

B1 (Official Form 1) (12/11)

United States Bankruptcy Court District of New Jersey		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>Modern Radiation and Oncology of Ocean County, LLC</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>0600364639 (NJ)</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. & Street, City, and State): <b>512 Lakehurst Road Toms River, NJ 08755</b>		Street Address of Joint Debtor (No. & Street, City, and State):
ZIP CODE <b>08755-0000</b>		ZIP CODE
County of Residence or of the Principal Place of Business: <b>Ocean</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):
ZIP CODE		ZIP CODE
Location of Principal Assets of Business Debtor (if different from street address above):		
<b>Type of Debtor</b> (Form of Organization) (Check one box.)  <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box.)  <input checked="" type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Chapter 15 Debtors</b>  Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable.)  <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee</b> (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Check one box: Chapter 11 Debtors</b> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).  <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000		
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Modern Radiation and Oncology of Ocean County, LLC</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)</b>			
Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)</b>			
Name of Debtor: <b>Oncology Associates of Ocean County, LLC</b>		Case Number: <b>12-11790</b>	Date Filed: <b>1/25/12</b>
District: <b>New Jersey</b>		Relationship: <b>Affiliate</b>	Judge: <b>Michael B. Kaplan</b>
<b>Exhibit A</b>		<b>Exhibit B</b>	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)		(To be completed if debtor is an individual whose debts are primarily consumer debts.)	
<input type="checkbox"/> Exhibit A is attached and made a part of this petition.		I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b).	
		X _____ Signature of Attorney for Debtor(s) (Date)	
<b>Exhibit C</b>			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.			
<input checked="" type="checkbox"/> No			
<b>Exhibit D</b>			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.			
If this is a joint petition:			
<input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box.)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes.)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
_____ (Name of landlord that obtained judgment)			
_____ (Address of landlord)			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and			
<input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			
<input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

<p><b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s): <b>Modern Radiation and Oncology of Ocean County, LLC</b></p>
<b>Signatures</b>	
<p><b>Signature(s) of Debtor(s) (Individual/Joint)</b> I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).  I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X _____ Signature of Debtor X _____ Signature of Joint Debtor  _____ Telephone Number (If not represented by attorney)  _____ Date</p>	<p><b>Signature of a Foreign Representative</b> I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.  (Check only one box.) <input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached. <input type="checkbox"/> Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.  X _____ (Signature of Foreign Representative)  _____ (Printed Name of Foreign Representative)  _____ Date</p>
<p><b>Signature of Attorney*</b> X <u>/s/ Gary N. Marks, Esq.</u> Signature of Attorney for Debtor(s) <b>Gary N. Marks, Esq.</b> Printed Name of Attorney for Debtor(s) <b>Norris, McLaughlin &amp; Marcus, PA</b> Firm Name <b>721 Route 202/206</b> <b>Suite 200</b> <b>Bridgewater, NJ 08807</b> Address  <b>908-722-0700 Fax:908-722-0755</b> Telephone Number <b>January 30, 2013</b> Date</p> <p><small>*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.</small></p>	<p><b>Signature of Non-Attorney Bankruptcy Petition Preparer</b> I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official form 19 is attached.  _____ Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)  _____ Address X _____  _____ Date</p> <p>Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose social security number is provided above.</p> <p>Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><small>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.</small></p>
<p><b>Signature of Debtor (Corporation/Partnership)</b> I declare under penalty of perjury that the information provided in this petition is true and correct, to the best of my information and belief and that I have been authorized to file this petition by Order of U.S. Bankruptcy Court, attached. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition. X <u>/s/ Morris S. Bauer</u> Signature of Authorized Individual <b>Morris S. Bauer</b> Printed Name of Authorized Individual <b>Trustee for Oncology Associates of Ocean County, LLC</b> Title of Authorized Individual <b>January 30, 2013</b> Date</p>	



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

Gary N. Marks, Esq.  
**NORRIS, McLAUGHLIN & MARCUS, PA**  
*Attorneys for Morris S. Bauer, Chapter 11  
Trustee*  
721 Route 202-206 North  
Suite 200  
Bridgewater, New Jersey 08807  
(908) 722-0700

**In Re:**

**ONCOLOGY ASSOCIATES OF OCEAN  
COUNTY, LLC,**

Debtor.

Chapter 11

Case No. 12-11790 (MBK)

Judge: Michael B. Kaplan

**ORDER GRANTING MOTION AND EXTENDING PROCEEDINGS OVER MODERN  
RADIATION AND ONCOLOGY OF OCEAN COUNTY, LLC**

The relief set forth on the following pages, numbered two (2) through (3) is hereby  
ORDERED.

