

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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**ORDER GRANTING CHAPTER 7 TRUSTEE’S MOTION IN FURTHER SUPPORT  
OF THE COURT’S PREVIOUSLY ENTERED BIDDING PROCEDURES ORDER**

Upon the motion (the “Motion”) of Kenneth P. Silverman, Esq., the chapter 7 trustee (the “Trustee”) for the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the “Debtor”) in further support of the Court’s Bidding Procedures Order (as defined therein), pursuant to sections 105, 363, and 503 of chapter 11 of title 11, United States Code (the “Bankruptcy Code”), and Rules 2002, 6004, 9006 and 9007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), seeking entry of an order: (i) deeming any and all personal property of non-Debtor parties remaining in the Real Property as of the termination of the License Agreement (as defined in the Motion) (collectively, the “Remnant Personal Property”) abandoned to the Debtor; (ii) authorizing the Trustee to dispose of the Remnant Personal Property in the most cost effective manner, including but not limited to sale, destruction, donation, or abandonment of the Remnant Personal Property; and (iii) granting such other, further, and different relief as this Court deems just and proper; ~~and a hearing on the Motion having been held on September 26, 2024 (the “Hearing”), the record of which is incorporated herein by reference;~~ and notice of the Motion, the Hearing, and the relief sought in the Motion having been good and sufficient under the circumstances; **and upon the Certificate of No Objection filed on September 23, 2024 at ECF No. 116**, and the Court having determined that the legal and factual bases set forth in the Motion establishes sufficient cause for the relief requested; it is hereby [DSJ 9/24/2024]



**ORDERED**, that the Motion is granted; and it is further

**ORDERED**, that the Remnant Personal Property is deemed abandoned to the Debtor and its estate; and it is further

**ORDERED**, that, pursuant to Bankruptcy Code §§ 363 and 554, the Trustee is authorized to dispose the Remnant Personal Property in the manner which the Trustee, in his business judgment, deems to be most cost-effective, including but not limited to the sale, destruction, donation, and/or abandonment of the Remnant Personal Property; and it is further

**ORDERED**, that, as part of his reporting obligations pursuant to this Court's order authorizing the Trustee to operate the Debtor's business on a limited basis (ECF Doc. No. 59) (the "721 Order"), the Trustee shall file and serve upon the Office of the United States Trustee a report describing the income and expenditures relating to the removal of the Remnant Personal Property on a monthly basis; and it is further

**ORDERED**, that, absent further order of this Court, the Trustee shall not expend estate funds in excess of: (i) the total proceeds derived from the sale of the Remnant Personal Property, *plus* (ii) funds authorized to be expended pursuant to the 721 Order; and it is further

**ORDERED**, that the Trustee be, and hereby is, authorized to do such things, execute such documents, and (subject to the preceding paragraph) expend such funds as may be necessary to effectuate the terms and conditions of this Order.

Dated: New York, New York  
September 24, 2024

*s/ David S. Jones*  
HONORABLE DAVID S. JONES  
UNITED STATES BANKRUPTCY JUDGE