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6 *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

**THIRD INTERIM APPLICATION OF  
NELSON & HOUMAND, P.C. FOR  
ALLOWANCE OF COMPENSATION  
FOR SERVICES RENDERED DURING  
THE PERIOD FROM NOVEMBER 12,  
2015, THROUGH DECEMBER 1, 2016  
AND FOR REIMBURSEMENT OF  
EXPENSES PURSUANT TO 11 U.S.C. §§  
330 AND 331 AND FEDERAL RULE OF  
BANKRUPTCY PROCEDURE 2016**

Date of Hearing: January 3, 2017  
Time of Hearing: 10:30 a.m.  
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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24 The Law Firm of NELSON & HOUMAND, P.C. (the “Firm”), counsel of record for  
25 VICTORIA L. NELSON, Chapter 7 Trustee in the above-captioned bankruptcy case (the  
26 “Trustee”), hereby submits its *Third Interim Application of Nelson & Houmand, P.C. for*  
27 *Allowance of Compensation for Services Rendered During the Period From November 12, 2015,*  
28 *Through December 1, 2016, and For Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330*

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1 and 331 and Federal Rule of Bankruptcy Procedure 2016 (the “Fee Application”).<sup>1</sup>

2 The Fee Application is filed pursuant to Sections 330 and 331, FRBP 2016, the Guidelines  
3 for Compensation and Reimbursement of Professionals in Region 17 as promulgated by the  
4 Offices of the United States Trustee (the “Region 17 Guidelines”), and the Guidelines for  
5 Reviewing Applications for Compensation and Reimbursement on Expenses Filed Under 11  
6 U.S.C. § 330 effective January 30, 1996 (the “U.S. Trustee Guidelines”). The Application is also  
7 based on the following Memorandum of Points and Authorities, the *Declaration of Victoria L.*  
8 *Nelson In Support of Third Interim Application of Nelson & Houmand, P.C. for Allowance of*  
9 *Compensation for Services Rendered During the Period From November 12, 2015, Through*  
10 *December 1, 2016, and For Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330 and 331*  
11 *and Federal Rule of Bankruptcy Procedure 2016* (the “Nelson Declaration”) and the *Declaration*  
12 *of Jacob L. Houmand, Esq. In Support of Third Interim Application of Nelson & Houmand, P.C.*  
13 *for Allowance of Compensation for Services Rendered During the Period From November 12,*  
14 *2015, Through December 1, 2016, and For Reimbursement of Expenses Pursuant to 11 U.S.C. §§*  
15 *330 and 331 and Federal Rule of Bankruptcy Procedure 2016* (the “Houmand Declaration”), both  
16 of which are filed separately and concurrently with this Court pursuant to Local Rule 9014(c)(2).<sup>2</sup>

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

<sup>2</sup> All references to “ECF No.” are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court.

1 The Fee Application is also based on the pleadings and papers on file herein and any  
2 argument that may be entertained at the hearing on the Fee Application.<sup>3</sup>

3 Dated this 2nd day of December, 2016.

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

5  
6 /s/ Kyle J. Ortiz

Jacob L. Houmand, Esq. (NV Bar No. 12781)

Kyle J. Ortiz, Esq. (NV Bar No. 14252)

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

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27 <sup>3</sup> The Firm also requests that the Court take judicial notice of all pleadings filed in the above-  
28 referenced bankruptcy case, including adversary proceedings, pursuant to Rule of Evidence 201,  
incorporated by reference by FRBP 9017.

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1 Name of Firm: Nelson & Houmand, P.C.

2 Authorized to Provide Professional Services  
to: Victoria L. Nelson, Chapter 7 Trustee

3 Date of Retention: April 2, 2015<sup>4</sup>

4 Period for which Compensation and  
5 Reimbursement is Sought: November 12, 2015 through December 1, 2016

6 Amount of Compensation Requested: \$ 71,307.50

7 Amount of Expense Reimbursement  
Requested: \$ 1,145.90

8 This is an:  X  interim \_\_\_\_\_ final application.

9 This is the third interim fee application filed by Nelson & Houmand, P.C. in this case.

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26 <sup>4</sup> On April 2, 2015, the Court entered an *Order Granting Application to Employ Nelson &*  
27 *Houmand, P.C., Nunc Pro Tunc, as General Bankruptcy Counsel for Victoria L. Nelson, Chapter*  
28 *7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure*  
*2014 (the “Application to Employ”)* [ECF No. 148]. The Application to Employ sought to  
employ the law firm of Nelson & Houmand, P.C., *nunc pro tunc*, as of January 13, 2015.

