, Kelly Kelly & Marotta, for an Order approving the within Stipulation and Consent Order (“Consent Order”) granting limited relief from the automatic stay in order to allow a certain state court personal injury action against the Debtor captioned Day v. Lawns by Yorkshire, Inc. and Pascack Valley Hospital, filed in the Superior Court of New Jersey, Law Division, Bergen County, Docket Number BER-L-8535-07 (the “State Court Action”) to proceed towards final judgment in, or settlement of, the State Court Action, and to allow Day to proceed against the Debtor’s applicable insurance policies and proceeds in order to liquidate and satisfy its claim; and the Debtor, by and through its counsel, Sills Cummis & Gross, P.C., having agreed to resolve this matter in accordance with the terms of this Consent Order, and for good cause appearing,

IT IS SO ORDERED THAT:

1. The automatic stay is hereby modified to allow Day the limited relief of proceeding towards final judgment or settlement of claims against the Debtor and others in the State Court Action.
2. Day’s recovery against the Debtor shall be limited to the extent of available insurance coverage. Day hereby waives any general unsecured claim that it may have against the Debtor’s Estate to the extent such claim exceeds available insurance coverage. The

(Page 3)

Debtor: Pascack Valley Hospital Association, Inc.

Case No: 07-23686 (RG)

Caption of Order: **STIPULATION AND CONSENT ORDER GRANTING LIMITED
RELIEF FROM THE AUTOMATIC STAY**

parties agree that, if and to the extent that the insurance coverage at issue has a deductible, the Debtor shall not be responsible to pay same, as it is the intent of the parties that the Debtor's Estate not incur any debt or expend any funds in connection with the State Court Action.

3. This Consent Order shall not limit any recovery that Day may obtain against any defendant or third party in the State Court Action other than the Debtor.

4. Nothing contained in this Consent Order shall be deemed a waiver of any legal or equitable defense available to the Debtor in the State Court Action.

5. Facsimile or scanned copies of signatures on this Consent Order are acceptable, and a facsimile or scanned copy of a signature on this Consent Order is deemed an original.

6. This Consent Order may be executed in counterparts, each of which is deemed an original, but when taken together constitute one and the same document.

7. Counsel for Day will serve this Consent Order upon counsel for the Debtor, the Creditors' Committee, The Bank of New York, as Master Trustee, and the Office of the United States Trustee within five (5) days of docketing of this Consent Order.

(Page 4)

Debtor: Pascack Valley Hospital Association, Inc.

Case No: 07-23686 (RG)

Caption of Order: **STIPULATION AND CONSENT ORDER GRANTING LIMITED
RELIEF FROM THE AUTOMATIC STAY**

We, the undersigned, on behalf of our respective clients, consent to entry of this Consent Order.

KELLY KELLY & MAROTTA
Attorneys for Plaintiff, Judith A. Day

SILLS CUMMIS & GROSS, P.C.
Attorneys for Debtor, Pascack Valley
Hospital Association, Inc.

By: /s/ Kevin P. Kelly
Kevin P. Kelly, Esq.

By: /s/ Valerie A. Hamilton
Valerie A. Hamilton, Esq.

UNITED STATES BANKRUPTCY COURT

District of New Jersey
MLK Jr Federal Building
50 Walnut Street
Newark, NJ 07102

Case No.: 07–23686–RG
Chapter: 11
Judge: Rosemary Gambardella

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):
Pascack Valley Hospital Association, Inc.
250 Old Hook Road
Westwood, NJ 07675

Social Security No.:

Employer's Tax I.D. No.:
22–1637362

NOTICE OF JUDGMENT OR ORDER
Pursuant to Fed. R. Bankr. P. 9022

Please be advised that on March 12, 2008, the court entered the following judgment or order on the court's docket in the above–captioned case:

Document Number: 427 – 416
Stipulation and Consent Order Granting Limited Relief From The Automatic Stay (related document:[416] Certificate of Consent filed by Debtor Pascack Valley Hospital Association, Inc.). Filed by Kevin P Kelly on behalf of Judith A. Day . The following parties were served: Debtor, Debtor's Attorney, US Trustee and Movant's Attorney. Signed on 3/11/2008. (mg,)

Parties may review the order by accessing it through PACER or the court's electronic case filing system (CM/ECF). Public terminals for viewing are also available at the courthouse in each vicinage.

Dated: March 12, 2008
JJW: mg

James J. Waldron
Clerk