**DATED: 01/22/2013**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Page 2 of 3

Debtor: Oncology Associates of Ocean County, LLC

Case No.: 12-11790 (RTL)

Caption of Order: Order Granting Motion and Extending Proceedings Over Modern Radiation and Oncology of Ocean County, LLC

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THIS MATTER, having been opened to the Court upon the motion of Morris S. Bauer, Chapter 11 Trustee ("Trustee") of Oncology Associates of Ocean County, LLC ("Oncology") for entry of an order extending these proceedings over Modern Radiation and Oncology of Ocean County, LLC (the "Motion"); and the Court having considered the Motion, any opposition to the Motion, and the arguments of counsel (if any); and for the reasons set forth by the Court at the hearing, and other good and sufficient cause shown, it is hereby

ORDERED, that the Motion is granted; and it is further

ORDERED, that the Trustee shall immediately prepare and file a bankruptcy petition for Modern Radiation and Oncology of Ocean County, LLC ("Modern"); and it is further

ORDERED, that upon the filing of Modern's bankruptcy petition, Oncology and Modern and their estates are substantively consolidated under Case No. 12-11790 (MBK) for all purposes; and it is further

ORDERED, that all assets and liabilities of Oncology and Modern are hereby merged or treated as though they were merged; and it is further

ORDERED, that the creditors of the respective Oncology and Modern estates shall be and the same are hereby combined for all purposes; and it is further

ORDERED, that any inter-Debtor claims are extinguished;

ORDERED, that the Clerk of the Bankruptcy Court be and hereby is authorized and directed to send out all notices and/or other pleadings that may be distributed in the Oncology case on a consolidated basis, using a consolidated caption and case number which appears above and the Clerk is further directed to note on the docket of each of the Oncology case (and the Modern case after same is filed) that an Order for substantive consolidation has been entered and

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Debtor: Oncology Associates of Ocean County, LLC

Case No.: 12-11790 (RTL)

Caption of Order: Order Granting Motion and Extending Proceedings Over Modern Radiation and Oncology of Ocean County, LLC

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that the lead case number should be consulted for all matters affecting these cases; and it is further

ORDERED, that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
District of New Jersey**

In re Modern Radiation and Oncology of Ocean County, LLC Case No. \_\_\_\_\_  
Debtor(s) Chapter 11

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Dover Real Estate Holdings LLC 512 Lakehurst Road Toms River, NJ 08755	Dover Real Estate Holdings LLC 512 Lakehurst Road Toms River, NJ 08755		Disputed	480,000.00
GE Healthcare Financial Services PO Box 3083 Cedar Rapids, IA 52406-3083	GE Healthcare Financial Services PO Box 3083 Cedar Rapids, IA 52406-3083			130,000.00 (0.00 secured)
Varian Medical Services 660 N. McCarthy Blvd. Milpitas, CA 95035	Varian Medical Services 660 N. McCarthy Blvd. Milpitas, CA 95035		Disputed	102,000.00
Smolin Lupin 331 Newman Springs Road Red Bank, NJ 07701	Smolin Lupin 331 Newman Springs Road Red Bank, NJ 07701		Disputed	30,000.00
Horizon Blue Cross/Blue Shield PO Box 420 Newark, NJ 07101-0420	Horizon Blue Cross/Blue Shield PO Box 420 Newark, NJ 07101-0420		Disputed	14,685.00
Delta Dental PO Box 36483 Newark, NJ 07188	Delta Dental PO Box 36483 Newark, NJ 07188		Disputed	2,000.00
Parvez Dara 527 Fielders Lane Toms River, NJ 08755	Parvez Dara 527 Fielders Lane Toms River, NJ 08755			Unknown
TD Bank PO Box 5487 Mount Laurel, NJ 08054-5487	TD Bank PO Box 5487 Mount Laurel, NJ 08054-5487			Unknown (0.00 secured)

B4 (Official Form 4) (12/07) - Cont.

In re Modern Radiation and Oncology of Ocean County, LLC  
Debtor(s)

Case No. \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Trustee for Oncology Associates of Ocean County, LLC of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date January 30, 2013

Signature /s/ Morris S. Bauer  
**Morris S. Bauer**  
Trustee for Oncology Associates of Ocean County, LLC

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.



**United States Bankruptcy Court  
District of New Jersey**

In re Modern Radiation and Oncology of Ocean County, LLC Case No. \_\_\_\_\_  
Debtor(s) Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

I, the Trustee for Oncology Associates of Ocean County, LLC of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: January 30, 2013

/s/ Morris S. Bauer  
Morris S. Bauer/Trustee for Oncology Associates of Ocean  
County, LLC  
Signer/Title

Delta Dental  
PO Box 36483  
Newark, NJ 07188

Dover Real Estate Holdings LLC  
512 Lakehurst Road  
Toms River, NJ 08755

Dr. Barbara Schneider  
1579 Beaver Hollow Drive  
Toms River, NJ 08753

Dr. Michael J. Marchese

Dr. Stewart A. Berkowitz

GE Healthcare Financial Services  
PO Box 3083  
Cedar Rapids, IA 52406-3083

Horizon Blue Cross/Blue Shield  
PO Box 420  
Newark, NJ 07101-0420

Internal Revenue Service  
Special Procedures  
PO Box 744  
Springfield, NJ 07081

Internal Revenue Service  
Holtsville, NY 00501-0043

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Roslyn Heights, NY 11577

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PO Box 2369  
Westfield, NJ 07091-2369

Smolin Lupin  
331 Newman Springs Road  
Red Bank, NJ 07701

State of New Jersey  
Department of Labor  
Attn: Stan Cooper, Bankruptcy Section  
CN 077  
Trenton, NJ 08625-0077

State of New Jersey  
Division of Taxation  
Special Procedures Branch  
CN 245  
Trenton, NJ 08646

TD Bank  
PO Box 5487  
Mount Laurel, NJ 08054-5487

Varian Medical Services  
660 N. McCarthy Blvd.  
Milpitas, CA 95035