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Attorneys for the Chapter 7 Trustee, Victoria L. Nelson

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

11 In re:) Case No.: 15-10110-LED
12)
AMERI-DREAM REALTY, LLC,) Chapter 7
13)
Debtor.)
14 _____)
15 VICTORIA NELSON, In her Capacity As The) Adv. No.: 15-01087-LED
Chapter 7 Trustee of AMERI-DREAM)
16 REALTY, LLC,)
17)
Plaintiff,)
18 v.)
19)
ELSIE PELADAS-BROWN,)
20)
Defendant.)
21 _____)

22 **AFFIDAVIT AND REQUEST FOR ISSUANCE OF WRIT OF EXECUTION**

23 STATE OF NEVADA)
24) ss.
County of Clark)
25)

26 I, Samuel A. Schwartz, Esq., hereby state on oath:

27 1. Judgment for \$1,174,373.63, was entered on October 28, 2015, in the docket of the
28 above entitled Court action in favor of: Victoria Nelson, in her capacity as the Chapter 7
29 Trustee, as Judgment Creditor, and against Elsie Peladas-Brown, as Judgment Debtor.

(IF A REGISTERED JUDGMENT):

Said Judgment was registered herein under Title 28, U.S.C. Sec. 1963, being a Judgment which was obtained in Civil Case No. N/A in the U.S. District Court for the N/A District of N/A and which has become FINAL.

2. I am the attorney for said Judgment Creditor, and request issuance of a Writ of Execution on the Judgment.

3. ACCRUED since the entry of the Judgment are the following sums:

- \$196,139.73¹ Accrued interest, computed at 5.75% (pre-judgment) and .23%² (post-judgment)
- \$0.00 Accrued costs and fees.

CREDIT must be given for payments and partial satisfaction in the amount of: \$0.00, which is to be first credited against the total accrued interest, costs and fees, with any excess credited against the Judgment as entered, leaving a net balance of:

\$ _____ ACTUALLY DUE on this date. Of this
(Clerk to Complete)

\$1,370,513.36 is the amount due of the original Judgment as entered still remaining due and bearing interest at .23% per annum, in the amount of \$8.63 PER DAY, from this date.

Dated: May 17, 2016

Samuel A. Schwartz, Esq, attorney for Judgment Creditor

SUBSCRIBED and SWORN to before me this 17th day of May, 2016.

LORI E. KENNEDY

NOTARY PUBLIC in and for the County of Clark, State of Nevada



¹ This figure shall include interest through the day on which this affidavit is executed. The calculation of interest due in the writ will include this figure plus accrued interest commencing the next day though the day the writ is issued by the Clerk.

² Judgments registered under 28 U.S.C. § 1963 bear the rate of interest in the District of Origin.

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9 **UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEVADA**

10 In re:) Case No.: 15-10110-LED
 11)
 12 AMERI-DREAM REALTY, LLC,) Chapter 7
)
 13 Debtor.)
 _____)
 14) Adv. No.: 15-01087-LED
 15 VICTORIA NELSON, In her Capacity As The)
 Chapter 7 Trustee of AMERI-DREAM)
 16 REALTY, LLC,)
)
 17 Plaintiff,) **WRIT OF EXECUTION**
 v.)
 18)
 19 ELSIE PELADAS-BROWN,)
)
 20 Defendant.)
 _____)

21 TO THE UNITED STATES MARSHALL FOR THE DISTRICT OF NEVADA:

22
 23 On October 28, 2015, a judgment was entered in the docket of the above entitled Court and
 24 action, in favor of, Victoria Nelson, in her capacity as the Chapter 7 Trustee, as Judgment
 25 Creditor, and against Elsie Peladas-Brown, as Judgment Debtor, for:

26 \$1,174,373.63 Principal
 27 \$0.00 Attorney Fees
\$0.00 Interest, and
 28 \$0.00 Costs, making a total amount of
 29 \$1,174,373.63 JUDGMENT AS ENTERED

1 WHEREAS, according to an affidavit and request for issuance of writ of execution filed herein,
2 it appears that further sums have accrued since the entry of judgment, to wit:

5 \$196,139.75 Accrued interest, and
6 \$0.00 Accrued costs and fees, making a total of
7 \$196,139.75 ACCRUED INTEREST, COSTS, AND FEES
8 Credit must be given for payments and partial satisfaction in the amount of:

9 \$0.00, which is to be first credited against the total accrued interest, costs and fees, with
10 any excess credited against the Judgment as entered, leaving a net balance of:

11 \$_____ ACTUALLY DUE on the date of issues of this writ, of which
(Clerk to Complete)

12 \$1,370,513.36 is due on the judgment as entered, and bears interest at .23% per annum, in
13 the amount of \$8.63 PER DAY, from the date of entry of costs and fees and the
14 commissions and costs of the officer executing this writ. (Interest rate and amount per
15 day to be completed by attorney).

16 Notice by mail of the sale under the writ of execution X has or has not been requested. The
17 following named persons have requested such notice and sale:

<u>NAME</u>	<u>ADDRESS</u>
Samuel A. Schwarz, Esq.	6623 Las Vegas Blvd. South, Suite 300
Bryan A. Lindsey, Esq.	Las Vegas, NV 89119

19 YOU ARE THEREFORE COMMANDED to satisfy the said Judgment with interest and cost
20 as provided by law and your costs and disbursements out of the personal property of said debtor,
21 except that for any period, 75 percent of the disposable earnings of the debtor during this period
22 or for each week of the period 30 times the minimum hourly wage prescribed by section 6 (a)(1)
23 of the Federal Fair Labor Standards Act of 1938 [29 USC 206 (a) (1)], and in effect at the time
24 the earnings are payable, whichever is greater, is exempt from any levy of execution pursuant to
25 this writ, and if sufficient personal property cannot be found, then out of his real property; or if
26 the Judgment be a lien upon real property, then out of the real property belonging to such debtor,
27 and make return of this writ within not less than ten (10) days nor more than sixty (60) days after
28 your receipt thereof with what you have done endorsed hereon.

26 Dated _____

U.S. Bankruptcy Court
Mary A. Schott, Clerk of Court

Deputy Clerk