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**BILLING SUMMARY**

**Prior Applications:**

**Fees**

First Interim Fees Previously Requested	\$55,800.00
First Interim Fees Previously Awarded	\$55,800.00
Second Interim Fees Previously Requested	\$58,710.00
Second Interim Fees Previously Awarded	\$58,710.00

**Expenses**

First Interim Expenses Previously Requested	\$ 1,986.88
First Interim Expenses Previously Awarded	\$ 1,986.88
Second Interim Expenses Previously Requested	\$ 1,937.08
Second Interim Expenses Previously Awarded	\$ 1,937.08

Retainer Paid:	0.00
Drawn on Retainer:	0.00
Remaining Retainer:	0.00

Current Application Fees from November 12, 2015, through December 1, 2016 - Requested:	\$71,307.50
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Current Application Expenses from November 12, 2015, through December 1, 2016 - Requested:	\$ 1,145.90
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**THIRD INTERIM FEE APPLICATION OF  
NELSON & HOUMAND, P.C.  
SUMMARY OF PROFESSIONALS  
NOVEMBER 12, 2015 THROUGH DECEMBER 1, 2016**

NAME	GRADUATION FROM LAW SCHOOL	TITLE	HOURLY RATE	HOURS	TOTAL FEE
Jacob L. Houmand	2011	Partner	\$300.00	14.1	\$ 4,230.00
Jacob L. Houmand <sup>5</sup>	2011	Partner	\$325.00	163.7	\$53,202.50
Kyle J. Ortiz	2016	Associate	\$250.00	55.5	\$13,875.00
<b>TOTAL</b>					<b>\$71,307.50</b>

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<sup>5</sup> Effective January 1, 2016, Attorney Houmand’s hourly rate was increased to \$325 per hour consistent with the terms laid forth in the Application to Employ. *See Application to Employ*, p.7, ll. 6-9 [ECF No. 16]; *See also Exhibit “1”, Declaration of Jacob L. Houmand, Esq., In Support of Application to Employ Nelson & Houmand P.C., Nunc Pro Tunc, as General Bankruptcy Counsel for Victoria L. Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014*, p. 7, ll. 5 [ECF No. 17].

**THIRD INTERIM FEE APPLICATION OF  
NELSON & HOUMAND, P.C.  
SUMMARY OF COMPENSATION REQUESTED BY TASK CODE  
NOVEMBER 12, 2015 THROUGH DECEMBER 1, 2016**

ACTIVITY	HOURS	FEES
B110 – CASE ADMINISTRATION	28.8	\$ 9,222.50
B160 – EMPLOYMENT/FEE APPLICATIONS	14.7	\$ 3980.00
B190 – OTHER CONTESTED MATTERS	2.9	\$ 942.50
B310 – CLAIMS ADMINISTRATION & OBJECTIONS	186.9	\$57,162.50
<b>TOTAL:</b>		<b>\$71,307.50</b>

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 The Firm, counsel of record to the Trustee in the above-captioned chapter 7 case (the  
4 “Bankruptcy Case”), hereby submits this Third Interim Fee Application for services rendered in  
5 the Bankruptcy Case during the period from November 12, 2015, through December 1, 2016 (the  
6 “Fee Application Period”). The Firm requests an order (i) approving and allowing on an interim  
7 basis compensation in the amount of \$71,307.50 for the reasonable and necessary services of the  
8 Firm during the Fee Application Period, (ii) approving and allowing on an interim basis  
9 reimbursement of expenses in the amount of \$1,145.90 that were incurred during the Fee  
10 Application Period, and (iii) authorizing the Trustee to pay such amounts to the Firm. The Firm  
11 believes that the services it rendered to the Trustee during the Fee Application Period benefited  
12 the Debtor’s estate and that, therefore, the attorneys’ fees and costs requested in this Fee  
13 Application should be approved under Section 330(a).

14 **II. JURISDICTION AND VENUE**

15 1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1134.  
16 This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A). The statutory basis for the relief  
17 sought are Sections 330, FRBP 2016, and Local Rule 2016. Venue before this Court is  
18 appropriate under 28 U.S.C. §§ 1408 and 1409.

19 2. This matter constitutes a core proceeding under 28 U.S.C. § 157(b)(2). Pursuant to  
20 Local Rule 9014.2, if the Court determines that absent consent of the parties the Court cannot  
21 enter final orders or judgment regarding the Application consistent with Article III of the United  
22 States Constitution, the Firm consents to entry of final orders and judgment by this Court.

