

**YOU ARE RECEIVING THESE DOCUMENTS BECAUSE YOUR CLAIM AGAINST BUTH-NA-BODHAIGE, INC., IS BEING CHALLENGED FOR THE REASONS DESCRIBED IN THE ATTACHED OBJECTION. YOU ARE NOT REQUIRED TO RESPOND TO THE OBJECTION, BUT IF YOU DO NOT RESPOND, YOUR CLAIM MAY BE REDUCED, DISALLOWED, OR RECHARACTERIZED AS PROVIDED IN EXHIBIT A. YOU SHOULD CONSIDER CONSULTING WITH AN ATTORNEY REGARDING THE OBJECTION AND YOUR RIGHTS. THE AFFECTED CLAIMS ARE LISTED ON EXHIBIT A.**

**RIMON P.C.**  
Counsel to the Chapter 7 Trustee  
Kenneth P. Silverman, Esq.  
100 Jericho Quadrangle Suite 300  
Jericho, New York 11753  
Brian Powers  
Haley Trust  
Courtney M. Roman

**Hearing Date: March 5, 2025**  
**Time: 10:00 a.m.**

**Objections Due: February 26, 2025**  
**Time: 4:00 p.m.**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 7

BUTH-NA-BODHAIGE, INC.,  
Debtor.

Case No.: 24-10392 (DSJ)

-----X

**NOTICE OF HEARING FOR AN ORDER GRANTING  
CHAPTER 7 TRUSTEE'S OMNIBUS MOTION FOR AN ORDER  
DISALLOWING CERTAIN PROOFS OF CLAIM FILED BY FORMER EMPLOYEES**

**PLEASE TAKE NOTICE THAT**, upon the motion (the "Motion") of Kenneth P. Silverman, the chapter 7 trustee (the "Trustee") for the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the "Debtor"), will move before the Honorable David S. Jones, United States Bankruptcy Judge, for the United States Bankruptcy Court of the Southern District of New York, via Zoom for Government, on **March 5, 2025 at 10:00 a.m.** (the "Hearing"), or as soon thereafter as counsel can be heard, for entry of an order, substantially in the form annexed to the Motion as **Exhibit A**, disallowing certain proofs of claim filed by certain former employees of the Debtor, and granting such further relief as this Court deems just and proper

**PLEASE TAKE FURTHER NOTICE**, that prior to the Hearing, any party wishing to appear at the Hearing is required to register their appearance by 4:00 p.m. one (1) business day in



advance of the Hearing using the Court's eCourt Appearances platform:  
<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>.

**PLEASE TAKE FURTHER NOTICE**, that objections to the relief sought in the Motion shall be in writing, conform to the requirements of the Bankruptcy Code, Bankruptcy Rules, and the Local Rules of this Court, must set forth the name of the objecting party, the basis for the objection and the specific grounds therefore, and must be filed electronically with the Bankruptcy Court in accordance with General Order M-399 (General Order M-399 and the User's Manual for the Electronic Case Filing System may be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Bankruptcy Court) by registered users of the Bankruptcy Court's case filing system, and by all other parties in interest on a disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with courtesy copies delivered directly to Chambers), and must be served upon (i) counsel to the Trustee, Rimon P.C., 100 Jericho Quadrangle, Suite 300, Jericho, New York, 11753, Attn: Brian Powers, Esq. and (ii) The Office of the United States Trustee, Alexander Hamilton Custom House, One Bowling Green, Room 534, New York, New York, 10004-1408, Attn: Mark Bruh, Esq., no later than **February 26, 2025 at 4:00 p.m.**

**PLEASE TAKE FURTHER NOTICE**, that the Hearing may be adjourned without further notice other than the announcement of such adjournment in open Court or by the filing of such notice of adjournment on the docket sheet for the Debtor's case.

**PLEASE TAKE FURTHER NOTICE**, that you need not appear at the Hearing if you do not object to the relief requested in the Motion.

