

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Honorable Gary Spraker
United States Bankruptcy Judge



Entered on Docket
August 17, 2020

HOUAMAND LAW FIRM, LTD.
9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

Jacob L. Houmand, Esq. (NV Bar No. 12781)
Email: jhoumand@houmandlaw.com
Bradley G. Sims, Esq. (NV Bar No. 11713)
Email: bsims@houmandlaw.com
HOUMAND LAW FIRM, LTD.
9205 West Russell Road, Building 3, Suite 240
Las Vegas, NV 89148
Telephone: 702/720-3370
Facsimile: 702/720-3371

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 SUSTAINING TRUSTEE'S
SECOND OMNIBUS OBJECTION TO
PROOFS OF CLAIM PURSUANT TO 11
U.S.C. § 502(b)(1) AND FEDERAL RULE
OF BANKRUPTCY PROCEDURE 3007—
CLAIM NUMBERS 3-1, 9-1, 10-1, 11-1, 12-
1, 14-1, 17-2, 21-2, 22-1, 27-1, 30-1, 35-1, 37-
1, 39-1, 43-1, 51-1, 66-1, 67-1, 68-1, 70-1, 75-
2, 77-1, 78-1, 80-1, 81-1, 89-1, 90-1, 91-1, 92-
1, 94-1, 99-1, 101-1, 102-1, 106-1, 107-1, 110-
1, 112-1, 114-1, 116-1, 121-1, 122-1, 124-1,
125-1, 126-1, 127-1, 129-1, 130-1, 131-1,
132-1, 134-1, 138-1, 139-1, 140-1, 141-1, 146-
1, 147-1, 149-2, 152-1, 153-1, 154-1, 155-1,
156-1, 157-1, 158-1, 159-1, 161-1, 162-1, 164-
1, 165-1, 166-1, 167-1, 170-1, 192-1, 193-1,
194-1, 198-1, 199-1, 200-1, 202-1, 203-1, 204-
1, 205-1, 207-1, 208-1, 210-1, 211-1, 212-1,
213-1, 215-1 216-1, 217-1, 220-1, 222-1, 223-**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**1, 225-1, 226-1, AND 227-1 BASED ON
IMPROPER ASSERTION OF A
PRIORITY CLAIM BY A LANDLORD
FOR A SECURITY DEPOSIT**

Date of Hearing: August 13, 2020
Time of Hearing: 9:30 a.m.
Place: Courtroom No. N/A
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Gary Spraker

This matter came before the Court on the *Trustee’s Second Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of Bankruptcy Procedure 3007— Claim Numbers 3-1, 9-1, 10-1, 11-1, 12-1, 14-1, 17-2, 21-2, 22-1, 27-1, 30-1, 35-1, 37-1, 39-1, 43-1, 51-1, 66-1, 67-1, 68-1, 70-1, 75-2, 77-1, 78-1, 80-1, 81-1, 89-1, 90-1, 91-1, 92-1, 94-1, 99-1, 101-1, 102-1, 106-1, 107-1, 110-1, 112-1, 114-1, 116-1, 121-1, 122-1, 124-1, 125-1, 126-1, 127-1, 129-1, 130-1, 131-1, 132-1, 134-1, 138-1, 139-1, 140-1, 141-1, 146-1, 147-1, 149-2, 152-1, 153-1, 154-1, 155-1, 156-1, 157-1, 158-1, 159-1, 161-1, 162-1, 164-1, 165-1, 166-1, 167-1, 170-1, 192-1, 193-1, 194-1, 198-1, 199-1, 200-1, 202-1, 203-1, 204-1, 205-1, 207-1, 208-1, 210-1, 211-1, 212-1, 213-1, 215-1, 216-1, 217-1, 220-1, 222-1, 223-1, 225-1, 226-1, and 227-1 Based On Improper Assertion Of A Priority Claim by a Landlord For a Security Deposit* [ECF No. 328]¹ (the “Objection”) filed by Shelley D. Krohn, the Chapter 7 Trustee in the above-captioned bankruptcy case (the “Trustee”) by and through her counsel of record, Jacob L. Houmand, Esq. and Bradley G. Sims, Esq. of the Houmand Law Firm, Ltd.² The Objection sought an order reclassifying claims 3-1, 9-1, 10-1, 11-1, 12-1, 14-1, 17-2, 21-2, 22-1, 27-1, 30-1, 35-1, 37-1, 39-1, 43-1, 51-1, 66-1, 67-1, 68-1, 70-1, 75-2, 77-1, 78-1, 80-1, 81-1, 89-1, 90-1, 91-1, 92-1, 94-1, 99-1, 101-1, 102-1, 106-1, 107-1, 110-1, 112-1, 114-1, 116-1, 121-1, 122-1, 124-1, 125-1, 126-1,

