

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	
	:	Chapter 11
SOUND SHORE MEDICAL CENTER	:	
OF WESTCHESTER, <u>et al.</u>	:	
	:	
Debtors	:	Case No. 13-22840 (RDD)

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**FINAL ORDER PURSUANT TO SECTIONS 105(A) AND 363(B) OF THE  
BANKRUPTCY CODE A) AUTHORIZING THE DEBTORS TO (I) CONTINUE  
THEIR EXISTING INSURANCE PROGRAMS AND (II) PAY CERTAIN  
PREPETITION INSURANCE PREMIUMS, CLAIMS AND RELATED  
EXPENSES, AND (B) GRANTING CERTAIN RELATED RELIEF**

Upon consideration of the motion (the “**Motion**”)<sup>1</sup> of Sound Shore Medical Center of Westchester (“**SSMC**” or “**Debtor**”) and certain of its debtor affiliates, as debtors and debtors in possession (each a “**Debtor**” and collectively, the “**Debtors**”)<sup>2</sup>, in the above referenced Chapter 11 Cases, dated May 28, 2013, seeking entry of an order pursuant to sections 105(a) and 363(b) of title 11 of the United States Code (as amended, the “**Bankruptcy Code**”) (a) authorizing the Debtors to (i) continue their existing insurance programs, including without limitation their workers’ compensation programs, and (ii) pay certain prepetition insurance premiums, claims and related expenses, and (b) granting certain related relief, all as described more fully in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157(a) and 1334(b); and venue being proper

<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

<sup>2</sup> The debtors in these chapter 11 cases, along with the last four digits of each debtor’s federal tax identification number include: Sound Shore Health System, Inc. (1398), Sound Shore Medical Center of Westchester (0117), The Mount Vernon Hospital, Inc. (0115), Howe Avenue Nursing Home d/b/a Helen and Michael Schaffer Extended Care Center (0781), NRHMC Services Corporation (9137), and The M.V.H. Corporation (1514) There are certain additional affiliates of the Debtors who are not debtors in these Chapter 11 Cases and have not sought relief under Chapter 11.

before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due notice of the Motion and final hearing (the “**Final Hearing**”) on the Motion having been provided; and there being no opposition to the requested relief; and the Court having entered an Interim Order approving the Motion on an interim basis on May 31, 2013 and having heard the statements in support of the relief requested therein at the Final Hearing before the Court; and upon the Affidavit of John Spicer Pursuant to Local Rule 1007 and in Support of First Day Motions, dated as of the Petition Date; and the Court having determined that the relief sought in the Motion is in the best interests of the Debtors, their estates and all parties in interest; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted on a final basis *nunc pro tunc* to the Petition Date to the extent provided herein.
2. The Debtors are authorized to continue the Insurance Programs, as more fully described in the Motion, and to pay the Workers’ Compensation Obligations and the Prepetition Insurance Claims and any amount related to the workers’ compensation program, including but not limited to state assessments, processing costs and accrued but unpaid prepetition charges for the administration of the program.
3. All applicable banks and other financial institutions are authorized and directed, when requested by the Debtors in the Debtors’ sole discretion, to receive, process, honor and pay any and all checks presented for payment of, and to honor all fund transfer requests made by the Debtors related to, the Prepetition Insurance Claims and the Prepetition Processing Costs, whether such checks were presented or fund transfer requests were submitted

prior to or after the Petition Date, provided that sufficient funds are available in the applicable accounts to make the payments.

4. Nothing contained in this Final Order, the Interim Order or the Motion shall constitute a rejection or assumption by the Debtors, as debtors in possession, of any executory contract or unexpired lease by virtue of reference of any such contract or lease in the Motion.

5. Any payment made pursuant to this Order is not, and shall not be, deemed an admission to the validity of the underlying obligation or waiver of any rights the Debtors may have to subsequently dispute such obligation.

6. This Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to the implementation of this Order.

7. Service of the Motion as provided therein shall be deemed good and sufficient notice of such Motion.

8. Notwithstanding the possible applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Final Order shall be immediately effective and enforceable upon its entirety.

Dated: White Plains, New York  
July 1, 2013

/s/Robert D. Drain  
UNITED STATES BANKRUPTCY JUDGE