Dated: Jericho, New York  
January 30, 2025

**RIMON P.C.**  
Counsel to Kenneth P. Silverman, Esq.,  
the Chapter 7 Trustee

By: s/ Brian Powers  
Brian Powers  
Partner  
100 Jericho Quadrangle, Suite 300  
Jericho, New York 11753

**YOU ARE RECEIVING THESE DOCUMENTS BECAUSE YOUR CLAIM AGAINST BUTH-NA-BODHAIGE, INC., IS BEING CHALLENGED FOR THE REASONS DESCRIBED IN THE ATTACHED OBJECTION. YOU ARE NOT REQUIRED TO RESPOND TO THE OBJECTION, BUT IF YOU DO NOT RESPOND, YOUR CLAIM MAY BE REDUCED, DISALLOWED, OR RECHARACTERIZED AS PROVIDED IN EXHIBIT A. YOU SHOULD CONSIDER CONSULTING WITH AN ATTORNEY REGARDING THE OBJECTION AND YOUR RIGHTS. THE AFFECTED CLAIMS ARE LISTED ON EXHIBIT A.**

**RIMON P.C.**  
Counsel to the Chapter 7 Trustee  
Kenneth P. Silverman, Esq.  
100 Jericho Quadrangle Suite 300  
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UNITED STATES BANKRUPTCY COURT  
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In re:

Chapter 7

BUTH-NA-BODHAIGE, INC.,

Case No.: 24-10392 (DSJ)

Debtor.  
-----X

**CHAPTER 7 TRUSTEE’S OMNIBUS MOTION FOR AN ORDER  
DISALLOWING CERTAIN PROOFS OF CLAIM FILED BY FORMER EMPLOYEES**

Kenneth P. Silverman, Esq., the chapter 7 trustee (the “Trustee”) for the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the “Debtor”), submits this motion (this “Motion”) seeking entry of an order disallowing certain proofs of claim filed by certain former employees of the Debtor as set forth on **Exhibit A** annexed hereto, and granting such further relief as this Court deems just and proper, and respectfully represents as follows:

**BACKGROUND**

1. On March 8, 2024 (the “Petition Date”), the Debtor filed a voluntary petition for relief pursuant to chapter 7 of the Bankruptcy Code.

2. Until March 8, 2024, the Debtor operated as a cosmetic and skin care retailer that is a subsidiary of the Body Shop International Limited (“TBSI”), a UK based company. Shortly

after TBSI entering administration, the Debtor terminated all of its employees, closed all of its retail locations, and filed this chapter 7 case.

3. On March 9, 2024, Kenneth P. Silverman, Esq., was appointed the interim chapter 7 trustee of the Debtor's estate. On April 9, 2024, the initial section 341 First Meeting of Creditors was held and the Trustee duly qualified and has become the permanent Trustee.

4. By Notice of Possible Payment of Dividends and of Last Date to File Claims (ECF Doc. No. 20) (the "Bar Date Notice"), dated March 14, 2024, the Bankruptcy Court established June 17, 2024 as the deadline by which proofs of claim were required to be filed in this case (the "Bar Date"). The Bar Date Notice was mailed to, among others, all parties contained within the Debtor's Schedules and all those entities who have otherwise indicated an interest in this case.

#### **JURISDICTION, VENUE AND STATUTORY PREDICATE**

5. The Court has jurisdiction over this Objection pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The statutory predicate for the relief requested herein is 11 U.S.C. §§105 and 502 and Rule 3007 of the Federal Rules of Bankruptcy (the "Bankruptcy Rules").

#### **RELIEF REQUESTED**

6. By this Objection, the Trustee respectfully seeks entry of an order disallowing each of the proofs of claim (collectively, the "Objectionable Claims") filed by each claimant (collectively, the "Claimants") identified on Exhibit A attached hereto, on the basis that the amounts asserted by each Objectionable Claim should be disallowed because either (i) the Debtor's books and records reflect that the underlying debts have been satisfied and the Objectionable Claim contains no back up to support the Objectionable Claims, (ii) the Objectionable Claims are duplicative of a previously filed claim, or (iii) the Objectionable Claim was filed after the Bar

Date.

**BASIS FOR OBJECTIONS**

7. In the ordinary course of its business, the Debtor maintained books and records (the "Books and Records") that reflect, among other things, the Debtor's liabilities and the amounts thereof owed to its creditors and its former employees. The Trustee's financial advisor, the Trustee and his retained professionals have reviewed the proofs of claims filed in the Debtor's chapter 7 case (the "Proofs of Claim") and compared the amounts asserted in the proofs of claims with the Books and Records to determine the validity of the asserted claims.

8. Importantly, the Debtor terminated all of its employees on or about March 1, 2024. At such time, the Debtor ensured that all amounts legally due to its employees were paid in full. The Debtor's policies did not provide for severance upon termination, except upon separate written agreement between the Debtor and any particular employee. Accordingly, the Debtor's books and records indicate that all amounts due to its former employees have been satisfied and, absent documentation from a Claimant to substantiate a claim against the Debtor, any Objectionable Claim asserting an amount due must be disallowed.

9. In support of the Objection, the Trustee submits the Declaration of Brian Ryniker, the Trustee's retained financial advisor tasked with analyzing Proofs of Claim, annexed hereto as **Exhibit B**.