23 **III.**

24 **SUMMARY OF PROFESSIONAL SERVICES PERFORMED**

25 3. The Firm has provided services in the matters as described below.

26 4. The following summary is intended only to highlight a number of the services  
27 rendered by the Firm, and it is not meant to be a detailed description of all of the work performed.  
28 Detailed descriptions of day-to-day services provided by the Firm and the time expended



1 performing such services is fully set forth in the billing summary, true and correct copies of which  
2 are attached to the Houmand Declaration as **Exhibit “1”**.

3 5. Detailed descriptions of the actual expenses incurred by the Firm during the Fee  
4 Application Period are also attached to the Houmand Declaration as **Exhibit “1”**.

5 **IV.**

6 **STATEMENT REGARDING NOTICE**

7 6. On February 20, 2015, an *Order Granting Application for Order Limiting Notice*  
8 *and Memorandum of Points and Authorities in Support Thereof* [ECF No. 121] granting the  
9 Trustee’s request that whenever the Bankruptcy Rules or Local rules require notice to be given to  
10 all creditors, including Bankruptcy Rule 2002(a), (b) and (f), service shall be made only upon the  
11 parties on the Official Service List which consists of the Debtor’s counsel, the United States  
12 Trustee, and any party requesting notice by the party’s filing of a notice of appearance and request  
13 for notice. Notice of hearing on the Fee Application, identifying the Firm and amounts requested,  
14 has been served on all identified creditors and parties in interest not less than 28 days prior to the  
15 date set for hearing on this Fee Application.

16 **V.**

17 **STATEMENT REGARDING TERMS AND CONDITIONS OF EMPLOYMENT**

18 7. On February 2, 2015, the Trustee filed an *Application to Employ Nelson &*  
19 *Houmand, P.C., Nunc Pro Tunc, As General Bankruptcy Counsel for Victoria L. Nelson, Chapter*  
20 *7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure*  
21 *2014* (the “Employment Application”) [ECF No. 16]. The Employment Application sought to  
22 employ the law firm of Nelson & Houmand, P.C., *nunc pro tunc*, as of January 13, 2015.

23 8. On April 2, 2015, the Court entered an *Order Granting the Application to Employ*  
24 *Nelson & Houmand, P.C., Nunc Pro Tunc, As General Bankruptcy Counsel for Victoria L.*  
25 *Nelson, Chapter 7 Trustee Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of*  
26 *Bankruptcy Procedure 2014* [ECF No. 148].

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- 1           9.       The scope of the Firm’s employment in this bankruptcy case was as follows:
- 2                   (a)     To investigate the financial affairs of the Debtor and
- 3                             determine if there are any preferential transfers, fraudulent
- 4                             conveyances, or turnover actions that may be filed on behalf
- 5                             of the bankruptcy estate pursuant to 11 U.S.C. §§ 542, 544,
- 6                             547, and 548.
- 7                   (b)     To prosecute any and all preferential transfers, fraudulent
- 8                             conveyances, or turnover actions that may be filed on behalf
- 9                             of the bankruptcy estate pursuant to 11 U.S.C. §§ 542, 544,
- 10                            547, and 548.
- 11                   (c)     To advise the Trustee of her rights and obligations and
- 12                             performance of her duties during the administration of this
- 13                             bankruptcy case;
- 14                   (d)     To represent the Trustee in all proceedings before this Court
- 15                             and any other court which assumes jurisdiction of a matter
- 16                             related to or arising in this bankruptcy case;
- 17                   (e)     To assist the Trustee in the performance of her duties as set
- forth in 11 U.S.C. § 704
- 18                   (f)     To assist the Trustee in developing legal positions and
- 19                             strategies with respect to all facets of these proceedings; and
- 20                   (g)     To provide such other counsel and advice as the Trustee
- 21                             may require in connection with this bankruptcy case.

22           10.       The results achieved during the Fee Application Period encompassed by this Fee

23           Application relate to the scope of employment set forth in this Fee Application, and are set forth

24           in more specific detail in the billing entries attached as **Exhibit “1”** to the Houmand Declaration.

25           11.       The actual expenses incurred by the Firm during the Fee Application Period are set

26           forth in more specific detail in the billing entries also attached as **Exhibit “1”** to the Houmand

27           Declaration.

28           12.       During the time in question, the Firm has assisted the Trustee in those items

                 detailed in the “Scope of Employment” of the Employment Application and other miscellaneous

                 functions.

