



República de Colombia  
**RAMA JUDICIAL DEL PODER PÚBLICO**  
JUZGADO DIECISIETE CIVIL DEL CIRCUITO DE ORALIDAD DE  
MEDELLÍN

**Medellín, diecisiete (17) de febrero del año dos mil veintiuno (2021)**

|            |                                                           |
|------------|-----------------------------------------------------------|
| RADICADO   | 05001 40 03 007 2021 00006 00                             |
| PROCESO    | EJECUTIVO SINGULAR                                        |
| EJECUTANTE | E.S.E. HOSPITAL SAN RAFAEL DEL ESPINAL NIT. 890.701.033-0 |
| DEMANDADO  | SEGUROS GENERALES SURAMERICANA S.A. NIT. 890.903.407-9    |
| AUTO       | LIBRA MANDAMIENTO DE PAGO                                 |

Las facturas que se adjuntan como base de recaudo (124), tienen alcance de título valor de autenticidad presunta; por lo tanto prestan mérito ejecutivo conforme a la previsión de los artículos 422 del C. G. del Proceso, además, reúnen los requisitos de los artículos 621 y 774 del Código de Comercio. Con base en lo anterior, el Juzgado

**RESUELVE:**

**PRIMERO:** Librar mandamiento de pago por la vía del proceso **EJECUTIVO SINGULAR** en favor de E.S.E. HOSPITAL SAN RAFAEL DEL ESPINAL y en contra de SEGUROS GENERALES SURAMERICANA S.A., por las siguientes sumas de dinero:

| Factura N° | ValFactura      | ValSaldo        | Fec.Registro | FecRadicacion |
|------------|-----------------|-----------------|--------------|---------------|
| 2520696    | \$12,160,347.00 | \$12,160,347.00 | 13/02/2017   | 23/03/2017    |
| 2526445    | \$7,512,106.00  | \$7,512,106.0   | 17/02/2017   | 14/06/2017    |
| 2704586    | \$8,111,850.00  | \$4,584,080.00  | 12/08/2017   | 29/09/2017    |
| 2721234    | \$2,684,313.00  | \$2,684,313.00  | 30/08/2017   | 29/09/2017    |
| 2719558    | \$6,335,810.00  | \$6,335,810.00  | 28/08/2017   | 18/10/2017    |
| 2720516    | \$7,697,065.00  | \$3,433,300.00  | 29/08/2017   | 07/11/2017    |
| 2740981    | \$2,386,079.00  | \$2,386,079.00  | 19/09/2017   | 07/11/2017    |
| 2775981    | \$16,996,033.00 | \$16,996,033.00 | 24/10/2017   | 15/11/2017    |
| 2684721    | \$189,000.00    | \$75,600.00     | 25/07/2017   | 27/12/2017    |
| 2708365    | \$189,000.00    | \$75,600.00     | 16/08/2017   | 27/12/2017    |
| 2738129    | \$189,000.00    | \$132,300.00    | 15/09/2017   | 27/12/2017    |
| 2752062    | \$189,000.00    | \$132,300.00    | 29/09/2017   | 27/12/2017    |
| 2754495    | \$29,500.00     | \$29,500.00     | 02/10/2017   | 27/12/2017    |
| 2754577    | \$189,000.00    | \$132,300.00    | 02/10/2017   | 27/12/2017    |
| 2770315    | \$ 5,682,837.00 | \$ 61,700.00    | 18/10/2017   | 27/12/2017    |
| 2780511    | \$482,979.00    | \$ 95,400.00    | 28/10/2017   | 27/12/2017    |
| 2785092    | \$478,466.00    | \$51,352.00     | 01/11/2017   | 27/12/2017    |
| 2792173    | \$60,000.00     | \$60,000.00     | 09/11/2017   | 27/12/2017    |