10. The Trustee and his professionals have reviewed the Objectionable Claims and determined that the amounts asserted in the Objectionable Claims are not supported by the Books and Records. A list of the Objectionable Claims and the basis for the objection is annexed hereto as **Exhibit C**.

11. Accordingly, the Trustee requests that the Objectionable Claims be disallowed as

set forth on Exhibit C hereto.

**RESERVATION OF RIGHTS**

12. The Trustee expressly reserves his rights to amend, modify, or supplement this Objection and to file additional objections to the Objectionable Claims or any other Claims (filed or not) which may be asserted against the Claimants. Should one or more of the grounds for objection stated in this Objection be dismissed, the Trustee reserves his right to object on other stated grounds or on any other grounds that the Trustee discovers.

13. Notice of this Objection has been provided to the Office of the United States Trustee, the Debtor and the Debtor's counsel and all holders of Claims identified on Exhibit C annexed hereto. In light of the nature of the relief requested, the Trustee submits that no other or further notice is necessary.

**WHEREFORE**, the Trustee respectfully request that the Court (i) grant the Objection; (ii) enter an order substantially in the form annexed hereto as Exhibit A, and (iii) grant the Trustee such other and further relief as the Court deems proper and just.

Dated: Jericho, New York  
January 30, 2025

**RIMON P.C.**  
Attorneys for Kenneth P. Silverman, Esq.,  
The Chapter 7 Trustee

By: s/ Brian Powers  
Brian Powers  
Partner  
100 Jericho Quadrangle, Suite 300  
Jericho, New York 11753  
(516) 479-6300

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 7

BUTH-NA-BODHAIGE, INC.,

Case No.: 24-10392 (DSJ)

Debtor.  
-----X

**ORDER GRANTING CHAPTER 7 TRUSTEE’S OMNIBUS MOTION FOR AN ORDER  
DISALLOWING CERTAIN PROOFS OF CLAIM FILED BY FORMER EMPLOYEES**

Upon the motion (the “Motion”)<sup>1</sup> filed by Kenneth P. Silverman, Esq., the chapter 7 trustee (the “Trustee”) for the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the “Debtor”), seeking entry of an order disallowing certain proofs of claim filed by certain former employees; and upon the declaration of Brian Ryniker filed in support of the Motion; and upon the hearing on the Motion held before the Court on March 5, 2025 (the “Hearing”), the transcript of which is incorporated herein by reference; and due and proper notice of the Motion and the Hearing having been given to Claimants in accordance with the Federal Rules of Bankruptcy Procedure; and it appearing that no further notice need be given or required; and after due deliberation and sufficient cause appearing for the relief requested; it is hereby

**ORDERED**, that the Motion is granted to the extent provided herein; and it is further

**ORDERED**, that the Objectionable Claims are hereby disallowed; and it is further

**ORDERED**, the Debtor’s claims agent is authorized to update the claims register in this case pursuant to the terms of this Order; and it is further

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<sup>1</sup> Capitalized terms not otherwise defined in this Order have the meanings ascribed to them in the Motion.



**ORDERED**, that the Trustee is hereby authorized to do such things, expend such funds and execute such documents as to effectuate the terms and conditions of this Order.

Dated: New York, New York  
March \_\_, 2025

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Honorable David S. Jones  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 7

BUTH-NA-BODHAIGE, INC.,

Case No.: 24-10392 (DSJ)

Debtor.  
-----X

**DECLARATION OF BRIAN RYNIKER IN SUPPORT OF MOTION  
GRANTING CHAPTER 7 TRUSTEE’S FIRST OMNIBUS CLAIMS OBJECTION  
TO CERTAIN WAGE CLAIMS FILED AGAINST THE ESTATE**

I, Brian Ryniker declare as follows:

1. I am a member of RK Consultants LLC (“RKC”), the financial advisors to Kenneth P. Silverman, Esq., the Chapter 7 Trustee (the “Trustee”) of the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the “Debtor”). The facts set forth in this Declaration are personally known to me and, if called as a witness, I could and would testify thereto.

2. This Declaration is submitted in support of the Chapter 7 Trustee’s Omnibus Motion for an Order Disallowing Certain Proofs of Claim Filed by Former Employees (the “Motion”).

**Background**

3. On March 8, 2024 (the “Petition Date”), the Debtor filed a voluntary petition for relief pursuant to chapter 7 of the Bankruptcy Code.

