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

7
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

STIPULATION RESOLVING
OBJECTIONS TO PROOFS OF CLAIM
NUMBERS 555, 556, 557, 558, AND 896
FILED BY PETER BANYAI

Judge: Honorable Laurel E. Davis

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16 VICTORIA L. NELSON, the duly appointed Chapter 7 Trustee in the above-captioned
17 bankruptcy case (the "Trustee"), by and through her counsel of record, Jacob L. Houmand, Esq.
18 and Kyle J. Ortiz, Esq., of the law firm of Nelson & Houmand, P.C., and PETER BANYAI (the
19 "Claimant"), by and through his counsel of record, Tara D. Newberry, Esq. (the Trustee and the
20 Claimant shall be collectively referred to herein as the "Parties"), hereby stipulate and agree as
21 follows:

22 **I. RECITALS**

23 1. On January 9, 2015 (the "Petition Date"), Ameri-Dream Realty, LLC (the
24 "Debtor") filed a voluntary petition under Chapter 7 of the United States Bankruptcy Code [ECF
25 No. 1]¹.

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28 ¹ 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.

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2. On January 9, 2015, the Trustee was appointed as the Chapter 7 Trustee in the Bankruptcy Case.

3. Since the Debtor’s bankruptcy case was deemed a mega case, the Trustee sought and obtained court approval to employ Garden City Group, LLC (“GCG”) as the claims and noticing agent.

4. The deadline to timely file proofs of claim expired on May 14, 2015. Upon the expiration of the deadline to file proofs of claims, GCG filed the proofs of claims with the Court.

5. The Claimant timely filed the following proofs of claims claiming priority under Section 507(a)(4) in the following amounts:

- (a) Claim 555: \$5,215.00
- (b) Claim 556: \$3,895.00
- (c) Claim 557: \$5,065.00
- (d) Claim 558: \$2,965.00
- (e) Claim 896: \$3865.00

(collectively, the “Proofs of Claim”)

6. The Trustee has reviewed the Proofs of Claim and raised informal objections as the Proofs of Claim seek a priority in the amount of \$21,005.00, which exceeds the maximum amount allowed under 11 U.S.C. § 507(a)(4) of \$12,475.00.

7. The Trustee has discussed the informal objections with Claimant’s counsel.

8. The Parties have conferred and agree to resolve the Trustee’s informal objections to the Proofs of Claim upon the terms and conditions set forth below.

WHEREFORE, in consideration of the foregoing and subject to the approval of this Court, the Trustee and Claimant hereby stipulate and agree as follows:

II. STIPULATION

1. **Allowance of Proofs of Claim 555, 556, and 558.** Upon Court approval of this Stipulation, Proofs of Claim 555, 556, and 558 shall be allowed and entitled to priority under 11 U.S.C. § 507(a)(4).

...

1 2. **Allowance of Proof of Claim 557 As General Unsecured Claim.** Upon Court
2 approval of this Stipulation, Proof of Claim 557 shall not be entitled to any priority under 11
3 U.S.C. § 507(a)(4) and shall be allowed as a general unsecured claim in the amount of \$5,065.00.

4 3. **Amendment of Proof of Claim 896.** Upon Court approval of this Stipulation,
5 Proof of Claim 896 shall be allowed as follows: (i) an allowed priority claim under 11 U.S.C.
6 § 507(a)(4) in the amount of \$400.00; and (ii) an allowed general unsecured claim in the amount
7 of \$3,465.00.

8 **IT IS SO STIPULATED.**

9 Dated this 11th day of April, 2017.

Dated this 11th day of April, 2017.

10 By: /s/ Kyle J. Ortiz
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12 Kyle J. Ortiz, Esq. (NV Bar No. 14252)
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