

RIMON P.C.
Attorneys for Kenneth P. Silverman, Esq.,
the Chapter 7 Trustee
100 Jericho Quadrangle, Suite 300
Jericho, New York 11753
Brian Powers
Courtney M. Roman

Hearing Date: August 1, 2024
Time: 10:00 a.m.

Objections Due: July 25, 2024
Time: 4:00 p.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

BUTH-NA-BODHAIGE, INC.,

Case No.: 24-10392 (DSJ)

Debtor.

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**CERTIFICATE OF NO OBJECTION TO CHAPTER 7 TRUSTEE’S
MOTION FOR AN ORDER APPROVING SETTLEMENT PROVIDING FOR (I)
SURRENDER OF NONRESIDENTIAL REAL PROPERTY, (II) WAIVER OF CLAIMS
ARISING FROM DEBTOR’S LEASE, AND (III) ABANDONMENT OF PERSONAL
PROPERTY PURSUANT TO 11 U.S.C. § 554 AND BANKRUPTCY RULE 6007**

Pursuant to 28 U.S.C. § 1746, Rimon P.C., attorneys for Kenneth P. Silverman, Esq., the chapter 7 trustee (the “Trustee”) for the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the “Debtor”), respectfully represents and certifies as follows:

1. On July 11, 2024, the Trustee filed a motion (the “Motion”) seeking entry of an order pursuant to section 105(a) of title 11, United States Code (the “Bankruptcy Code”) and Federal Rule of Bankruptcy Procedure (the “Bankruptcy Rules”) 9019(a) approving the Trustee’s stipulation (the “Stipulation”) with SA Retail Holdings LLC (the “Landlord”) for the real estate located at 60 East 8th Street, New York, New York 10003 and known as “Broadway 1” (the “Premises”) annexed thereto as **Exhibit B**, which provides for (i) the surrender of the Premises to the Landlord, (ii) the abandonment of the Debtor’s personal property pursuant to § 554 of the Bankruptcy Code and Bankruptcy Rule 6007, (iii) Landlord’s waiver of any and all claims to be



asserted against the Debtor's estate, except as permitted by the Stipulation, and (iv) for such further relief as the Court deems proper (ECF Doc. No. 85).

2. On July 11, 2024, the Trustee's claims and noticing agent, Kurtzman Carson Consultants ("KCC") served the Trustee's Notice of Hearing on the Motion, which provided for a hearing date of August 1, 2024, at 10:00 a.m. (ECF Doc. No. 85) (the "Notice").

3. On July 11, 2024, KCC served the Motion and Notice on: (i) the Debtor and its counsel; and (ii) the Office of the United States Trustee, and all interested parties indicating that, pursuant to E.D.N.Y. LBR 9006-1, objections to the Motion were due to be filed no later than July 25, 2024 (the "Objection Deadline"). On July 19, 2024, a Certificate of Mailing of Claims Agent evidencing service of the Motion and the Notice was filed. (ECF Doc. No. 92).

4. The Objection Deadline has passed and (i) the Motion was filed and served in a timely fashion, (ii) no objection has been filed or served on the movant, (iii) there is no objection, responsive pleading or request for a hearing with respect to the Motion on the docket, and (iv) the Trustee is not aware of any informal objection.

5. I have neither received nor spoken with any party-in-interest that expressed any objection to the granting of the Motion and the relief requested therein.

6. Based on the foregoing, the undersigned counsel for the Trustee hereby certifies that no objections have been filed with respect to the granting of the Motion and the relief requested therein. Consequently, the Trustee hereby requests that this Court (i) enter the attached order granting the Motion; and (ii) mark off the hearing scheduled for August 1, 2024 at 10:00 a.m.

Dated: Jericho, New York
July 26, 2024

RIMON P.C.
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Chapter 7 Trustee

By: s/ Brian Powers
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