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.

² All defined terms in this Order shall have the same meaning ascribed to them in the Objection unless otherwise provided herein.

HOUMAND LAW FIRM, LTD.
9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

HOUAMAND LAW FIRM, LTD.
9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

1 127-1, 129-1, 130-1, 131-1, 132-1, 134-1, 138-1, 139-1, 140-1, 141-1, 146-1, 147-1, 149-2, 152-
2 1, 153-1, 154-1, 155-1, 156-1, 157-1, 158-1, 159-1, 161-1, 162-1, 164-1, 165-1, 166-1, 167-1,
3 170-1, 192-1, 193-1, 194-1, 198-1, 199-1, 200-1, 202-1, 203-1, 204-1, 205-1, 207-1, 208-1, 210-
4 1, 211-1, 212-1, 213-1, 215-1 216-1, 217-1, 220-1, 222-1, 223-1, 225-1, 226-1, and 227-1 as
5 general unsecured claims.

6 No oppositions were filed to the Objection. Bradley G. Sims, Esq. appeared on behalf of
7 the Trustee. No other appearances were noted on the record.

8 The Court reviewed the Objection, the *Declaration of Shelley D. Krohn In Support of*
9 *Trustee’s Second Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(B)(1) And*
10 *Federal Rule Of Bankruptcy Procedure 3007—Claim Numbers 3-1, 9-1, 10-1, 11-1, 12-1, 14-1,*
11 *17-2, 21-2, 22-1, 27-1, 30-1, 35-1, 37-1, 39-1, 43-1, 51-1, 66-1, 67-1, 68-1, 70-1, 75-2, 77-1, 78-*
12 *1, 80-1, 81-1, 89-1, 90-1, 91-1, 92-1, 94-1, 99-1, 101-1, 102-1, 106-1, 107-1, 110-1, 112-1, 114-*
13 *1,116-1, 121-1, 122-1, 124-1, 125-1, 126-1, 127-1, 129-1, 130-1, 131-1, 132-1, 134-1, 138-1,*
14 *139-1, 140-1, 141-1, 146-1, 147-1, 149-2, 152-1, 153-1, 154-1, 155-1, 156-1, 157-1, 158-1, 159-*
15 *1, 161-1, 162-1, 164-1, 165-1, 166-1, 167-1, 170-1, 192-1, 193-1, 194-1, 198-1, 199-1, 200-1,*
16 *202-1, 203-1, 204-1, 205-1, 207-1, 208-1, 210-1, 211-1, 212-1, 213-1, 215-1 216-1, 217-1, 220-1,*
17 *222-1, 223-1, 225-1, 226-1, and 227-1 Based On Improper Assertion Of A Priority Claim by a*
18 *Landlord For a Security Deposit [ECF No. 329], the Certificate of Service of Trustee’s Second*
19 *Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of*
20 *Bankruptcy Procedure 3007—Claim Numbers 3-1, 9-1, 10-1, 11-1, 12-1, 14-1, 17-2, 21-2, 22-1,*
21 *27-1, 30-1, 35-1, 37-1, 39-1, 43-1, 51-1, 66-1, 67-1, 68-1, 70-1, 75-2, 77-1, 78-1, 80-1, 81-1, 89-*
22 *1, 90-1, 91-1, 92-1, 94-1, 99-1, 101-1, 102-1, 106-1, 107-1, 110-1, 112-1, 114-1,116-1, 121-1,*
23 *122-1, 124-1, 125-1, 126-1, 127-1, 129-1, 130-1, 131-1, 132-1, 134-1, 138-1, 139-1, 140-1, 141-*
24 *1, 146-1, 147-1, 149-2, 152-1, 153-1, 154-1, 155-1, 156-1, 157-1, 158-1, 159-1, 161-1, 162-1,*
25 *164-1, 165-1, 166-1, 167-1, 170-1, 192-1, 193-1, 194-1, 198-1, 199-1, 200-1, 202-1, 203-1, 204-*
26 *1, 205-1, 207-1, 208-1, 210-1, 211-1, 212-1, 213-1, 215-1 216-1, 217-1, 220-1, 222-1, 223-1,*
27 *225-1, 226-1, and 227-1 Based On Improper Assertion Of A Priority Claim by a Landlord For a*
28

