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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-GS  
Chapter 7

**DECLARATION OF SHELLEY D. KROHN IN SUPPORT OF TRUSTEE'S OBJECTION TO PROOF OF CLAIM 824-1 PURSUANT TO 11 U.S.C. § 502(b)(1) AND FEDERAL RULE OF BANKRUPTCY PROCEDURE 3007**

Date of Hearing: October 1, 2020  
Time of Hearing: 9:30 a.m.  
Place: Courtroom No. To Be Determined  
Foley Federal Building  
300 Las Vegas Blvd., S.  
Las Vegas, NV 89101

Judge: Honorable Gary Spraker <sup>1</sup>

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20  
21 I, Shelley D. Krohn, declare as follows:

22 1. I am over the age of 18 years and I am competent to make this declaration. I have  
23 personal knowledge of the facts set forth herein, except for those facts stated on information and  
24 belief and, as to those facts, I am informed and believe them to be true. If called as a witness, I

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 could and would testify as to the matters set forth below based upon my personal knowledge.

2 2. I am the appointed Chapter 7 Trustee in the above-captioned bankruptcy case.

3 3. I make this declaration to support the *Trustee’s Objection To Proof Of Claim 824-*  
4 *1 Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of Bankruptcy Procedure 3007* (the  
5 “Objection”).<sup>2</sup>

6 4. On January 9, 2015 (the “Petition Date”), the Debtor filed a voluntary bankruptcy  
7 pursuant to Chapter 7 of Title 11 of the United States Code [ECF No. 1]<sup>3</sup>.

8 5. On January 9, 2015, Victoria L. Nelson (“Trustee Nelson”) was appointed as the  
9 Chapter 7 Trustee in the Debtor’s bankruptcy case [ECF No. 4].

10 6. On January 28, 2015, the Court entered an *Amended Notice of Chapter 7*  
11 *Bankruptcy Case* [ECF No. 12] that established May 14, 2015, as the deadline for creditors to file  
12 proofs of claim.

13 7. On February 9, 2015, Trustee Nelson filed an *Application for Order Authorizing*  
14 *Employment of the Garden City Group, LLC As Claims and Noticing Agent* [ECF No. 88].

15 8. On February 27, 2015, the Court entered an *Order Granting Application for Order*  
16 *Authorizing Employment of the Garden City Group, LLC As Claims and Noticing Agent* [ECF No.  
17 128].

18 9. Since its employment, GCG has been maintaining the Proofs of Claim that have  
19 been submitted by creditors.

20 10. On September 30, 2015, Trustee Nelson filed a *Motion for (1) Turnover of Security*  
21 *Deposits Held In Trust Account of McDonald Carano Wilson Pursuant to 11 U.S.C. § 542 and (2)*  
22 *Authority to Administer Security Deposits Through the Debtor’s Bankruptcy Estate Pursuant to*  
23 *11 U.S.C. § 105(a)* [ECF No. 181] (the “Turnover Motion”).

24 ...

25 \_\_\_\_\_  
26 <sup>2</sup> Unless otherwise provided herein, all defined terms shall have the same meaning ascribed to  
27 them in the Objection.

28 <sup>3</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.

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1           11.     The Turnover Motion sought authority for approximately \$707,567.29 – the  
2 balance of the Security Deposits that were in the Debtor’s possession as of the Petition Date –  
3 held in the IOLTA Account of counsel for the Debtor to be transferred to Trustee Nelson so that  
4 the funds could be administered for the benefit of creditors.

5           12.     The Turnover Motion was supported by counsel for the Debtor, an accountant  
6 employed by the Debtor prior to the Petition Date, and the Nevada Real Estate Division.

7           13.     On November 6, 2015, the Court entered an *Order Granting Motion for (1)*  
8 *Turnover of Security Deposits Held In Trust Account of McDonald Carano Wilson Pursuant to 11*  
9 *U.S.C. § 542 and (2) Authority to Administer Security Deposits Through the Debtor’s Bankruptcy*  
10 *Estate Pursuant to 11 U.S.C. § 105(a)* [ECF No. 196] (the “Turnover Order”).

11           14.     The Turnover Order provided that the security deposits held in the IOLTA  
12 Account of counsel for the Debtor would be transferred to the Debtor’s bankruptcy estate and  
13 administered pursuant to Section 726.

14           15.     On January 13, 2018, Trustee Nelson died.

15           16.     On January 19, 2018, I was appointed as the successor Chapter 7 Trustee in the  
16 Debtor’s bankruptcy case.

17           17.     On May 14, 2015, Kevin Chang filed a claim claiming priority under 11 U.S.C. §  
18 507(a)(4) in the amount of \$3,450.00. A true and correct copy of Claim 824-1 is attached hereto  
19 as **Exhibit “1”**.

20           18.     The above referenced proof of claim was timely filed.

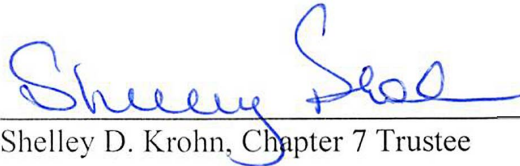
21           19.     The above referenced proof of claim asserts a priority claim based upon  
22 commissions for the sale of real estate by an independent contractor.

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28 ...

1           20. I now seek an order reclassifying the above referenced claim as a general  
2 unsecured claim.

3           I declare under penalty of perjury under the laws of the United States that the foregoing is  
4 true and correct.

5           Dated this 18 day of August, 2020.

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9 Shelley D. Krohn, Chapter 7 Trustee

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