                 13.       The Firm’s services were rendered economically and without unnecessary

                 duplication of efforts. In addition, the work involved, and thus the time expended, was carefully

1 assigned in consideration of the experience and expertise required for each particular task. If  
2 more than one person attended a meeting or hearing, it was not a duplication of that effort but it  
3 was necessary to adequately represent the interests of the Trustee.

4 **VI.**

5 **STATEMENT REGARDING THE ADMINISTRATION OF THE DEBTOR'S**  
6 **BANKRUPTCY ESTATE**

7 14. The Debtor was a real estate brokerage firm that represented clients in the purchase  
8 and sale of real property throughout Clark County, Nevada. *See* Nelson Declaration.

9 15. The Debtor also had a property management division that managed over one  
10 thousand rental properties for various landowners and tenants throughout Las Vegas, Nevada.  
11 *See* Nelson Declaration.

12 16. Subsequent to the filing of the Debtor's bankruptcy case, the Trustee was informed  
13 by John Brown, the principal of the Debtor and then-spouse of Elsie Peladas-Brown, that it was  
14 his belief that Elsie Peladas-Brown had embezzled approximately One Million Two Hundred  
15 Thousand Dollars (\$1,200,000) from the Security Deposits Trust Account of the Debtor and wired  
16 these monies to the Philippines between the period of March, 2013 through December, 2013. *See*  
17 Nelson Declaration.

18 17. It is the belief of John Brown that Elsie Peladas-Brown left the United States for  
19 the Philippines in January, 2014, and has not returned to the United States since that time. *See*  
20 Nelson Declaration.

21 **THE DEBTOR'S BANKRUPTCY FILING**

22 18. On January 9, 2015, the Debtor filed a voluntary bankruptcy pursuant to Chapter 7  
23 of Title 11 of the United States Code (Case No. BK-S-14-12346-ABL) in the United States  
24 Bankruptcy Court for the District of Nevada (the "Bankruptcy Case"). *See* Nelson Declaration.

25 19. On January 9, 2015, Victoria L. Nelson was appointed as the Chapter 7 Trustee  
26 (the "Trustee") in the Bankruptcy Case. *See* Nelson Declaration.

27 20. Shortly following her appointment, the Trustee met with Debtor's principal and  
28 it's counsel to discuss matters requiring immediate attention including the securing and closing of

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1 a 4,861 square foot commercial property located at 4875 West Nevso Drive, Las Vegas, NV, and  
2 the administration of approximately Seven Hundred Seven Thousand Dollars (\$707,000) of funds  
3 identified as security deposits which were those portion of funds which were not embezzled and  
4 placed into the IOLTA bank account of Debtor’s bankruptcy counsel. The Trustee was also  
5 tasked with identifying and closing residential sales of real property which contracts had been  
6 entered into pre-petition but closed after the bankruptcy was filed by the Debtor. *See Nelson*  
7 *Declaration.*

8 21. Since her appointment, the Trustee sought and obtained Court approval for the  
9 turnover of the approximately Seven Hundred Seven Thousand Dollars (\$707,000) of funds  
10 identified as security deposits which were those portion of funds which were not embezzled and  
11 placed into the IOLTA bank account of Debtor’s bankruptcy counsel. *See Nelson Declaration.*

12 22. Due to the fact that the Debtor’s bankruptcy case was deemed a mega case, the  
13 Trustee sought and obtained court approval to employ Garden City Group, LLC (“GCG”) as the  
14 claims and noticing agent. *See Nelson Declaration.*

15 23. Upon the expiration of the May 14, 2015, deadline to file proofs of claims, GCG  
16 filed the proof of claims with the Court. *See Nelson Declaration.*

17 24. Pursuant to the claims register over 900 proof of claims have been filed with the  
18 Court totaling \$2,497,635.38 in calculated claim value. *See Nelson Declaration.*

19 25. Upon a review and analysis of the claims, the Firm has discovered that there is a  
20 duplication of claims wherein both the landlord and the corresponding tenant have filed proofs of  
21 claims seeking the same security deposit and or/ various other funds collected and held either for  
22 the tenant or the landlord in the Debtor’s Security Deposits Trust Account. *See Nelson*  
23 *Declaration.*

24 26. The Firm has also discovered numerous claims wherein landlords are improperly  
25 claiming a priority under § 507(a)(7), tenants are claiming a priority in excess of the maximum  
26 amount allowed under § 507(a)(7), and realtors are claiming a priority in excess of the maximum  
27 amount allowed under § 507(a)(4). *See Nelson Declaration.*

28 . . .

