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Honorable Gary Spraker
United States Bankruptcy Judge



Entered on Docket
September 10, 2018

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Counsel for Shelley D. Krohn, Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
AMERI-DREAM REALTY, LLC,

Debtor.

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

**ORDER ON TRUSTEE'S OBJECTION
TO PROOF OF CLAIM NUMBER 31-1
FILED BY MATTHEW KUYKENDALL
AND DANA KUYKENDALL PURSUANT
TO 11 U.S.C. § 502(b)(1) AND FEDERAL
RULE OF BANKRUPTCY PROCEDURE
3007**

Date of Hearing: August 30, 2018
Time of Hearing: 9:30 a.m.
Place: Courtroom No. 3, Third Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Gary Spraker

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1 This matter came before the Court on the *Trustee’s Objection to Proof of Claim Number*
2 *31-1 Filed by Matthew Kuykendall and Dana Kuykendall Pursuant to 11 U.S.C. § 502(b)(1) and*
3 *Federal Rule of Bankruptcy Procedure 3007 [ECF No. 274]*¹ (the “Objection”) filed by Shelley
4 D. Krohn, the Chapter 7 Trustee in the above-captioned bankruptcy case (the “Trustee”) by and
5 through her counsel of record, Jacob L. Houmand, Esq. and Kyle J. Ortiz, Esq. of the Houmand
6 Law Firm, Ltd. Proof of claim 31-1 was filed by Matthew Kuykendall and Dana Kuykendall in
7 the amount of \$1,900.00 (“Proof of Claim 31”). Proof of claim 780-1 was filed by Mei-Penh
8 Khuu in the amount of \$1,900.00 (“Proof of Claim 780”). Proof of Claim 780 and Proof of Claim
9 31 relate to the same Security Deposit.² The Objection sought an order disallowing Proof of
10 Claim 31 as a duplicate of Proof of Claim 780.

11 No oppositions were filed to the Objection. Kyle J. Ortiz, Esq. and Jacob L. Houmand,
12 Esq. appeared on behalf of the Trustee. No other appearances were noted on the record.

13 The Court reviewed the Objection, the *Declaration of Shelley D. Krohn In Support of*
14 *Trustee’s Objection to Proof of Claim Number 780-1 Filed by Mei-Penh Khuu Pursuant to 11*
15 *U.S.C. § 502(b)(1) and Federal Rule of Bankruptcy Procedure 3007 [ECF No. 275]*, the *Notice of*
16 *Hearing On Trustee’s Objection to Proof of Claim Number 780-1 Filed by Mei-Penh Khuu*
17 *Pursuant to 11 U.S.C. § 502(b)(1) and Federal Rule of Bankruptcy Procedure 3007 [ECF No.*
18 *276]*, the *Certificate of Service of Trustee’s Objection to Proof of Claim Number 780-1 Filed by*
19 *Mei-Penh Khuu Pursuant to 11 U.S.C. § 502(b)(1) and Federal Rule of Bankruptcy Procedure*
20 *3007 [ECF No. 281]*, the exhibits attached thereto, and all of the pleadings and papers on file
21 herein.

22 Based upon this review and the findings of fact and conclusions of law placed on the
23 record at the hearing, and incorporated herein pursuant to Federal Rule of Civil Procedure 52,
24

25 _____
26 ¹ All references to “ECF No.” are to the numbers assigned to the documents filed in the case as
27 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 made applicable to this matter pursuant to Federal Rules of Bankruptcy Procedure 9014(c) and
2 7052, and good cause appearing,

3 **IT IS HEREBY ORDERED** that:

- 4 (1) Proof of Claim 780 shall be disallowed; and
5 (2) Proof of Claim 31 shall be allowed; and
6 (3) Proof of Claim 31 shall be entitled to priority pursuant to 11 U.S.C. § 507(a)(7).

7 **IT IS SO ORDERED.**

8 Prepared and Submitted By:

9 **HOUMAND LAW FIRM, LTD.**

10 By: /s/ Kyle J. Ortiz
11 Jacob L. Houmand, Esq. (NV Bar No. 12781)
12 Kyle J. Ortiz, Esq. (NV Bar No. 14252)
13 9205 West Russell Road, Building 3, Suite 240
14 Las Vegas, NV 89148
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17 *Counsel for Shelley D. Krohn, Chapter 7 Trustee*
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LOCAL 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 Local Rule 9021(b)(1).

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

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:

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.

Dated this 5th day of September, 2018.

HOUAND LAW FIRM, LTD.

By: /s/ Kyle J. Ortiz
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Counsel for Shelley D. Krohn, Chapter 7 Trustee

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