|         |                 |                 |            |            |
|---------|-----------------|-----------------|------------|------------|
| 2794523 | \$1,320,589.00  | \$204,700.00    | 12/11/2017 | 27/12/2017 |
| 2796080 | \$42,500.00     | \$42,500.00     | 14/11/2017 | 27/12/2017 |
| 2802702 | \$424,212.00    | \$109,098.00    | 21/11/2017 | 27/12/2017 |
| 2805685 | \$8,271,427.00  | \$629,820.00    | 23/11/2017 | 27/12/2017 |
| 2806738 | \$137,000.00    | \$137,000.00    | 24/11/2017 | 27/12/2017 |
| 2810491 | \$108,626.00    | \$108,626.00    | 28/11/2017 | 27/12/2017 |
| 2812422 | \$42,500.00     | \$42,500.00     | 29/11/2017 | 27/12/2017 |
| 2706682 | \$189,000.00    | \$94,500.00     | 15/08/2017 | 28/12/2017 |
| 2723605 | \$189,000.00    | \$75,600.00     | 01/09/2017 | 28/12/2017 |
| 2752796 | \$706,979.00    | \$105,000.00    | 29/09/2017 | 28/12/2017 |
| 2757553 | \$1,438,223.00  | \$435,329.00    | 04/10/2017 | 28/12/2017 |
| 2760563 | \$7,458,988.00  | \$258,500.00    | 07/10/2017 | 28/12/2017 |
| 2762906 | \$189,000.00    | \$94,500.00     | 10/10/2017 | 28/12/2017 |
| 2766639 | \$189,000.00    | \$132,300.00    | 13/10/2017 | 28/12/2017 |
| 2767817 | \$2,471,644.00  | \$542,596.00    | 15/10/2017 | 28/12/2017 |
| 2778671 | \$17,500.00     | \$17,500.00     | 26/10/2017 | 28/12/2017 |
| 2781436 | \$1,383,379.00  | \$597,300.00    | 29/10/2017 | 28/12/2017 |
| 2781444 | \$10,725,048.00 | \$10,725,048.00 | 29/10/2017 | 28/12/2017 |
| 2786262 | \$42,500.00     | \$42,500.00     | 02/11/2017 | 28/12/2017 |
| 2789546 | \$8,073,211.00  | \$8,073,211.00  | 07/11/2017 | 28/12/2017 |
| 2793402 | \$10,684,813.00 | \$1,411,070.00  | 10/11/2017 | 28/12/2017 |
| 2798937 | \$3,777,921.00  | \$629,380.00    | 16/11/2017 | 28/12/2017 |
| 2814277 | \$104,267.00    | \$53,800.00     | 01/12/2017 | 28/12/2017 |
| 2814473 | \$40,200.00     | \$40,200.00     | 01/12/2017 | 28/12/2017 |
| 2817393 | \$2,647,797.00  | \$599,500.00    | 05/12/2017 | 28/12/2017 |
| 2813018 | \$459,591.00    | \$199,612.00    | 30/11/2017 | 09/01/2018 |
| 2820103 | \$104,300.00    | \$104,300.00    | 07/12/2017 | 09/01/2018 |
| 2836139 | \$1,143,323.00  | \$173,199.00    | 21/12/2017 | 09/01/2018 |
| 2718339 | \$591,773.00    | \$71,700.00     | 27/08/2017 | 09/02/2018 |
| 2760900 | \$448,737.00    | \$229,668.00    | 08/10/2017 | 09/02/2018 |
| 2783588 | \$686,566.00    | \$686,566.00    | 31/10/2017 | 09/02/2018 |
| 2816136 | \$53,800.00     | \$53,800.00     | 04/12/2017 | 09/02/2018 |
| 2820193 | \$175,000.00    | \$157,500.00    | 07/12/2017 | 09/02/2018 |
| 2832286 | \$11,850,363.00 | \$653,100.00    | 19/12/2017 | 09/02/2018 |
| 2832937 | \$14,020,907.00 | \$1,868,710.00  | 19/12/2017 | 09/02/2018 |
| 2836836 | \$2,243,182.00  | \$107,900.00    | 22/12/2017 | 09/02/2018 |
| 2837177 | \$349,127.00    | \$83,006.00     | 22/12/2017 | 09/02/2018 |
| 2838991 | \$2,174,690.00  | \$497,446.00    | 26/12/2017 | 09/02/2018 |
| 2840178 | \$41,500.00     | \$41,500.00     | 27/12/2017 | 09/02/2018 |
| 2841306 | \$5,384,227.00  | \$479,241.00    | 28/12/2017 | 09/02/2018 |
| 2843010 | \$1,217,024.00  | \$308,130.00    | 30/12/2017 | 09/02/2018 |
| 2846197 | \$3,068,654.00  | \$920,596.00    | 04/01/2018 | 09/02/2018 |
| 2847237 | \$14,731,993.00 | \$2,462,340.00  | 05/01/2018 | 09/02/2018 |
| 2857703 | \$10,830,339.00 | \$3,249,102.00  | 17/01/2018 | 09/02/2018 |
| 2843061 | \$2,839,001.00  | \$620,800.00    | 30/12/2017 | 26/02/2018 |
| 2843152 | \$1,571,793.00  | \$995,500.00    | 31/12/2017 | 26/02/2018 |
| 2847817 | \$4,772,596.00  | \$318,950.00    | 06/01/2018 | 26/02/2018 |
| 2851777 | \$2,896,460.00  | \$206,750.00    | 11/01/2018 | 26/02/2018 |
| 2854662 | \$140,000.00    | \$60,300.00     | 15/01/2018 | 26/02/2018 |
| 2861475 | \$782,643.00    | \$34,300.00     | 21/01/2018 | 26/02/2018 |
| 2864582 | \$42,500.00     | \$42,500.00     | 23/01/2018 | 26/02/2018 |
| 2866171 | \$158,522.00    | \$34,730.00     | 24/01/2018 | 26/02/2018 |
| 2840983 | \$175,000.00    | \$175,000.00    | 28/12/2017 | 16/03/2018 |
| 2873878 | \$1,503,414.00  | \$295,350.00    | 31/01/2018 | 16/03/2018 |
| 2883586 | \$145,060.00    | \$83,000.00     | 09/02/2018 | 16/03/2018 |
| 2886733 | \$6,027,353.00  | \$43,600.00     | 13/02/2018 | 16/03/2018 |
| 2889325 | \$18,776,722.00 | \$3,831,060.00  | 15/02/2018 | 16/03/2018 |
| 2891472 | \$89,600.00     | \$89,600.00     | 17/02/2018 | 16/03/2018 |
| 2895792 | \$685,390.00    | \$445,380.00    | 21/02/2018 | 16/03/2018 |
| 2883551 | \$45,000.00     | \$45,000.00     | 09/02/2018 | 04/04/2018 |
| 2892491 | \$9,935,697.00  | \$414,590.00    | 19/02/2018 | 04/04/2018 |
| 2903052 | \$63,400.00     | \$63,400.00     | 28/02/2018 | 04/04/2018 |
| 2904987 | \$1,276,758.00  | \$170,920.00    | 02/03/2018 | 04/04/2018 |
| 2808438 | \$1,129,053.00  | \$77,500.00     | 26/11/2017 | 11/04/2018 |
| 2829045 | \$257,500.00    | \$257,500.00    | 15/12/2017 | 11/04/2018 |
| 2861672 | \$1,294,541.00  | \$878,400.00    | 22/01/2018 | 11/04/2018 |
| 2930425 | \$7,635,017.00  | \$920,442.00    | 27/03/2018 | 11/04/2018 |
| 2930874 | \$1,735,971.00  | \$632,800.00    | 28/03/2018 | 11/04/2018 |
| 2836709 | \$175,000.00    | \$175,000.00    | 22/12/2017 | 08/05/2018 |
| 2853236 | \$18,500.00     | \$18,500.00     | 12/01/2018 | 08/05/2018 |
| 2858945 | \$3,662,607.00  | \$68,880.00     | 18/01/2018 | 08/05/2018 |