HOUAND LAW FIRM, LTD.
9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

1 *Security Deposit* [ECF No. 340], the exhibits attached thereto, and all of the pleadings and papers
2 on file herein.

3 Based upon this review and the findings of fact and conclusions of law placed on the
4 record at the hearing, and incorporated herein pursuant to Federal Rule of Civil Procedure 52,
5 made applicable to this matter pursuant to Federal Rules of Bankruptcy Procedure 9014(c) and
6 7052, and good cause appearing,

7 **IT IS HEREBY ORDERED** that:

- 8 (1) The Objection is SUSTAINED in its entirety; and
- 9 (2) Proofs of claim 3-1, 9-1, 10-1, 11-1, 12-1, 14-1, 17-2, 21-2, 22-1, 27-1, 30-1, 35-1,
10 37-1, 39-1, 43-1, 51-1, 66-1, 67-1, 68-1, 70-1, 75-2, 77-1, 78-1, 80-1, 81-1, 89-1,
11 90-1, 91-1, 92-1, 94-1, 99-1, 101-1, 102-1, 106-1, 107-1, 110-1, 112-1, 114-1, 116-
12 1, 121-1, 122-1, 124-1, 125-1, 126-1, 127-1, 129-1, 130-1, 131-1, 132-1, 134-1,
13 138-1, 139-1, 140-1, 141-1, 146-1, 147-1, 149-2, 152-1, 153-1, 154-1, 155-1, 156-
14 1, 157-1, 158-1, 159-1, 161-1, 162-1, 164-1, 165-1, 166-1, 167-1, 170-1, 192-1,
15 193-1, 194-1, 198-1, 199-1, 200-1, 202-1, 203-1, 204-1, 205-1, 207-1, 208-1, 210-
16 1, 211-1, 212-1, 213-1, 215-1 216-1, 217-1, 220-1, 222-1, 223-1, 225-1, 226-1, and
17 227-1 shall all be reclassified as general unsecured claims.

18 **IT IS SO ORDERED.**

19 Prepared and Submitted By:

20 **HOUAND LAW FIRM, LTD.**

21 By: /s/ Bradley G. Sims, Esq.
 22 Jacob L. Houmand, Esq. (NV Bar No. 12781)
 23 Bradley G. Sims, Esq. (NV Bar No. 11713)
 9205 West Russell Road, Building 3, Suite 240
 Las Vegas, NV 89148
 24 Telephone: 702/720-3370
 Facsimile: 702/720-3371

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

26
27
28

HOUMAND LAW FIRM, LTD.
9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 13th day of August, 2020.

HOUMAND LAW FIRM, LTD.

By: /s/ Bradley G. Sims, Esq.
Jacob L. Houmand, Esq. (NV Bar No. 12781)
Bradley G. Sims, Esq. (NV Bar No. 11713)
9205 West Russell Road, Building 3, Suite 240
Las Vegas, NV 89148
Telephone: 702/720-3370
Facsimile: 702/720-3371

Counsel for Shelley D. Krohn, Chapter 7 Trustee

###