

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
September 09, 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 TRUSTEES FIFTH
OMNIBUS OBJECTION TO PROOFS OF
CLAIM PURSUANT TO 11 U.S.C. §
502(B)(1) AND FEDERAL RULE OF
BANKRUPTCY PROCEDURE 3007
CLAIM NUMBERS 629-1, 630-1, 631-1,
632-1, 633-1, 634-1, 635-1, 636-1, 637-1, 638-
1, 639-1, 640-1, 641-1, 642-1, 643-1, 644-1,
646-1, 647-1, 648-1, 649-1, 650-1, 651-1, 653-
1, 654-1, 655-1, 656-1, 657-1, 658-1, 57-2, 55-
1, 662-1, 663-1, 664-1, 665-1, 670-1, 674-1,
676-1, 679-1, 680-1, 682-1, 684-1, 685-1, 686-
1, 687-1, 688-1, 689-1, 690-1, 691-1, 692-1,
693-1, 695-1, 696-1, 697-1, 698-1, 699-1, 700-
1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-1,
708-1, 709-1, 710-1, 711-1, 712-1, 713-1, 715-
1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1,
724-1, 725-1, 726-1, 727-1, 728-1, 729-1, 730-
1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1,**

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
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

**744-1, 745-1, 746-1, 747-1, 748-1, 749-1,
AND 750-1, BASED ON IMPROPER
ASSERTION OF A PRIORITY CLAIM
BY A LANDLORD FOR A SECURITY
DEPOSIT**

Date of Hearing: September 3, 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 *Trustees Fifth Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of Bankruptcy Procedure 3007* Claim Numbers 629-1, 630-1, 631-1, 632-1, 633-1, 634-1, 635-1, 636-1, 637-1, 638-1, 639-1, 640-1, 641-1, 642-1, 643-1, 644-1, 646-1, 647-1, 648-1, 649-1, 650-1, 651-1, 653-1, 654-1, 655-1, 656-1, 657-1, 658-1, 57-2, 55-1, 662-1, 663-1, 664-1, 665-1, 670-1, 674-1, 676-1, 679-1, 680-1, 682-1, 684-1, 685-1, 686-1, 687-1, 688-1, 689-1, 690-1, 691-1, 692-1, 693-1, 695-1, 696-1, 697-1, 698-1, 699-1, 700-1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-1, 708-1, 709-1, 710-1, 711-1, 712-1, 713-1, 715-1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1, 724-1, 725-1, 726-1, 727-1, 728-1, 729-1, 730-1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1, 744-1, 745-1, 746-1, 747-1, 748-1, 749-1, and 750-1, Based On Improper Assertion Of A Priority Claim by a Landlord For a Security Deposit [ECF No. 349]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 629-1, 630-1, 631-1, 632-1, 633-1, 634-1, 635-1, 636-1, 637-1, 638-1, 639-1, 640-1, 641-1, 642-1, 643-1, 644-1, 646-1, 647-1, 648-1, 649-1, 650-1, 651-1, 653-1, 654-1, 655-1, 656-1, 657-1, 658-1, 57-2, 55-1, 662-1, 663-1, 664-1, 665-1, 670-

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.

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 1, 674-1, 676-1, 679-1, 680-1, 682-1, 684-1, 685-1, 686-1, 687-1, 688-1, 689-1, 690-1, 691-1,
2 692-1, 693-1, 695-1, 696-1, 697-1, 698-1, 699-1, 700-1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-
3 1, 708-1, 709-1, 710-1, 711-1, 712-1, 713-1, 715-1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1,
4 724-1, 725-1, 726-1, 727-1, 728-1, 729-1, 730-1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1, 744-
5 1, 745-1, 746-1, 747-1, 748-1, 749-1, and 750-1 as 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 *Trustees Fifth Omnibus Objection To Proofs Of*
9 *Claim Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of Bankruptcy Procedure*
10 *3007Claim Numbers 629-1, 630-1, 631-1, 632-1, 633-1, 634-1, 635-1, 636-1, 637-1, 638-1, 639-*
11 *1, 640-1, 641-1, 642-1, 643-1, 644-1, 646-1, 647-1, 648-1, 649-1, 650-1, 651-1, 653-1, 654-1,*
12 *655-1, 656-1, 657-1, 658-1, 57-2, 55-1, 662-1, 663-1, 664-1, 665-1, 670-1, 674-1, 676-1, 679-1,*
13 *680-1, 682-1, 684-1, 685-1, 686-1, 687-1, 688-1, 689-1, 690-1, 691-1, 692-1, 693-1, 695-1, 696-*
14 *1, 697-1, 698-1, 699-1, 700-1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-1, 708-1, 709-1, 710-1,*
15 *711-1, 712-1, 713-1, 715-1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1, 724-1, 725-1, 726-1, 727-*
16 *1, 728-1, 729-1, 730-1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1, 744-1, 745-1, 746-1, 747-1,*
17 *748-1, 749-1, and 750-1, Based On Improper Assertion Of A Priority Claim by a Landlord For a*
18 *Security Deposit [ECF No. 350], The Notice of Hearing of Trustees Fifth Omnibus Objection To*
19 *Proofs Of Claim Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of Bankruptcy Procedure*
20 *3007Claim Numbers 629-1, 630-1, 631-1, 632-1, 633-1, 634-1, 635-1, 636-1, 637-1, 638-1, 639-*
21 *1, 640-1, 641-1, 642-1, 643-1, 644-1, 646-1, 647-1, 648-1, 649-1, 650-1, 651-1, 653-1, 654-1,*
22 *655-1, 656-1, 657-1, 658-1, 57-2, 55-1, 662-1, 663-1, 664-1, 665-1, 670-1, 674-1, 676-1, 679-1,*
23 *680-1, 682-1, 684-1, 685-1, 686-1, 687-1, 688-1, 689-1, 690-1, 691-1, 692-1, 693-1, 695-1, 696-*
24 *1, 697-1, 698-1, 699-1, 700-1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-1, 708-1, 709-1, 710-1,*
25 *711-1, 712-1, 713-1, 715-1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1, 724-1, 725-1, 726-1, 727-*
26 *1, 728-1, 729-1, 730-1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1, 744-1, 745-1, 746-1, 747-1,*
27 *748-1, 749-1, and 750-1, Based On Improper Assertion Of A Priority Claim by a Landlord For a*
28 *Security Deposit [ECF No. 351], The Certificate of Service of Trustees Fifth Omnibus Objection*

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 *To Proofs Of Claim Pursuant To 11 U.S.C. § 502(B)(1) And Federal Rule Of Bankruptcy*
2 *Procedure 3007Claim Numbers 629-1, 630-1, 631-1, 632-1, 633-1, 634-1, 635-1, 636-1, 637-1,*
3 *638-1, 639-1, 640-1, 641-1, 642-1, 643-1, 644-1, 646-1, 647-1, 648-1, 649-1, 650-1, 651-1, 653-*
4 *1, 654-1, 655-1, 656-1, 657-1, 658-1, 57-2, 55-1, 662-1, 663-1, 664-1, 665-1, 670-1, 674-1, 676-*
5 *1, 679-1, 680-1, 682-1, 684-1, 685-1, 686-1, 687-1, 688-1, 689-1, 690-1, 691-1, 692-1, 693-1,*
6 *695-1, 696-1, 697-1, 698-1, 699-1, 700-1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-1, 708-1, 709-*
7 *1, 710-1, 711-1, 712-1, 713-1, 715-1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1, 724-1, 725-1,*
8 *726-1, 727-1, 728-1, 729-1, 730-1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1, 744-1, 745-1, 746-*
9 *1, 747-1, 748-1, 749-1, and 750-1, Based On Improper Assertion Of A Priority Claim by a*
10 *Landlord For a Security Deposit [ECF No. 360], the exhibits attached thereto, and all of the*
11 *pleadings and papers on file herein.*

12 Based upon this review and the findings of fact and conclusions of law placed on the
13 record at the hearing, and incorporated herein pursuant to Federal Rule of Civil Procedure 52,
14 made applicable to this matter pursuant to Federal Rules of Bankruptcy Procedure 9014(c) and
15 7052, and good cause appearing,

16 **IT IS HEREBY ORDERED** that:

17 (1) The Objection is SUSTAINED in its entirety; and

18 ...
19 ...
20 ...
21 ...
22 ...
23 ...
24 ...
25 ...
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) Proofs of claim 629-1, 630-1, 631-1, 632-1, 633-1, 634-1, 635-1, 636-1, 637-1,
2 638-1, 639-1, 640-1, 641-1, 642-1, 643-1, 644-1, 646-1, 647-1, 648-1, 649-1, 650-
3 1, 651-1, 653-1, 654-1, 655-1, 656-1, 657-1, 658-1, 57-2, 55-1, 662-1, 663-1, 664-
4 1, 665-1, 670-1, 674-1, 676-1, 679-1, 680-1, 682-1, 684-1, 685-1, 686-1, 687-1,
5 688-1, 689-1, 690-1, 691-1, 692-1, 693-1, 695-1, 696-1, 697-1, 698-1, 699-1, 700-
6 1, 701-1, 702-1, 703-1, 705-1, 706-1, 707-1, 708-1, 709-1, 710-1, 711-1, 712-1,
7 713-1, 715-1, 716-1, 718-1, 719-1, 720-1, 721-1, 723-1, 724-1, 725-1, 726-1, 727-
8 1, 728-1, 729-1, 730-1, 731-1, 732-1, 737-1, 741-1, 742-1, 743-1, 744-1, 745-1,
9 746-1, 747-1, 748-1, 749-1, and 750-1, shall all be reclassified as general
10 unsecured claims.

11 **IT IS SO ORDERED.**

12 Prepared and Submitted By:

13 **HOUMAND LAW FIRM, LTD.**

14 By: /s/ Bradley G. Sims, Esq.
15 Jacob L. Houmand, Esq. (NV Bar No. 12781)
16 Bradley G. Sims, Esq. (NV Bar No. 11713)
17 9205 West Russell Road, Building 3, Suite 240
18 Las Vegas, NV 89148
19 Telephone: 702/720-3370
20 Facsimile: 702/720-3371

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

22
23
24
25
26
27
28

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
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 8th day of September, 2020.

HOUAMAND 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

###