|         |                 |                  |            |            |
|---------|-----------------|------------------|------------|------------|
| 2861974 | \$18,500.00     | \$18,500.00      | 22/01/2018 | 08/05/2018 |
| 2886110 | \$3,417,318.00  | \$435,330.00     | 12/02/2018 | 08/05/2018 |
| 2916430 | \$965,009.00    | \$80,332.00      | 13/03/2018 | 08/05/2018 |
| 2917329 | \$200,000.00    | \$200,000.00     | 14/03/2018 | 08/05/2018 |
| 2918717 | \$180,000.00    | \$80,000.00      | 15/03/2018 | 08/05/2018 |
| 2921655 | \$5,674,028.00  | \$44,000.00      | 18/03/2018 | 08/05/2018 |
| 2929222 | \$42,500.00     | \$42,500.00      | 26/03/2018 | 08/05/2018 |
| 2929564 | \$143,100.00    | \$143,100.00     | 27/03/2018 | 08/05/2018 |
| 2934226 | \$113,394.00    | \$57,100.00      | 03/04/2018 | 08/05/2018 |
| 2938050 | \$330,828.00    | \$117,486.00     | 06/04/2018 | 08/05/2018 |
| 2942242 | \$537,268.00    | \$537,268.00     | 10/04/2018 | 08/05/2018 |
| 2878981 | \$255,819.00    | \$51,300.00      | 06/02/2018 | 25/05/2018 |
| 2903938 | \$2,953,200.00  | \$442,950.00     | 01/03/2018 | 25/05/2018 |
| 2911760 | \$11,033,112.00 | \$302,740.00     | 08/03/2018 | 25/05/2018 |
| 2946072 | \$119,700.00    | \$47,300.00      | 13/04/2018 | 25/05/2018 |
| 2950961 | \$3,717,248.00  | \$623,620.00     | 18/04/2018 | 25/05/2018 |
| 2966078 | \$3,852,412.00  | \$669,750.00     | 03/05/2018 | 25/05/2018 |
| 2969290 | \$5,992,749.00  | \$666,039.00     | 07/05/2018 | 25/05/2018 |
| 2966325 | \$453,285.00    | \$107,090.00     | 03/05/2018 | 05/06/2018 |
| 2971129 | \$439,942.00    | \$143,613.00     | 08/05/2018 | 05/06/2018 |
| 2976480 | \$700,695.00    | \$48,000.00      | 11/05/2018 | 05/06/2018 |
| 2877152 | \$6,368,419.00  | \$988,860.00     | 05/02/2018 | 25/06/2018 |
| 2978227 | \$1,859,881.00  | \$1,032,072.00   | 14/05/2018 | 25/06/2018 |
| 2989728 | \$7,494,058.00  | \$7,303,798.00   | 22/05/2018 | 25/06/2018 |
| 2990763 | \$4,642,918.00  | \$1,173,750.00   | 23/05/2018 | 25/06/2018 |
| 2992941 | \$45,000.00     | \$45,000.00      | 24/05/2018 | 25/06/2018 |
| 2996763 | \$8,284,521.00  | \$104,940.00     | 28/05/2018 | 25/06/2018 |
| 2997630 | \$2,080,075.00  | \$2,080,075.00   | 28/05/2018 | 25/06/2018 |
| 2933390 | \$92,500.00     | \$92,500.00      | 02/04/2018 | 26/06/2018 |
| 2944001 | \$200,000.00    | \$100,000.00     | 11/04/2018 | 26/06/2018 |
| 2978470 | \$641,671.00    | \$641,271.00     | 14/05/2018 | 26/06/2018 |
| 2986414 | \$11,093,080.00 | \$2,226,660.00   | 21/05/2018 | 26/06/2018 |
| 2994488 | \$11,269,315.00 | \$430,240.00     | 25/05/2018 | 26/06/2018 |
| 3003311 | \$155,068.00    | \$82,982.00      | 01/06/2018 | 26/06/2018 |
| 3008067 | \$7,181,171.00  | \$530,627.00     | 07/06/2018 | 29/06/2018 |
| TOTAL   |                 | \$127,178,159.00 |            |            |

