



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
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Proposed Attorneys to Debtor in Possession
St. Mary's Hospital, Passaic, N.J.
Joseph Lubertazzi, Jr. (JL-3798)
Eduardo J. Glas (EG-7027)

In the Matter of:
ST. MARY'S HOSPITAL, PASSAIC, N.J.,
Debtor-in-Possession.

Chapter 11

Case No.: 09-15619

Judge: Morris Stern, U.S.B.J.

Hearing Date: March 31, 2009, 10:00 a.m.

**STIPULATION AND CONSENT ORDER RESOLVING MOTION OF DEBTOR TO
COMPEL SIMPLEXGRINNELL LP TO SCHEDULE INSPECTION(S) AND ISSUE
REPORTS OF FIRE-RELATED PANELS AND EQUIPMENT PURSUANT TO THE
TERMS OF AN EXECUTORY CONTRACT WITH THE DEBTOR**

The Relief set forth on the following pages two (2) through four (4) is hereby ORDERED.

DATED: 4/20/2009


Honorable Morris Stern
United States Bankruptcy Judge

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Debtor:	ST. MARY'S HOSPITAL, PASSAIC, N.J.
Case No.	09-15619-MS
Caption of Order:	STIPULATION AND CONSENT ORDER RESOLVING MOTION OF DEBTOR TO COMPEL SIMPLEXGRINNELL LP TO SCHEDULE INSPECTION(S) AND ISSUE REPORTS OF FIRE-RELATED PANELS AND EQUIPMENT PURSUANT TO THE TERMS OF AN EXECUTORY CONTRACT WITH THE DEBTOR

THIS STIPULATION AND CONSENT ORDER is entered into by and between St. Mary's Hospital, Passaic, N.J. (the "Debtor"), by and through its undersigned proposed counsel, and SimplexGrinnell LP ("Simplex"), by and through its undersigned counsel, pursuant to which the parties represent and agree as follows:

WHEREAS, on March 9, 2009 (the "Petition Date"), the Debtor commenced the above-captioned bankruptcy proceeding;

WHEREAS, the Debtor filed a motion on March 26, 2009 (the "Motion") to Compel Simplex to Schedule Inspection(s) and Issue Reports of Fire-Related Panels and Equipment Pursuant to the Terms of an Executory Contract with the Debtor;

WHEREAS, the Debtor and Simplex now desire to amicably resolve the Motion;

IT IS HEREBY ORDERED AS FOLLOWS:

1. Simplex shall schedule first quarter, 2009 inspections of the Debtor-hospital at 350 Boulevard and 211 Pennington Avenue, Passaic, New Jersey, which inspections shall occur on or before May 10, 2009.

2. Simplex's inspections pursuant to this Order shall include:

a. At 350 Boulevard, inspection of fire alarms, sprinklers (wet system), MIS gas system, X-Ray - Inergen; and annual fire extinguishers re-tagging.

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b. At 211 Pennington, inspection of fire alarms and sprinklers; and annual fire extinguishers re-tagging.

3. All necessary reports evidencing the inspections shall be prepared by Simplex and submitted to the Debtor and counsel for the Debtor no later than May 10, 2009.

4. The Debtor shall pay Simplex a total of \$19,540.80 for the inspections provided to the Debtor pursuant to this Order. The Debtor shall pay Simplex \$9,770.40 upon commencement of the work required in this Order. The Debtor shall pay the balance of \$9,770.40 upon the submission by Simplex to the Debtor and Debtor's counsel of all necessary inspection reports in accordance with paragraphs 1, 2 and 3 of this Order.

5. Any repair and/or maintenance work required to be performed by Simplex as a result of the inspections to make the equipment to be inspected by Simplex operational and/or to make the equipment to be inspected by Simplex meet the standard required for

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accreditation/certification by JCAHO will be paid by the Debtor on a C.O.D. basis as that work
is performed by Simplex.

The undersigned consent and agree to the entry of this Stipulation and Consent Order.

McCARTER & ENGLISH, LLP
Proposed Attorneys to the Debtor
St. Mary's Hospital, Passaic, N.J.

McGUIREWOODS, LLP
Attorneys for SimplexGrinnell LP

By: /s/ Joseph Lubertazzi, Jr.
Joseph Lubertazzi, Jr.
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102

By: /s/ Sally E. Edison
Sally E. Edison
625 Liberty Avenue, 23rd Floor
Pittsburgh, PA 15222-3142

Dated: April 16, 2009

Dated: April 17, 2009

PORZIO, BROMBERG & NEWMAN, P.C.
Attorneys for Creditors Committee

By: /s/ Brett S. Moore
Brett S. Moore
100 Southgate Parkway
Morristown, NJ 07962

Dated: April 16, 2009

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Certificate of Service Page 5 of 5
CERTIFICATE OF NOTICE

District/off: 0312-2
Case: 09-15619

User: rheim
Form ID: pdf903

Page 1 of 1
Total Served: 1

Date Rcvd: Apr 20, 2009

The following entities were served by first class mail on Apr 22, 2009.
db +St. Mary's Hospital, Passaic, N.J., 350 Boulevard, Passaic, NJ 07055-2840

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 22, 2009

Signature:

