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5 *[Proposed] Counsel for Victoria L. Nelson, Chapter 7 Trustee*

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8 **UNITED STATES BANKRUPTCY COURT**  
9 **DISTRICT OF NEVADA**

10 In re:  
11 AMERI-DREAM REALTY, LLC,  
12 Debtor.

Case No. BK-S-15-10110-LED  
Chapter 7

**EX PARTE APPLICATION FOR ORDER  
SHORTENING TIME ON TRUSTEE'S  
APPLICATION TO (1) EMPLOY NELLIS  
AUCTION AS AUCTIONEER TO SELL  
PERSONAL PROPERTY, PAY  
COMMISSION, REIMBURSE EXPENSES  
AND (2) APPROVE THE SALE OF  
PERSONAL PROPERTY FREE AND  
CLEAR OF LIENS, CHARGES,  
INTEREST AND ENCUMBRANCES  
PURSUANT TO 11 U.S.C. § 363**

Date of Hearing: *OST Pending*  
Time of Hearing: *OST Pending*  
Place: Courtroom No. 3, Third Floor  
Foley Federal Building  
300 Las Vegas Blvd., S.  
Las Vegas, NV 89101

Judge: Honorable Laurel E. Davis

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23 Victoria L. Nelson, the appointed Chapter 7 Trustee in the above-captioned bankruptcy  
24 case (the "Trustee"), by and through her proposed counsel of record Jacob L. Houmand, Esq. of  
25 the law firm of Nelson & Houmand, P.C., hereby files this Ex Parte Application for Order  
26 Shortening Time on Trustee's Application to (1) Employ Nellis Auction as Auctioneer to Sell  
27 Personal Property, Pay Commission, Reimburse Expenses and (2) Approve the Sale of Personal  
28 Property Free and Clear of Liens, Charges, Interest and Encumbrances Pursuant to U.S.C. §363.

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(the “Application”).<sup>1</sup>

This Application is made and based upon FRBP 9006 and Local Rule 9006, the following memorandum of points and authorities, the Affidavit of Jacob L. Houmand, Esq. In Support of the Ex Parte Application for Order Shortening Time on Trustee’s Application to (1) Employ Nellis Auction as Auctioneer to Sell Personal Property, Pay Commission, Reimburse Expenses and (2) Approve the Sale of Personal Property Free and Clear of Liens, Charges, Interest and Encumbrances Pursuant to U.S.C. §363 (the “Houmand Affidavit”), the Declaration of Victoria L. Nelson In Support of Trustee’s Application to (1) Employ Nellis Auction as Auctioneer to Sell Personal Property, Pay Commission, Reimburse Expenses and (2) Approve the Sale of Personal Property Free and Clear of Liens, Charges, Interest and Encumbrances Pursuant to U.S.C. §363 (the “Nelson Declaration”), and the Attorney Information Sheet, all of which are filed separately and concurrently with the Application pursuant to Local Rule 9014(c)(2).

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<sup>1</sup> Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The Federal Rules of Civil Procedure will be referred to as “FRCP” and the Federal Rules of Bankruptcy Procedure will be referred to as “FRBP.” The Local Rules of Practice for the United States Bankruptcy Court for the District of Nevada shall be referred to as the “Local Rules”.

1 WHEREFORE, the Trustee respectfully requests that this Honorable Court grant this  
2 Application and issue an order shortening time to hear the Trustee’s Application to (1) Employ  
3 Nellis Auction as Auctioneer to Sell Personal Property, Pay Commission, Reimburse Expenses  
4 and (2) Approve the Sale of Personal Property Free and Clear of Liens, Charges, Interest and  
5 Encumbrances Pursuant to U.S.C. §363. (the “Application to Employ”) and for such other relief  
6 as is just and proper.<sup>2</sup>

7 Dated this 17th day of February, 2015.

8 **NELSON & HOUMAND, P.C.**

9  
10 */s/ Jacob L. Houmand*

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28 *Chapter 7 Trustee*

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2 The Trustee also requests that the Court take judicial notice of all pleadings filed in the above-referenced bankruptcy case pursuant Rule of Evidence 201, incorporated by reference by Federal Rule of Bankruptcy Procedure 9017.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

Ameri-Dream Realty, LLC (the “Debtor”) was a real estate brokerage firm that represented clients in the purchase and sale of real property throughout Las Vegas, Nevada. The Debtor also had a property management division that managed several thousand real properties located throughout the valley in Las Vegas, Nevada.

Prior to the Debtor filing bankruptcy, John Brown, the principal of the Debtor, vacated the leased premises located at 4875 Nevso Drive, Las Vegas, Nevada (the “Property”). When Mr. Brown vacated the Property, personal property was left behind including file cabinets, office equipment, various furniture such as tables and chairs (the “Personal Property”).

In an effort to minimize administrative expenses, the Trustee is attempting to vacate the Property as quickly as possible and employ Nellis Auction to sell the Personal Property. Nellis Auction has indicated that it could conduct the internet auction and sell the Personal Property before the end of the month of February, 2015.

**II. LEGAL ARGUMENT**

Section 105 allows this Court to issue such orders as are necessary to carry out the provisions of this title. FRBP 9006(c)(1) generally permits a Bankruptcy Court, for cause shown and in its discretion, to reduce the period during which any notice is given in accordance with the Bankruptcy Rules. FRBP 9006(c)(1) provides as follows:

Except as provided in paragraph (2) of this subdivision, when an act is required or allowed to be done at or within a specified time by these rules or by a notice given thereunder or by order of court, the court for cause shown may in its discretion with or without Application or notice order the period reduced.

FED. R. BANKR. P. 9006(c)(1).

11 U.S.C. § 105. Local Rule 9006 provides further authority for shortening the time for a hearing. Under Local Rule 9006(b), every Application for an order shortening time must be accompanied by an affidavit stating the reasons for a shortened deadline.

Here, the Trustee seeks an order allowing the Application to Employ to be heard on shortened time in order to allow the Trustee to sell the Personal Property prior to the end of the

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1 month of February, 2015 thereby permitting the Trustee to reject the lease on the Property and  
2 minimize administrative costs. For these reasons, the Court should issue an order shortening time  
3 on the Motion.

4 **III. CONCLUSION**

5 For the foregoing reasons, the Trustee respectfully requests that this Court issue an order  
6 shortening time to hear the Motion and for such other relief as is just and proper.

7 Dated this 17th day of February, 2015.

8 **NELSON & HOUMAND, P.C.**

9  
10 */s/ Jacob L. Houmand*

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