



Order Filed on May 25, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

<p>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</p> <p>Timothy P. Neumann, Esq. [TN6429] Broege, Neumann, Fischer &amp; Shaver, LLC 25 Abe Voorhees Drive Manasquan, New Jersey 08736 (732) 223-8484 tneumann@bnfsbankruptcy.com</p> <p><i>Attorneys for Debtors-in-Possession</i></p>
<p>In Re:</p> <p><b>SHABSI BRODY AND LUBA BRODY</b></p> <p>Debtors.</p>

Case No.: 16-24242

Chapter 11

Judge: Kathryn C. Ferguson  
Hearing Date: 5/16/2017@ 11 a.m.

**ORDER AUTHORIZING THE SALE OF REAL PROPERTY KNOWN AS 1 1564 ALAMITOS DRIVE, LAKEWOOD,, OCEAN COUNTY, NEW JERSEY FREE AND CLEAR OF LIENS WITH VALID LIENS TO ATTACH TO PROCEEDS OF SALE**

Recommended Local Form:  Followed  Modified

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: May 25, 2017**

  
 \_\_\_\_\_  
 Honorable Kathryn C. Ferguson  
 United States Bankruptcy Judge

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Debtor: Shabsi Brody and Luba Brody

Case No.: 16-24242

Caption of Order: Order Approving Sale of Real Property

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Upon consideration of the application/motion of the Debtors (the “**Motion**”), for an order authorizing the sale of **1564 ALAMITOS DRIVE, LAKEWOOD,, OCEAN COUNTY, NEW JERSEY** (the “Property”), and good cause appearing therefore, it is hereby ORDERED as follows:

1. Pursuant to 11 U.S.C. §§363(b) and 1303, the Debtor is authorized to sell the Property on the terms and conditions of the contract of sale as modified.
2. The debtors are authorized to sell the subject property as long as U.S. Bank Trust, N.A., As Trustee For LSF9 Master Participation Trust shall be paid in full out of the proceeds of the sale in accordance with a valid payoff provided by the secured creditor or, if it is a short sale, in accordance to a valid short sale approval provided by the secured creditor and so long as short sale payoff funds are turned over to U.S. Bank Trust, N.A., As Trustee For LSF9 Master Participation Trust prior to such short sale approval’s expiration date..
3. The proceeds of sale must be used to satisfy the liens for real estate taxes and other municipal liens and the first mortgage. Until such satisfaction the real property is not free and clear of those liens. The sale is free and clear of the liens set forth on Schedule A annexed hereto and the tax liens of the United States of America, which liens shall attach to the proceeds of sale.
4. In accordance with D.N.J. LBR 6004-5, the Motion and the *Notice of Proposed Private Sale* included a request to pay the real estate broker(s) identified below at closing. Therefore the following professional(s) may be paid at closing.

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Name of professional:	Amount to be paid:	Services rendered:
Partners Realty Group	3%	Listed and marketed property
Partners Realty Group	3%	Produced buyer

5. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.
6. The amount of \$ -0- claimed as exempt may be paid to the Debtor, provided that all liens are first satisfied or avoided by an order of this court.
7. This Court shall retain jurisdiction to enforce and implement the provision of this Order and to resolve any dispute concerning the sale of the Property, or the rights and duties of all interested parties.
8. This Order may be recorded with the County Clerk to evidence that the Property was authorized to be sold.
9. Proper, timely, adequate and sufficient notice of the sale has been provided in accordance with 11 U.S.C. §§ 102, 105(a) and 363 and Rules 2002, 6004 and 9014 of the Bankruptcy, such notice was good and sufficient, and appropriate under the particular circumstances, and no other or further notice of the Sale shall be required
10. The 14-day stay of Bankr. Rule 6004(h) does not apply and the sale of the Property can be consummated upon entry of this Order.

