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Honorable Gary Spraker
United States Bankruptcy Judge



Entered on Docket
October 29, 2020

HOUMAND LAW FIRM, LTD.
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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 GRANTING MOTION TO SET
ASIDE ORDER SUSTAINING
TRUSTEE'S TENTH OMNIBUS
OBJECTION TO PROOFS OF CLAIM
PURSUANT TO 11 U.S.C. § 502(b)(1) AND
FEDERAL RULE OF BANKRUPTCY
PROCEDURE 3007—CLAIM NUMBERS
60-1, 87-1, 137-1, 230-1, 231-1, 290-1, 501-1,
681-1, 683-1, AND 735-1, BASED ON
IMPROPER ASSERTION OF A
SECURED CLAIM, AS TO CLAIMS, 60-1,
87-1, AND 231-1 ONLY**

Date of Hearing: October 29, 2020
Time of Hearing: 9:30 a.m.
Place: Courtroom No. Telephonic Hearing
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

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Judge: Honorable Gary Spraker

This matter came before the Court on the *Motion To Set Aside Order Sustaining Trustee’s Tenth Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(b)(1) And Federal Rule Of Bankruptcy Procedure 3007—Claim Numbers 60-1, 87-1, 137-1, 230-1, 231-1, 290-1, 501-1, 681-1, 683-1, And 735-1, Based On Improper Assertion Of A Secured Claim, As To Claims, 60-1, 87-1, And 231-1 Only* [ECF No. 452]¹ (the “Motion”) 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 Motion sought an order to set aside the *Order Sustaining the Trustee’s Tenth Omnibus Objection to Proofs of Claim Pursuant to 11 U.S.C. § 502(b)(1) and Federal Rule of Bankruptcy Procedure 3007—Claim Numbers 60-1, 87-1, 137-1, 230-1, 231-1, 290-1, 501-1, 681-1, 683-1, and 735-1, Based On Improper Assertion of a Secured Claim*, as to claims 60-1, 87-1, and 231-1 only.

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

The Court reviewed the Objection, the *Declaration Of: Bradley G. Sims in Support of the Motion To Set Aside Order Sustaining Trustee’s Tenth Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(b)(1) And Federal Rule Of Bankruptcy Procedure 3007—Claim Numbers 60-1, 87-1, 137-1, 230-1, 231-1, 290-1, 501-1, 681-1, 683-1, And 735-1, Based On Improper Assertion Of A Secured Claim, As To Claims, 60-1, 87-1, And 231-1 Only* [ECF No. 453], the *Notice of Hearing on Motion To Set Aside Order Sustaining Trustee’s Tenth Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(b)(1) And Federal Rule Of Bankruptcy Procedure 3007—Claim Numbers 60-1, 87-1, 137-1, 230-1, 231-1, 290-1, 501-1,*

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.

1 681-1, 683-1, And 735-1, Based On Improper Assertion Of A Secured Claim, As To Claims, 60-1,
2 87-1, And 231-1 Only [ECF No. 454], The Certificate of Service of Motion To Set Aside Order
3 Sustaining Trustee’s Tenth Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. §
4 502(b)(1) And Federal Rule Of Bankruptcy Procedure 3007—Claim Numbers 60-1, 87-1, 137-1,
5 230-1, 231-1, 290-1, 501-1, 681-1, 683-1, And 735-1, Based On Improper Assertion Of A Secured
6 Claim, As To Claims, 60-1, 87-1, And 231-1 Only [ECF No. 485]³, the exhibits attached thereto,
7 and all of the pleadings and papers on file herein.

8 Based upon this review and the findings of fact and conclusions of law placed on the
9 record at the hearing, and incorporated herein pursuant to Federal Rule of Civil Procedure 52,
10 made applicable to this matter pursuant to Federal Rules of Bankruptcy Procedure 9014(c) and
11 7052, and good cause appearing,

12 **IT IS HEREBY ORDERED** that:

- 13 (1) The Motion is GRANTED in its entirety; and
- 14 (2) The *Order Sustaining Trustee’s Tenth Omnibus Objection To Proofs Of Claim*
15 *Pursuant To 11 U.S.C. § 502(b)(1) And Federal Rule Of Bankruptcy Procedure*
16 *3007—Claim Numbers 60-1, 87-1, 137-1, 230-1, 231-1, 290-1, 501-1, 681-1, 683-*
17 *1, And 735-1, Based On Improper Assertion Of A Secured Claim, [ECF No 443]* is
18 hereby set aside as to 60-1, 87-1, And 231-1; and

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28 ³ The Certificate of Service for the Objection was filed on October 29, 2020, the day of the Hearing.

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(3) Claims 60-1, 87-1, And 231-1 shall be disallowed consistent with the Court’s Order Trustee’s Ninth Omnibus Objection To Proofs Of Claim Pursuant To 11 U.S.C. § 502(b)(1) and Federal Rule of Bankruptcy Procedure 3007—Claim Numbers 6-1, 7-1, 15-1, 18-1, 32-1, 34-1, 40-1, 41-1, 49-1, 59-1, 60-1, 72-1, 83-1, 86-1, 87-1, 97-1, 113-1, 115-1, 118-1, 119-1, 123-1, 128-1, 163-1, 231-1, 292-1, 293-1, 296-1, 338-1, 527-1, 612-1, 704-1, 813-1 , 815-1, 833-1, 834-1, 914-1, 921-1, 924-1, 929-1, and 930-1 Based on Duplicate Claims Filed by Both a Landlord and a Tenant for A Security Deposit [ECF No. 442].

IT IS SO ORDERED.

Prepared and Submitted By:

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)
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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 29th day of October, 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)
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