

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY

John P. Leon JL4638 Subranni Zauber LLC 750 Route 73 South – Suite 307B Marlton, NJ 08053 (609) 347-7000; FAX (609) 345-4545 Attorneys for Debtor	
In Re: Miller Health Care, LLC Debtor	Chapter 11 Case No.: 11-28615 Judge: Raymond T. Lyons

APPLICATION FOR RETENTION OF PROFESSIONAL – SPECIAL COUNSEL

Recommended Local Form:	<input checked="" type="checkbox"/> Followed <input type="checkbox"/> Modified
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1. The applicant, Miller Health Care, LLC, is the Debtor in this chapter 11 case.
2. The Debtor seeks to retain John W. Leardi and the law firm of Buttaci and Leardi, LLC to serve as special counsel to the Debtor.
3. The employment of the professional is necessary because the Official Committee of Unsecured Creditors has advised the Debtor of its intention to commence litigation in this court to obtain a determination of the rights of interested parties in and to the nursing home license issued by the State of New Jersey to the Debtor, and the related “bed rights” associated with the Debtor’s operation of Lawrenceville Nursing and Rehabilitation Center in Lawrenceville, N.J.
4. The professional has been selected because he is the managing member of Buttaci & Leardi, LLC, a firm whose practice is primarily focused on representing licensed healthcare providers, including healthcare facilities. Mr. Leardi and his firm regularly advise clients on a

broad range of regulatory matters, including administrative proceedings related to licensing. Mr. Leardi is admitted to practice in this court.

5. The professional services to be rendered are as follows: Advising the Debtor and Debtor's bankruptcy counsel with respect to the Debtor's rights relating to the nursing home license issued by the State of New Jersey to the Debtor, and the related "bed rights" associated with the Debtor's operation of Lawrenceville Nursing and Rehabilitation Center.

6. The proposed arrangement for compensation is as follows: The Debtor proposes to pay the proposed special counsel a retainer in the amount of \$10,000. Fees will be charged by special counsel on an hourly basis. The firm's normal hourly billing rates (subject to annual adjustment at the beginning of the calendar year) are as follows:

John W. Leardi:	\$275.00
Vincent N. Buttaci:	\$325.00

7. To the best of the Debtor's knowledge, the professional's connection with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee, is as follows:

None

Describe connection: _____

8. To the best of the Debtor's knowledge, the professional (check all that apply):

does not hold an adverse interest to the estate.

does not represent an adverse interest to the estate.

is a disinterested person under 11 U.S.C. § 101(14).

does not represent or hold any interest adverse to the debtor or the estate with respect

to the matter for which he/she will be retained under 11 U.S.C. § 327(e).

9. If the professional is an auctioneer, appraiser or realtor, the location and description of the property is as follows: N/A.

Wherefore, the applicant respectfully requests authorization to employ the professional to render services in accordance with this application, with compensation to be paid as an administrative expense in such amounts as the Court may hereafter determine and allow.

November 30, 2011

/s/ Thomas Miller
Thomas Miller, Managing Member
Miller Health Care, LLC

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**CERTIFICATION OF PROFESSIONAL IN SUPPORT
OF APPLICATION FOR RETENTION OF PROFESSIONAL**

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I, John W. Leardi, Esq., being of full age, certify as follows:

1. I am seeking authorization to be retained as special counsel to the Debtor.
2. My professional credentials include: I am admitted to practice law in the State of New Jersey and in this court.

3. I am a member of the law firm of Buttaci and Leardi, LLC.

4. The proposed arrangement for compensation, including hourly rates, if applicable, is as follows: The law firm will bill the Debtor monthly for fees incurred, on an hourly basis. The law firm will accept a retainer payment of \$10,000 from the Debtor. The firm's normal hourly billing rates (subject to annual adjustment at the beginning of the calendar year) are as follows:

John W. Leardi: \$275.00
Vincent N. Buttaci: \$325.00

5. To the best of my knowledge, after reasonable and diligent investigation, my connection with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee, is as follows:

None

Describe connection: _____

6. To the best of my knowledge, after reasonable and diligent investigation, the connection of my firm, its members, shareholders, partners, associates, officers and/or employees with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee, is as follows:

None

Describe Connection: _____

7. To the best of my knowledge, my firm, its members, shareholders, partners, associates, officers and/or employees and I (check all that apply):

do not hold an adverse interest to the estate.

do not represent an adverse interest to the estate.

are disinterested under 11 U.S.C. § 101(14).

do not represent or hold any interest adverse to the debtor or the estate with respect to the matter for which I will be retained under 11 U.S.C. § 327(e).

8. If the professional is an auctioneer, **[N/A]**

a. A surety bond in accordance with D.N.J. LBR 2014-1(B)(2) is attached.

Yes No

b. My qualifications and previous experience as an auctioneer include:

c. Have you or any member of your firm ever been convicted of any
criminal offense, other than motor vehicle violations? Yes No

If yes, explain: _____

9. If the professional is an auctioneer, appraiser or realtor, the location and
description of the property is as follows: [N/A]

I certify that the foregoing statements made by me are true. I am aware that if any of the
foregoing statements made by me are wilfully false, I am subject to punishment.

