

DOCKET NO. HHD CV19-6119528

STATE OF CONNECTICUT
COMMISSIONER OF SOCIAL SERVICES,
PLAINTIFF

: SUPERIOR COURT
:
: JUDICIAL DISTRICT OF
: HARTFORD

v.

WATERBURY GARDENS NURSING AND
REHAB, LLC OF WATERBURY, CT
d/b/a WATERBURY GARDENS NURSING
AND REHAB,

: JANUARY 2, 2024

DEFENDANT

DOCKET NO. HHD CV17-6075464S

ORDER AND NOTICE
TO ALL POTENTIAL CLAIMANTS AGAINST RECEIVERSHIP
ASSETS ARISING BETWEEN NOVEMBER 5, 2019 AND MARCH 15, 2024

TO: ALL PERSONS AND ENTITIES ASSERTING CLAIMS, LIENS OR ANY OTHER INTERESTS ARISING BETWEEN NOVEMBER 5, 2019 AND MARCH 15, 2024, INCLUSIVE, AGAINST WATERBURY GARDENS NURSING AND REHAB AND/OR ITS RECEIVER

PLEASE TAKE NOTICE that on November 5, 2019, (the "Petition Date"), the Superior Court for the Judicial District of Hartford (the "Court") entered an order appointing Timothy J. Coburn as Receiver (the "Receiver") of Waterbury Gardens Nursing and Rehab ("the Receivership" or "the Defendant"), a skilled nursing facility located in Waterbury, Connecticut. On April 26, 2023, the Court entered an order appointing Katharine B. Sacks as Receiver ("Receiver"), replacing Mr. Coburn.

PLEASE TAKE FURTHER NOTICE that the Receiver recently closed this facility pursuant to this Court's order. This notice of a Receivership Period Claims Procedure is promulgated in anticipation of the termination of the Receivership.

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NK/cc

A. Receivership Period Claims Procedure.

Any person or entity claiming a financial or property interest of any kind that arose between November 5, 2019 and March 15, 2024 with respect to this Receivership and/or the nursing home named in the caption to this notice, is hereby instructed to provide written notice to:

Receivership Claims Procedure
P.O. Box 6607
Hamden, CT 06517

for delivery by United States Postal Service and receipt no later than Friday, March 15, 2024, the Bar Date. Such written notice must include a full and complete description of the facts and circumstances which gave rise to the asserted claimed interest, including all relevant details and copies of original documentation. Claimants must indicate if their claims are secured. Original claims must be submitted in paper form and may not be faxed or emailed or delivered by private carrier. No special claims form is necessary. Claims received after the Bar Date and claims that do not comply with these substantive requirements shall not be considered by this Court.

This process is not intended to invite or entertain pre- Receivership claims against the Defendant, as this Court's pre- Receivership claims procedure had a bar date of February 14, 2020. Take note that claims filed against the Defendants or the Receiver that arose prior to November 5, 2019 shall not be considered by this Court in this proceeding.

Nothing contained herein is intended to be or shall be deemed to be an admission by the Receiver as to the validity of any claimed interest, or a waiver by the Receiver of any rights with respect to any Receivership property, all of which, including the right to contest any alleged interest or claim of any type, is hereby expressly reserved.

Any creditor or other person or entity asserting a financial or property interest against the Receivership or the nursing home named in the caption of this notice that fails to comply with the provisions of this notice on or before Friday, March 15, 2024, the Bar Date, shall be deemed to have abandoned its collateral and/or its claim.

B. Enjoinment of Legal Actions Against the Receiver without Prior Court Consent.

By this Order, the Court restrains and enjoins the commencement, prosecution, or continuance of the prosecution, of any action, suit, arbitration proceeding, hearing, or any foreclosure, reclamation, or repossession proceeding, both judicial and non-judicial, or any other proceeding, in law, or in equity, or under any statute, or otherwise, against the Receiver or any of the assets or property in the custody and or control of the Receiver, in any Court, agency, tribunal, or elsewhere, or before any arbitrator, or otherwise, by any creditor, stockholder, corporation, partnership or other person without the prior authorization of this Court and prior notice to the Receiver.

The levy of any attachment, execution or other process upon or against any property in the custody or control of the Receiver, or the taking or attempting to take into possession of any property in the possession, custody or control of the Receiver, or of which the Receiver has the right to possession, without obtaining prior approval thereof from this Court, shall be deemed to be invalid, void and without effect.

C. Notice of Order to Potential Receivership Period Claimants; Publication of Order; Return of Compliance and Report of Claims Filed.

1. The Court hereby directs the Receiver to provide notice of the Receivership Period Claims Procedure order to all potential claimants, including residents, employees and vendors of and to the Receivership facility between November 5, 2019 and January 2, 2024 by mailing a

copy of such order to all potential claimants and by publishing the order in the *Waterbury Republican American*, the *New Haven Register* and the *Hartford Courant* newspapers no later than January 9, 2024. Further, the Receiver shall arrange for the posting of this order on the Connecticut Judicial Department website by January 9, 2024.

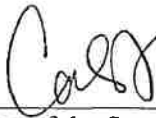
2. The Court further directs the Receiver to file a return of compliance identifying the recipients of these mailings, the date of mailing and the dates of the publication and posting of the order no later than by January 16, 2024.

3. Finally, the Court directs the Receiver to file a report on claims received in this Receivership Period Claims Procedure and serve it on the parties (via email) and to all claimants (by United States Postal Service) no later than March 22, 2024.

D. Hearing to Consider Receivership Period Claims Filed by the Bar Date.

The Court shall hold a hearing on April 17, 2024 at 10 a.m. at Connecticut Superior Court, 95 Washington Street, Hartford, Connecticut 06106 at which time all claims asserted in compliance with this notice shall be considered.

ENTERED as an Order of this Court this 2nd day of January 2024.



Judge of the Superior Court

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was efiled and emailed to each of the following on December 29, 2023:

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