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*Electronically Filed On: June 27, 2019*

6 *Counsel for Shelley D. Krohn, Chapter 7 Trustee*

8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF NEVADA**

10 In re:  
11 ROBERT C. GRAHAM, LTD. fdba ROB  
12 GRAHAM & ASSOCIATES fdba  
13 LAWYERS WEST,  
14 Debtor.

Case No. BK-S-16-16655-BTB  
Chapter 7

**NOTICE OF HEARING ON MOTION TO  
APPROVE COMPROMISE PURSUANT  
TO FEDERAL RULE OF BANKRUPTCY  
PROCEDURE 9019**

Date of Hearing: July 30, 2019  
Time of Hearing: 1:30 p.m.  
Place: Courtroom No. 4, Second Floor  
Foley Federal Building  
300 Las Vegas Blvd., S.  
Las Vegas, NV 89101

Judge: Honorable Bruce T. Beesley<sup>1</sup>

19 **NOTICE IS HEREBY GIVEN** that the *Motion to Approve Compromise Pursuant to*  
20 *Federal Rule of Bankruptcy Procedure 9019* (the “Motion”) was filed by Shelley D. Krohn, the  
21 Chapter 7 Trustee in the above-captioned bankruptcy case, by and through her counsel of record,  
22 Jacob L. Houmand, Esq. and Kyle J. Ortiz, Esq. of the Houmand Law Firm, Ltd.

23 The Motion seeks an order approving a settlement agreement (the “Settlement  
24 Agreement”) entered into between the Trustee and American Express Company, American

25 \_\_\_\_\_

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

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1 Express Travel Related Services Company, Inc. and American Express National Bank, f/k/a  
2 American Express Centurion Bank and successor by merger to American Express Bank FSB  
3 (collectively, “AMEX”) that resolves a dispute concerning transfers that were made by the Debtor  
4 to Valassis in the approximate amount of \$2,711,028.73. Pursuant to Local Rule 9019(c), notice  
5 is hereby given that the terms of the Settlement Agreement include the following:

6 a. In consideration of a resolution of the dispute concerning the Transfers  
7 AMEX shall pay the Trustee the sum of \$250,000.00 (the “Settlement Sum”) no later than thirty  
8 (30) calendar days after the later to occur of: (a) delivery to counsel for AMEX of a current IRS  
9 Form W-9 completed by the payee of the Settlement Sum; and (b) receipt by AMEX’s counsel of  
10 the fully executed Agreement.

11 b. The Trustee and AMEX shall execute mutual releases. The release  
12 provided by AMEX shall also preclude it from filing a proof of claim in the Debtor’s bankruptcy  
13 pursuant to 11 U.S.C. § 502(h).

14 c. The Trustee shall hold the Settlement Sum in trust pending approval of the  
15 Settlement Agreement pursuant to FRBP 9019.

16 The description of the Settlement Agreement set forth herein is a summary only and does  
17 not modify or otherwise affect the terms of the Settlement Agreement. To the extent of any  
18 conflict between the Settlement Agreement and the description set forth herein, the Settlement  
19 Agreement shall control.

20 A copy of the Motion and the *Declaration of Shelley D. Krohn In Support of Motion to*  
21 *Approve Compromise Pursuant to Federal Rule of Bankruptcy Procedure 9019* are on file with  
22 the Clerk’s Office of the United States Bankruptcy Court, 300 Las Vegas Blvd. South, Fourth  
23 Floor, Las Vegas, Nevada 89101. Copies of the Motion and any supporting declarations may also  
24 be obtained from counsel for the Trustee or through the Bankruptcy Court’s website at  
25 [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov).

26 **NOTICE IS FURTHER GIVEN** that if you do not want the Court to grant the relief  
27 sought in the Motion, or if you want the Court to consider your reviews on the Motion, then you  
28 must file an opposition with the Court, and serve a copy of the person making the Motion *no later*

1 *than fourteen days before the hearing date.* The opposition must state your position, set forth all  
2 relevant facts and legal authority, and be supported by affidavits or declarations that conform to  
3 Local Rule 9014(c).

4 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading  
5 with the court. You *must* also serve your written response on the person who sent you this  
6 notice.

7 If you do not file a written response with the court, or if you do not serve your written  
8 response on the person who sent you this notice, then:

- 9 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 10 • The Court may *rule against you* without formally calling the matter at the hearing.

11  
12 **NOTICE IS FURTHER GIVEN** that the hearing on said Motion will be held before a  
13 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Blvd. South,  
14 Second Floor, Courtroom No. 4, Las Vegas, Nevada on July 30, 2019, at 1:30 p.m.

15 **NOTICE IS FURTHER GIVEN** that this hearing may be continued from time to time  
16 without further notice except for the announcement of any adjourned dates and times at the  
17 above-noted hearing or any adjournment thereof.

18 Dated this 27th day of June, 2019.

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20  
21 By: /s/ Jacob L. Houmand  
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