

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
FOR AN ORDER APPROVING SETTLEMENTS PROVIDING FOR
(I) SURRENDER OF DEBTOR’S LEASED PROPERTY, (II) FIXING
ALLOWED CLAIMS, AND (III) ABANDONMENT OF PERSONAL
PROPERTY PURSUANT TO 11 U.S.C. § 554 AND BANKRUPTCY RULE 6007**

1. Upon the motion (the “Motion”)¹ of Kenneth P. Silverman, Esq., the chapter 7 trustee (the “Trustee”) of the bankruptcy estate of Buth-Na-Bodhaige, Inc. (the “Debtor”), seeking the entry of an order (i) authorizing and approving the surrender of certain leased premises to the respective landlord, (ii) fixing allowed claims of landlords, (iii) authorizing and approving the abandonment of the Debtor’s personal property pursuant to § 554 of the Bankruptcy Code and Bankruptcy Rule 6007, (iv) authorizing and approving the collective stipulations (collectively, the “Stipulations”) pursuant to Bankruptcy Rule 9019, and (v) for such further relief as the Court deems proper, and upon the Declaration of Kenneth P. Silverman, Esq. filed in support of the Motion, annexed to the Motion as Exhibit B; ~~and upon the hearing on the Motion held before the Court on September 26, 2024 (the “Hearing”), the transcript 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 to the Motion filed on September 23, 2024 at ECF No. 117**, and the Court having determined that the legal and factual bases set forth in the Motion establishes sufficient cause for the relief requested; now, therefore, [DSJ 9/24/2024]

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.



IT IS HEREBY ORDERED THAT:

1. The Motion is granted.

2. The MOAC Stipulation, annexed to the Motion as Exhibit C, is hereby approved.

3. The Bellevue Stipulation, annexed to the Motion as Exhibit D, is hereby approved.

4. The proof of claim filed by MOAC Landlord, designated Claim No. 103 on the Debtor's claims register, is hereby allowed. The MOAC Landlord shall have an allowed general unsecured claim in the total amount of \$85,902.65.

5. The MOAC Premises is deemed surrendered to the MOAC Landlord as of the date of entry of this order.

6. The proofs of claim filed by Bellevue, designated Claim Nos. 114 and 120, are hereby allowed as followed:

- a. BMA shall have an allowed general unsecured claim in the amount of \$13,827.97.
- b. BSM shall have an allowed general unsecured claim in the amount of \$34,159.84 and an allowed administrative priority claim in the amount of \$20,044.16.

7. The abandonment of the Debtor's personal property remaining in each of the premises is hereby approved, as set forth in the Stipulation. The Trustee is authorized to take any and all actions reasonably necessary to perform or enforce any and all obligations contemplated by this Order.

8. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: New York, New York
September 24, 2024

s/ David S. Jones

HONORABLE DAVID S. JONES
UNITED STATES BANKRUPTCY JUDGE