

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
PROGRESSIVE HOSPITAL OF ) CASE NO. 09-24666 JPK  
MERRILLVILLE, LLC; PROGRESSIVE ) Chapter 11  
HEALTHCARE, LLC; PROGRESSIVE )  
HOSPITAL OF FORT WAYNE, LLC; and ) (Substantively Consolidated)  
PROGRESSIVE HOSPITAL OF )  
MAHONING VALLEY, LLC, )  
 )  
Debtors. )

ORDER CONCERNING FILED DOCUMENTS

On January 7, 2011, record entries #534 and #535 were filed by The Methodist Hospitals, Inc. These two documents appear to be duplicates.

The court views these motions to seek the allowance of both a pre-petition claim and an administrative claim with respect to the debtor. In the context of a pre-petition claim, a proof of claim must “conform substantially to the appropriate Official Form” (Fed.R.Bankr.P. 3001(a), which is Official Form 10).<sup>1</sup> A request for payment is the proper format by which to present an administrative claim to the court; [11 U.S.C. § 503(a)] additionally, pursuant to N.D.Ind.L.B.R. B-2002-2(a)(7), notice is to be provided in accordance with that rule with respect to the request.

The court determines that record entries #534 and #535 fail to state a claim upon which relief may be granted, and further violates N.D.Ind.L.B.R. B-9013-1(a) by seeking to combine requests for an order which must be filed as separate motions. The court notes that an entity designated as “Methodist Hospital Lab” filed claim numbers 32-1 and 33-1 on January 7, 2011 – well beyond the pre-petition claim filing deadline; no objection to those claims has as yet been filed, but if the claimant seeks an affirmative order allowing those claims despite their untimeliness, a motion specifically addressing this request under applicable law concerning late-filed pre-petition claims in a Chapter 11 case, must be filed. Any request for an

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<sup>1</sup> The court notes the claim filing deadline for pre-petition claims was March 11, 2010.

administrative claim must be filed separately in accordance with 11 U.S.C. § 503(a) and N.D.Ind.L.B.R. B-2002-2(a)(7).

IT IS ORDERED that record entries #534 and #535 are denied, without prejudice to seeking relief in accordance with applicable law and rules.

Dated at Hammond, Indiana on February 14, 2011.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

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