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1 27. The Trustee anticipates the commencement of claim objections in the ensuing  
2 months. *See* Nelson Declaration.

3 28. The Trustee has also employed the law firm Schwartz Flansburg, PLLC to pursue  
4 the recovery of funds embezzled by Elsie Peladas-Brown. *See* Nelson Declaration.

5 29. Since the employment of Schwartz Flansburg, PLLC, a summary judgment was  
6 obtained against Elsie Peladas-Brown for the embezzlement of the \$1.2 million from the Security  
7 Deposits Trust Account of the Debtor and a second adversary action was filed against the insurers  
8 of the errors and omissions insurance policy held by the Debtor. *See* Nelson Declaration.

9 30. On January 8, 2016, the defendants in the adversary proceeding filed *Defendants’*  
10 *Motion to Withdraw the Reference of this Adversary Proceeding Pursuant to 28 U.S.C. § 157(d)*  
11 *and Federal Rule of Bankruptcy Procedure 5011, Jury Demand, and Supporting Memorandum of*  
12 *Law* with the United States District Court for the District of Nevada (the “District Court”). *See*  
13 Nelson Declaration.

14 31. On November 14, 2016, the District Court entered an *Order Withdrawing*  
15 *Reference*. *See* Nelson Declaration.

16 32. On November 14, 2016, the District Court also scheduled a Status Hearing on  
17 December 5, 2016, at 3:00 p.m. *See* Nelson Declaration.

18 **VII.**

19 **STATEMENT OF STATUTORY AUTHORITY FOR RELIEF SOUGHT**

20 33. 11 U.S.C. Section 330(a) states:

21 (a)(1) After notice to the parties in interest and the United States  
22 trustee and a hearing, and subject to sections 326, 328 and 329 the  
23 court may award to a trustee, an examiner, a professional person  
employed under section 327 or 1103.

24 (A) Reasonable compensation for actual, necessary services  
25 rendered by the trustee, examiner, professional person, or attorney  
26 and by any paraprofessional person employed by any such person;  
and

27 (B) Reimbursement for actual, necessary expenses.

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34. 11 U.S.C. Section 503 states, in relevant part:

(a) An entity may timely file a request for payment of an administrative expense, . . .

(b) After notice and a hearing, there shall be allowed administrative expenses, . . . including –

(2) compensation and reimbursement awarded under Section 330(a) of this title.

35. 11 U.S.C. Section 331 authorizes the application for and payment of compensation or reimbursement as follows:

A trustee, an examiner, a debtor's attorney, or any professional person employed under section 327 or 1103 of this title may apply to the court not more than once every 120 days after an order for relief in a case under this title, or more often if the court permits, for such compensation for services rendered before the date of such an application or reimbursement for expenses incurred before such date as is provided under section 330 of this title. After notice and a hearing, the court may allow and disburse such compensation or reimbursement.

36. This Fee Application is brought pursuant to 11 U.S.C. Sections 330(a), 331 and 503(b) and Region 17 Guidelines Subsection (b).

**VIII.**

**STATEMENT RE: AMOUNT OF COMPENSATION SOUGHT TO BE ALLOWED**

37. This Fee Application seeks allowance of compensation as follows: (a) \$71,307.50 for professional services rendered during the period from November 12, 2015 through and including December 1, 2016; and (b) reimbursement of actual expenses in the amount of \$1,145.90 incurred by the Firm during the period from November 12, 2015 through and including December 1, 2016.

**IX.**

**STATEMENT REGARDING SERVICES RENDERED, HOURLY RATES, AND EXPENSES INCURRED**

38. Services rendered by Applicant are set forth in detail in the billing entries attached as **Exhibit “1”** to the Houmand Declaration. The billing entries attached as **Exhibit “1”** to the Houmand Declaration reflect the tasks and includes a detailed list of all time for which

1 compensation is sought, including date of service, designation of category of person rendering  
2 service and hourly billing rate, and description of time spent and tasks performed. See  
3 “Guidelines” subsection (b)(4); Bankruptcy Rule 2016(a)(1).

4 39. Actual expenses incurred by the Firm during the Fee Application Period are also  
5 attached as **Exhibit “1”** to the Houmand Declaration.

6 40. No unusual or costly expenses are listed above.

7 41. The Firm has charged customary rates for fees which are allowed by attorneys in  
8 this area pursuant to 11 U.S.C. § 330.