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## SCHEDULE A

- A. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: J-236090-2014  
CASE NUMBER: L 002803-13  
DATE ENTERED: 012/05/2014 DATE SIGNED: 10/28/2014  
TYPE OF ACTION: BOOK ACCOUNT  
VENUE: OCEAN  
DEBT: \$ 27,817.29  
COSTS: \$ 324.40  
CREDITOR(S): BANCO POPULAR NORTH AMERICA  
ATTORNEY: RAGAN & RAGAN  
DEBTOR(S): SHABSI BRODY t/a BNM ASSOCIATES, LLC
- B. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: DJ 004236-2014 CASE NUMBER: DC-011835-12  
DATE ENTERED: 01/07/14 DATE SIGNED: 06/10/13  
TYPE OF ACTION: CONTRACT-REG  
VENUE: OCEAN  
DEBT: \$5,760.00  
COSTS: \$8.00  
INT: \$1.24  
DCKG: \$10.00  
CREDITOR(S): BANCO POPULAR NORTH AMERICA  
ATTORNEY: MORGAN BORNSTEIN & MORGAN  
DEBTOR(S): SHABSI BRODY t/a BNM ASSOCIATES, LLC
- C. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: J-165890-2014 CASE NUMBER: L-002804-13  
DATE ENTERED: 09/04/2014 DATE SIGNED: 05/19/2014  
TYPE OF ACTION: BOOK ACC  
VENUE: OCEAN  
DEBT: \$56,631.29  
COSTS: \$313.60  
CREDITOR(S): BANCO POPULAR NORTH AMERICA  
ATTORNEY: RAGAN & RAGAN  
DEBTOR(S): SHABSI BRODY t/a BNM ASSOCIATES, LLC

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- D. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: J-065067-2011  
DATE DOCKETED: 03/02/2011 DATE SIGNED 10/12/2010  
TYPE OF ACTION: BOOK ACCOUNT  
VENUE: BERGEN  
DEBT: \$ 225,150.45  
COSTS: \$ 240.00  
CREDITOR(S): TD BANK NA  
ATTORNEY: WINNE BANTA HETHERINGTON ET ALS  
DEBTOR(S): SHABSI BRODY LUBA BRODY, STERLINGCOMM CORP  
J&S
- E. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: DJ-050323-2015  
DATE DOCKETED: 03/24/2015  
VENUE: OCEAN DEBT: \$5,720.15  
CREDITOR(S): **BANCO POPULAR NORTH AMERICA**  
ATTORNEY: MORGAN BORNSTEIN & MORGAN  
DEBTOR: LUBA BRODY & STERLING COMM CORP
- A. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: J-267477-2011  
DATE DOCKETED: 09/20/2011  
VENUE: CAMDEN  
DEBT: \$5193,984.96 COSTS 240.00  
CREDITOR(S): **TD BANK NA**  
ATTORNEY: DEMBO & SALDUTTI  
DEBTORS: LEVI KATZ, TIRTZA KATZ
- B. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: J-032215-20125  
DATE DOCKETED: 02/08/2012  
VENUE: OCEAN  
DEBT: \$19,750.36 COSTS: \$240.00  
CREDITOR(S): **AMERICAN EXPRESS BANK FSB**  
ATTORNEY: ZWICKER & ASSOCIATES P.C.  
DEBTORS: LEVI KATZ,
- C. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: CJ-208413-2011  
DATE DOCKETED: 07/19/2011  
VENUE: OCEAN  
DEBT: \$8,747.18 COSTS: \$246.94 INT. 7.39 DCKG: 10.00  
CREDITOR(S): **CAPITAL ONE BANK (USA), N.A.**  
ATTORNEY: PRESSLER & PRESSLER  
DEBTORS: LEVI KATZ,
- D. SUPERIOR COURT OF NEW JERSEY  
JUDGMENT NUMBER: DJ-164420-2013  
DATE DOCKETED: 08/22/2013  
VENUE: OCEAN

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DEBT: \$9,228.72 COSTS: \$263.57 DFG: 10.00

CREDITOR(S): **DISCOVER BANK**

ATTORNEY: PRESSLER & PRESSLER

DEBTORS: LEVI KATZ,

E. SUPERIOR COURT OF NEW JERSEY

JUDGMENT NUMBER: DJ-035281-2015

DATE DOCKETED: 02/15/2015 VENUE: OCEAN

DEBT: \$3,434.01 COSTS: \$165.68 INT .54 DCKG: 35.00

CREDITOR(S): **MIDLAND FUNDING LLC**

ATTORNEY: PRESSLER & PRESSLER LLC

DEBTORS: LEVI KATZ,