**SEGUNDO:** Respecto de los intereses, el juez con base en el artículo 430 del C. G. del Proceso y 884 del Código de Comercio, conforme a la modificación introducida por el artículo 111 de la ley 510 de 1999, dispone lo siguiente:

Se tasa el interés bancario corriente entre la fecha de vencimiento estipulada en cada una de las facturas y el **19 de enero/2021, fecha anterior a la presentación de la demanda.**

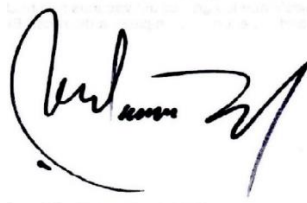
**Respecto del capital \$127.178.159 se causan intereses moratorios a tasa y media del bancario corriente, a partir de la fecha de presentación de la demanda 20 de enero/2021,** y hasta la fecha en que se efectuó el pago total de la obligación. Esto, por cuanto a partir de la fecha de presentación de la demanda, se tiene certeza del ejercicio de la cláusula aceleratoria del plazo por parte del acreedor y se generan los efectos de mora.

**TERCERO:** Notifiquese este auto a la entidad demandada en la forma dispuesta por los artículos 291 a 292 del C. G. del Proceso, con prevención

de cinco (5) días para pagar la obligación y diez (10) días para descorrer el traslado de la demanda con pronunciamiento en garantía del ejercicio de defensa y contradicción.

A la parte ejecutante se notifica esta providencia por estados, para los efectos de que trata el artículo 94 del C. G. del Proceso.

**NOTIFÍQUESE**

A handwritten signature in black ink, appearing to read 'José Manuel Cuervo Ruiz', with a stylized flourish at the end.

**JOSÉ MANUEL CUERVO RUIZ**

**JUEZ**

JJ