9 42. The Firm is not employed on a contingency basis and, as in all bankruptcy  
10 proceedings, the fees charged are subject to the discretion of the Court.

11 43. For the convenience of the Court, the U.S. Trustee, and all interested parties, the  
12 following paragraphs set forth a narrative statement, summary and explanation of certain  
13 activities and services performed during the time covered by the Fee Application Period. The  
14 Firm expended a total of 233.3 hours in providing services on behalf of the Trustee in the  
15 Bankruptcy Case over a period of 385 days. To provide an orderly and meaningful summary of  
16 the services rendered by the Firm in accordance with applicable law and guidelines the Firm  
17 utilized the following separate project billing categories in the Fee Application Period to provide  
18 a breakdown of the time expended:

19 B110 – Case Administration. The entries in this category relate to the work performed  
20 pertaining to operational and administrative matters including telephone communications and  
21 emails with various creditors and interested parties on an on-going day-to-day basis. The tasks  
22 identified in this category include telephone communications and emails with landlords, tenants,  
23 realtors, and their counsel. Time was further expended in this category for the continual updating  
24 of the Ameri-Dream Realty website, which provides relevant and helpful information and all  
25 filed-stamped documents to the interested parties of the Debtor. The Firm expended 28.8 hours  
26 and spent \$9,222.50 for this category.

27 B160 – Preparation of Fee/Employment Applications. The entries in this category relate  
28 to counsel’s court appearance on the Second Interim Fee Application and the preparation of the

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1 Third Interim Fee Application. The Firm expended 14.7 hours and spent \$3,980.00 for this  
2 category.

3 B190 – Other Contested Matters. The entries in this category consist of the litigation  
4 brought by Schwartz Flansburg, PLLC regarding the actions against Elsie Peladas-Brown and the  
5 ensuing action against the errors and omissions insurance policy. The Firm expended 2.9 hours  
6 and spent \$942.50 for this category.

7 B310 – Claims Administration & Objections. The entries in this category primarily relate  
8 to time expended reviewing and analyzing the over 900 proof of claims filed with the Court. Time  
9 spent in this category involved an analysis of the objections to various claims filed by landlords,  
10 tenant, realtors, or other creditors, and determining potential duplicate claims filed by both the  
11 landlord and the corresponding tenant. The Firm discovered numerous claims wherein landlords  
12 are improperly claiming a priority under § 507(a)(7), tenants are claiming a priority in excess of  
13 the maximum amount allowed under § 507(a)(7), and realtors are claiming a priority in excess of  
14 the maximum amount allowed under § 507(a)(4). The firm has reviewed, analyzed, and organized  
15 the proof of claims in preparation for ensuing claims objections. The Firm expended 186.9 hours  
16 and spent \$57,162.50 for this category.

17 **X.**

18 **STATEMENT REGARDING EXPERTISE REQUIRED**

19 44. The Firm is skilled in insolvency proceedings and Chapter 7 Trustee cases, and has  
20 special knowledge which enabled the Firm to perform services of benefit to the Trustee.  
21 Specialized knowledge and skills with respect to insolvency practice, and procedure and law are  
22 required to handle the problems which arise in the bankruptcy context.

23 **XI.**

24 **STATEMENT REGARDING PAYMENTS MADE OR PROMISED**

25 **AND AGREEMENTS TO SHARE COMPENSATION**

26 45. No payments have been made or promised to the Firm for services rendered or to  
27 be rendered in connection with this case, other than those payments described in this Fee  
28 Application.



1 46. No agreement or understanding exists between the Firm and any other entity for  
2 the sharing of compensation received or to be received for services rendered in connection with  
3 this case, except as permitted under Section 504(b)(1). *See* Houmand Declaration.

4 47. The Trustee is a member of the Firm and regularly employs the Firm to represent  
5 bankruptcy estates in other unrelated bankruptcy cases in which she is the Trustee. The Trustee  
6 did not personally bill any legal fees in the Bankruptcy Case. *See* Houmand Declaration.

7 **XII.**

8 **CONCLUSION**

9 WHEREFORE, the Firm respectfully requests that this Court enter an Order: (a) granting  
10 this Third Interim Fee Application; (b) approving and allowing compensation in the amount of  
11 \$71,307.50 and reimbursement of expenses in the amount of \$1,145.90 for the Fee Application  
12 Period consistent with the terms of this Fee Application; and (c) for such other relief as is just and  
13 proper.

14 Dated this 2nd day of December, 2016.

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

16  
17 /s/ Kyle J. Ortiz

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