November 30, 2011

/s/ John W. Leardi
Signature of Professional

John W. Leardi, Esq.
Name of Professional

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CERTIFICATE OF SERVICE AND OF COMPLIANCE WITH D.N.J. LBR 2014-1(a)

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I have complied with D.N.J. LBR 2014-1(a) by mailing a copy of this application to any of the following who did not receive electronic notice from the Court: the United States Trustee, the Debtor and/or Debtor’s attorney, the Trustee (as applicable), the secured creditors, the Official Committees (as applicable), and others requesting notice.

The parties, whose names and addresses are listed below, were served by Federal Express within one (1) day after filing with the Court. (please attach separate sheet if necessary).

Miller Health Care, LLC
Attn Thomas Miller, Managing Mbr
112 Franklin Corner Road
Lawrenceville, NJ 08648

Jeffrey Sponder, Esq.
Department of Justice
Office of the United States Trustee
One Newark Center, Suite 2100
Newark, NJ 07102

Robert M. Schechter, Esq.
Porzio, Bromberg & Newman, P.C.
100 Southgate Parkway
Morristown, NJ 07962

Carl J. Soranno, Esq.
Brach Eichler L.L.C.
101 Eisenhower Parkway
Roseland, NJ 07068

John Killgannon
John D. Demmy, Esq.
Stevens & Lee, P.C.
1105 N. Market Street, 7th Floor
Wilmington, DE 19801

Michael D. Sirota, Esq.
Ryan T. Jareck, Esq.
Cole, Schotz, Meisel
Court Plaza North
25 Main Street
Hackensack, NJ 07602

Genevieve Murphy-Bradacs, Esq.
Zazzali, Fagella, Nowak, Kleinbaum
One Riverfront Plaza
Newark, NJ 07102

ACULABS, INC.
2 KENNEDY BLVD.
EAST BRUNSWICK, NJ 08816

Horizon Blue Cross Blue Shield
Ste 1, 949 Raymond Blvd.
Newark, NJ 07105

Mobilex USA
930 Ridgebrook Rd 3rd Fl
Sparks Glencoe, MD 21152-9390

MIDCO WASTE SYSTEMS
5 INDUSTRIAL DRIVE
NEW BRUNSWICK, NJ 08901

Teamsters Local 35 Pension
620 US Route 130
Yardville, NJ 08691

Amerihealth Casualty Svcs
8000 Midlantic Dr # 333N
Mount Laurel, NJ 08054-1518

FDR Services Corp.
One Ames Court. Ste 204
Plainview, NY 11803

LTC CONSULTING SERVICES
7 RANDOLPH ROAD
HOWELL, NJ 07731

Teamsters Local 35 Health Fund
620 US Route 130
Yardville, NJ 08691

PSE&G Co Electric
8 Lyndon Dr.
Hillsborough, NJ 08844-3033

Us Post Acute Service Solutions
2029 Morris Avenue Suite 2
Union, NJ 07083

CONFIDENCE SERVICES LLC
1420 EAST LINDEN AVENUE
LINDEN, NJ 07036

PHARMCARE USA
95 NEWFIELD AVENUE STE B
EDISON, NJ 08837

Select Medical Corporation
4714 Gettysburg Road
Mechanicsburg, PA 17055

Lawrence Twp Tax Collector
2207 Lawrence Road
Lawrence Twp, NJ 08648

Healthcare Services Group, Inc
Suite 300, 3220 Tillman Drive
Bensalem, PA 19020

CENTRAL CARE SOLUTIONS
1420 E LINDEN AVENUE
LINDEN, NJ 07036

Prime Rehabilitation Services
220 White Plains Road Suite 550
Tarrytown, NY 10591

NJ Nursing Home Provider Assess.
NJ Div of Taxation
50 Barrack Street
Trenton, NJ 08695-0198

PARTNERS PHARMACY
70 JACKSON DRIVE
CRANFORD, NJ 07016

Lawrenceville Nursing Home
c/o Frank C. Puzio, President
231 Lambert Drive
Princeton, NJ 08540

I hereby certify that the foregoing statements made by me are true. I am aware that if any
of the foregoing statements made by me are willfully false, I am subject to punishment.

November 30, 2011

/s/ Edward A. Corma
Edward A. Corma

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**ORDER AUTHORIZING RETENTION
OF SPECIAL COUNSEL TO THE DEBTOR**

The relief set forth on the following page number two (2) is hereby **ORDERED**.

In re: Miller Health Care, LLC
Case No.: 11-28615
Applicant: Miller Health Care, LLC

- Trustee: Chap. 7 Chap. 11 Chap. 13.
- Debtor: Chap. 11 Chap. 13
- Official Committee of _____

Professional: John W. Leardi and the law firm of Buttaci and Leardi, LLC

- Attorney for:
 - Trustee Debtor
 - Official Committee of _____

- Accountant for:
 - Trustee Debtor-in-Possession
 - Official Committee of _____

- Other Professional:
 - Realtor Appraiser Special Counsel Auctioneer
 - Other (specify): _____

Upon the applicant's request for authorization to retain the professional named above,

It is hereby ORDERED as follows:

1. The applicant, Miller Health Care, LLC, is authorized to retain the professional, John W. Leardi and the law firm of Buttaci and Leardi, LLC to act as Special Counsel to the Debtor.
2. Compensation shall be paid in such amounts as may be allowed by the Court upon proper application(s) therefor.
3. The effective date of the retention is the date the application was filed with the Court.