4. Until March 8, 2024, the Debtor operated as a cosmetic and skin care retailer that is a subsidiary of the Body Shop International Limited (“TBSI”), a UK based company. Shortly after TBSI entering administration, the Debtor terminated all of its employees, closed all of its retail locations, and filed this chapter 7 case.

5. On March 9, 2024, Kenneth P. Silverman, Esq., was appointed the interim chapter 7 trustee of the Debtor's estate. On April 9, 2024, the initial section 341 First Meeting of Creditors was held and the Trustee duly qualified and has become the permanent Trustee.

6. By Notice of Possible Payment of Dividends and of Last Date to File Claims (ECF Doc. No. 20) (the "Bar Date Notice"), dated March 14, 2024, the Bankruptcy Court established June 17, 2024 as the deadline by which proofs of claim were required to be filed in this case (the "Bar Date"). The Bar Date Notice was mailed to, among others, all parties contained within the Debtor's Schedules and all those entities who have otherwise indicated an interest in this case.

**Basis for Objections**

7. In the ordinary course of its business, the Debtor maintained books and records (the "Books and Records") that reflect, among other things, the Debtor's liabilities and the amounts thereof owed to its creditors and its former employees. The Trustee, I and his other retained professionals have reviewed the proofs of claims filed in the Debtor's chapter 7 case (the "Proofs of Claim") and compared the amounts asserted in the proofs of claims with the Books and Records to determine the validity of the asserted claims.

8. Importantly, the Debtor terminated all of its employees on or about March 1, 2024. At such time, the Debtor ensured that all amounts legally due to its employees were paid in full. The Debtor's policies did not provide for severance upon termination, except upon separate written agreement between the Debtor and any particular employee. Accordingly, the Debtor's books and records indicate that all amounts due to its former employees have been satisfied and, absent documentation from a Claimant to substantiate a claim against the Debtor, any Objectionable Claim asserting an amount due must be disallowed.

1. The Trustee, I, and his other professionals have reviewed the Objectionable Claims

and determined that the amounts asserted in the Objectionable Claims are not supported by the Books and Records. A list of the Objectionable Claims and the basis for the objection is annexed to the Motion as **Exhibit C**.

9. Accordingly, I believe that the Court should enter an order disallowing each Objectionable Claim as set forth on Exhibit C to the Motion.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Jericho, New York on January 30, 2025.

*s/ Brian Ryniker*  
Brian Ryniker

**In re: BUTH-NA-BODHAIGE, INC**  
**Trustee's First Omnibus Objection to Claims**

**Exhibit C**

<b>Seq. No.</b>	<b>Claim No.</b>	<b>Creditor' Name and Address</b>	<b>Amount Claimed</b>	<b>Basis for Objection</b>
1	Claim 108	Doris L Torres Sanchez [REDACTED]	\$4,536.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
2	Claim 118	Fabiola Vargas Velasco [REDACTED]	\$11,664.00 §507(a)(4)	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
3	Claim 27	Gina Luttermoser [REDACTED]	No amount listed	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
4	Claim 45	Hayde Pineda Paz [REDACTED]	\$4,800.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
5	Claim 117	Ishamma Hoskins [REDACTED]	\$0.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
6	Claim 63	Jessica Sims [REDACTED]	\$8,154.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
7	Claim 30	Karinya Sripolpa [REDACTED]	\$0.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
8	Claim 71	Marisol Pena [REDACTED]	\$804.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
9	Claim 40	Natalia V. Fonti [REDACTED]	\$6,912.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
10	Claim 48	Natalia V. Fonti [REDACTED]	\$6,912.00	Claim is duplicative of Claim No. 40.

**In re: BUTH-NA-BODHAIGE, INC****Trustee's First Omnibus Objection to Claims**

<b>Seq. No.</b>	<b>Claim No.</b>	<b>Creditor' Name and Address</b>	<b>Amount Claimed</b>	<b>Basis for Objection</b>
		[REDACTED]		
11	Claim 29	Piumi Jinasena [REDACTED]	\$0.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
12	Claim 90	Rhiannon Lathwood [REDACTED]	\$27,156.10	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
13	Claim 109	Sacha Baksh [REDACTED]	\$0.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
14	Claim 35	Scott Kernan [REDACTED]	\$0.00 General unsecured	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
15	Claim 33	Shabrina Pressley [REDACTED]	No amount listed	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.
16	Claim 34	Shabrina Pressley [REDACTED]	No amount listed	Claim is duplicative of Claim No. 33.
17	Claim 96	Walter Boggs III [REDACTED]	\$17,304.00	The Debtor's books and records indicate no amount due to Claimant, and Claimant has provided no back-up documentation to substantiate the claim.