

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Honorable Laurel E. Davis
United States Bankruptcy Judge



Entered on Docket
February 20, 2015

Jacob L. Houmand, Esq. (NV Bar No. 12781)
Email: jhoumand@nelsonhoumand.com
NELSON & HOUMAND, P.C.
3900 Paradise Road; Suite U
Las Vegas, Nevada 89169-0903
Telephone: 702/720-3370
Facsimile: 702/720-3371

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

NELSON & HOUMAND, P.C.
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169
Telephone: (702) 720-3370
Facsimile: (702) 720-3371

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

AMERI-DREAM REALTY, LLC,

Debtor.

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

**ORDER GRANTING OMNIBUS
MOTION OF THE CHAPTER 7
TRUSTEE FOR ENTRY OF ORDER
AUTHORIZING REJECTION OF
EXECUTORY CONTRACTS
[PROPERTY MANAGEMENT
AGREEMENTS] PURSUANT TO 11
U.S.C. § 365(a)**

Date of Hearing: February 17, 2015
Time of Hearing: 2:30 p.m.
Place: Courtroom No. 3, Third Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Laurel E. Davis

This matter came before this Court on the *Omnibus Motion of the Chapter 7 Trustee for Entry of Order Authorizing the Rejection of Executory Contracts [Property Management*

1 *Agreements] Pursuant to 11 U.S.C. § 365(a)* (the “Motion”) [ECF No. 77]¹, filed on February 5,
 2 2015, filed by Victoria L. Nelson, the Chapter 7 Trustee in the above-captioned bankruptcy case
 3 (the “Trustee”), by and through her proposed counsel of record, Jacob L. Houmand, Esq. of the
 4 Law Firm of Nelson & Houmand, P.C.² The Motion sought authority to reject certain property
 5 management agreements (the “Property Management Agreements”) that were entered into
 6 between Ameri-Dream Realty, LLC (the “Debtor”) and certain real property owners throughout
 7 Las Vegas, Nevada pursuant to 11 U.S.C. § 365(a).

8 Jacob L. Houmand, Esq. appeared on behalf of the Trustee. All other appearances were
 9 noted on the record.

10 The Court reviewed the Motion, the *Ex Parte Application for Leave to Reject More than*
 11 *One Hundred (100) Executory Contracts in a Single Motion Pursuant to Federal Rule of*
 12 *Bankruptcy Procedure 6006(f)* [ECF No. 20], the *Declaration of Victoria L. Nelson In Support of*
 13 *Ex Parte Motion for Leave to Reject More than One Hundred (100) Executory Contracts in a*
 14 *Single Motion Pursuant to Federal Rule of Bankruptcy Procedure 6006(f)* [ECF No. 21], the
 15 *Order Granting Ex Parte Motion For Leave To Reject More Than One Hundred (100) Executory*
 16 *Contracts In A Single Motion Pursuant To Federal Rule Of Bankruptcy Procedure 6006(f)* [ECF
 17 No. 24], the *Declaration of Victoria L. Nelson In Support of Omnibus Motion of the Chapter 7*
 18 *Trustee for Entry of Order Authorizing Rejection of Executory Contracts Pursuant to 11 U.S.C.*
 19 *365(a)* [ECF No. 78], the *Joinder and Request to Include Additional Property Management*
 20 *Agreements* (the “Joinder”) [ECF No. 102], the exhibits attached thereto, and all of the pleadings
 21 and papers on file herein. Based on this review and consideration, the arguments presented by
 22 counsel at the hearing on the Motion, and good cause appearing, it is hereby,

23 **ORDERED** that the Motion is **GRANTED** in its entirety; and

24 . . .

25 _____
 26 ¹ In this Order, all references to “ECF No.” are to the numbers assigned to the documents filed in
 27 the case as they appear on the docket maintained by the clerk of the court.

28 ² All defined terms in this Order shall have the same meaning ascribed to them in the Motion
 unless otherwise provided herein.

1 **IT IS FURTHER ORDERED** that the Property Management Agreements identified in
2 Exhibit “1” attached to the Motion, a copy of which is attached hereto and marked as **Exhibit**
3 **“1”**, shall be rejected pursuant to 11 U.S.C. § 365(a).

4 **IT IS FURTHER ORDERED** that the Property Management Agreements identified in
5 the Joinder, a copy of which is attached hereto and marked as **Exhibit “2”**, shall be rejected
6 pursuant to 11 U.S.C. § 365(a).

7 **IT IS FURTHER ORDERED** that the Trustee shall be permitted to reject additional
8 Property Management Agreements pursuant to 11 U.S.C. § 365(a) that were not identified in
9 either the Motion or Joinder by filing a Supplement to the Motion identifying the Property
10 Management Agreements at issue and uploading a corresponding Order with the Court.

11 **IT IS SO ORDERED.**

12 Prepared and Submitted By:

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

14
15 /s/ Jacob L. Houmand
16 Jacob L. Houmand, Esq. (NV Bar No. 12781)
17 3900 Paradise Road; Suite U
18 Las Vegas, Nevada 89169-0903
Telephone: 702/720-3370
Facsimile: 702/720-3371

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

NELSON & HOUMAND, P.C.
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169
Telephone: (702) 720-3370
Facsimile: (702) 720-3371

20
21
22
23
24
25
26
27
28

RULE 9021 CERTIFICATE

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court’s ruling and that (check one):

The Court has waived the requirements set forth in LR 9021(b)(1).

No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Approved As To Form And Content

Approved As To Form And Content

/s/ Cami M. Perkins

/s/ Tara D. Newberry

Richard F. Holley, Esq. (NV Bar No. 3077)
Ogonna M. Atamoh, Esq. (NV Bar No. 7589)
Cami M. Perkins, Esq. (NV Bar No. 9149)
HOLLEY, DRIGGS, WALCH, PUZEY &
THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Attorneys for Homeowners Group of 28³

Tara D. Newberry, Esq. (NV Bar No. 10696)
Paul R. Connaghan, Esq. (NV Bar No. 3229)
CONNAGHAN NEWBERRY LAW FIRM
7854 West Sahara Avenue
Las Vegas, Nevada 89117
Attorneys for Unsecured Creditors⁴

Approved As To Form And Content

/s/ Ryan J. Works

Ryan J. Works, Esq. (NV Bar No. 9224)
MCDONALD CARANO WILSON, LLP
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102
*Counsel for Ameri-Dream Realty, LLC,
Chapter 7 Debtor*

³ The phrase “Homeowners Group of 28” shall have the same meaning ascribed to it in the Notice of Appearance and Request for Special Notice [ECF No. 13].

⁴ The phrase “Unsecured Creditors” shall have the same meaning ascribed to it in the following documents: (1) the Request for Special Notice [ECF No. 14] and (2) the Notice of Appearance and Request for Special Notice [ECF No. 101].

NELSON & HOUMAND, P.C.
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169
Telephone: (702) 720-3370
Facsimile: (702) 720-3371

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to Local Rule 9014(g), and that no party has objected to the form or content of the order.

NELSON & HOUMAND, P.C.

/s/ Jacob L. Houmand
Jacob L. Houmand, Esq. (NV Bar No. 12781)
3900 Paradise Road; Suite U
Las Vegas, Nevada 89169-0903
Telephone: 702/720-3370
Facsimile: 702/720-3371

*Counsel for Victoria L. Nelson, Chapter 7
Trustee*

###

NELSON & HOUMAND, P.C.
3900 Paradise Road, Suite U
Las Vegas, Nevada 89169
Telephone: (702) 720-3370
Facsimile: (702) 720-3371