

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

In re:

No. 16-50740

Progressive Acute Care, LLC, et al

Chapter 11

Substantively Consolidated

**RESPONSE TO THE PAC
LIQUIDATION TRUST'S FIRST OMNIBUS
OBJECTION TO CLAIMS**

NOW INTO COURT, through undersigned counsel, comes Gina Prince, a person of the full age of majority and resident of the Parish of Lafayette, State of Louisiana, who responds to the PAC Liquidation Trust's First Omnibus Objection to Claims as follows:

1.

On and prior to December 2, 2015, Gina Prince was an employee of Progressive Acute Care, LLC.

2.

As an employee of Progressive Acute Care, LLC, payroll deductions were made from Gina Prince's payroll for healthcare insurance premiums.

3.

Alexis T. Trosclair is the daughter of Gina Prince and was a beneficiary under the Progressive Acute Care LLC insurance program/policy on December 2, 2015.

4.

On December 2, 2015, Alexis T. Trosclair underwent surgery which had been preapproved by Progressive Acute Care, LLC's third party administrator.

5.

Despite pre-approval, the surgery charges incurred on Exhibit A have not been paid by Progressive Acute Care, LLC and demand for payment has been made to Gina Prince by the healthcare providers all as per the attached Exhibit "A".

6.

Attached is the Affidavit of Gina Prince (Exhibit "B") verifying the allegations as set forth above and providing the proof sufficient to show a prima facie claim in the instant matter.

Respectfully submitted,

GIBBENS & STEVENS
222 West St Peter Street
New Iberia, LA 70560
Telephone: (337) 367-8451

/s/Dennis R. Stevens
DENNIS R. STEVENS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has this day been forwarded to all counsel of record by depositing a copy of same in the U.S. Mail, postage prepaid.

New Iberia, Louisiana, this 3rd day October, 2017.

/s/Dennis R. Stevens
DENNIS R. STEVENS

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STATE OF LOUISIANA

PARISH OF LAFAYETTE

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned in and for the
aforestated Parish and State, personally came and appeared **GINA PRINCE**, who after
first being duly sworn, did depose and state that:

1.

On and prior to December 2, 2015, Appearer was employed by Progressive
Acute Care, LLC at its New Iberia, Louisiana location.

2.

As an employee of Progressive Acute Care, LLC, Appearer paid a premium for
healthcare insurance through a deduction on the employee's payroll checks.

3.

Alexis T. Trosclair is the daughter of Appearer.

4.

Alexis T. Trosclair underwent surgery on December 2, 2015 which had been

pre-approved by Progressive Acute Care, LLC's third party administrator.

5.

Despite pre-approval of the surgery, the surgery charges incurred have not been paid.

6.

Appearer shows that the attached Exhibit Number 1 contains billings made to Appearer by the following:

Dr. Jeremy Laborde/Radiology
Lafayette Surgical Specialty Hospital
Lafayette Surgical Specialty Hospital
Lafayette Surgical Specialty Hospital
Dr. James Domingue/Neuro Technology Institute
Dr. Todd Ackal/Hospital Care – Day 1
Dr. Todd Ackal/Anesthesia
Dr. Matthew Grant/Radiology
Dr. Jeremy Laborde/Radiology
Dr. Matthew Mitchell/Hospital Care – Day 1
Neurological Associates of LA, LLC/Dr. Jason Cormier

7.

Appearer further shows that these charges total \$298,522.54.

8.

Despite pre-approval of the surgery, the surgery charges have not been paid.

9.

The payroll deductions made on Appearer's payroll checks for healthcare premiums were deducted by Progressive Acute Care, LLC from the payroll checks of Appearer including the period of November 22, 2015 through December 5, 2015.

10.

Progressive Acute Care, LLC's failure to utilize the insurance premium payments made by Gina Prince through the payroll deductions and its failure to honor the pre-approval of the surgery has resulted in the billings (to Gina Prince) for the cost of the surgery to Alexis T. Trosclair by the medical providers.

11.

Progressive Acute Care, LLC collected the insurance premiums through the payroll deductions but failed to make payments to the medical providers even though the surgery had pre-approved by Progressive Acute Care, LLC's third party administrator.

SWORN TO AND SUBSCRIBED before me this 2 day of October,

2017 in New Iberia, Louisiana.

WITNESSES:

Becky Prince

Gina Prince
GINA PRINCE

Becky Prince
Please print name

Chas R. L. Barton

Chas R. L. Barton
Please print name

Dennis Stevens
NOTARY PUBLIC

Print Dennis Stevens I.D.# 12458

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has this date been electronically filed with the Clerk of Court using the CM/ECF system which will send notice of this filing to all counsel of record by operation of the court's electronic filing system.

New Iberia, Louisiana, this 3rd day of October, 2017.

Respectfully submitted,

By: s/DENNIS R. STEVENS

DENNIS R. STEVENS
GIBBENS & STEVENS
222 West St. Peter Street
New Iberia, LA 70560
Telephone: (337) 367-8451
Bar Roll #: 06121
E-Mail: dennis@gibbensandstevens.com
Attorney for Creditor
Gina Prince