

**IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA**

<p>GUARANTY SOLUTIONS, LLC,  Plaintiff,  v.  PROPERTY VENTURES, LLC,  Defendant.</p>	<p>Case No. CI 13-4591  <b>SUGGESTION IN BANKRUPTCY</b></p>
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COMES NOW, Property Ventures, LLC ("Debtor"), by and through its attorneys of record, and advises this Court that Debtor caused its voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code to be filed on December 13, 2017, in the United States Bankruptcy Court for the District of Nebraska at Case No. BK 17-81762. Attached hereto as Exhibit "A" is a copy of Debtor's Notice of Bankruptcy Filing as generated by the Bankruptcy Court's electronic filing system.

Pursuant to the automatic stay imposed by 11 U.S.C. §362(a) and Nebraska Uniform District Court Rule of Practice and Procedure §6-1506, all litigation and proceedings against Debtor are stayed. Any actions taken in violation of the automatic stay are void as a matter of law.

Respectfully submitted this 14<sup>th</sup> day of December, 2017.

**PROPERTY VENTURES, LLC, Debtor**

By: /s/ Patrick R. Turner  
Patrick R. Turner (#23461)  
Stinson Leonard Street, LLP  
1299 Farnam Street, Suite 1500  
Omaha, NE 68102  
Tel. No. (402) 342-1700  
Fax No. (402) 342-1701  
[Patrick.turner@stinson.com](mailto:Patrick.turner@stinson.com)

United States Bankruptcy Court  
District of Nebraska

## Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 11 of the United States Bankruptcy Code, entered on 12/13/2017 at 9:36 PM and filed on 12/13/2017.

**Property Ventures, LLC**  
2411 O Street  
Suite 2  
Omaha, NE 68107  
Tax ID / EIN: 47-0844517



The case was filed by the debtor's attorney:

**Patrick Raymond Turner**  
Stinson Leonard Street LLP  
1299 Farnam Street  
Suite 1500  
Omaha, NE 68102  
(402) 342-1700

The case was assigned case number 17-81762-TLS to Judge Thomas L. Saladino.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page [ecf.neb.uscourts.gov](http://ecf.neb.uscourts.gov) or at the Clerk's Office, 111 South 18th Plaza, Suite 1125, Omaha, NE 68102.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

**Diane Zech**  
Clerk, U.S. Bankruptcy

## Court

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
12/14/2017 13:21:35			
<b>PACER Login:</b>	patrickrturner:4866984:4479234	<b>Client Code:</b>	9999952.0026/06106
<b>Description:</b>	Notice of Filing	<b>Search Criteria:</b>	17-81762-TLS
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10

# Certificate of Service

I hereby certify that on Thursday, December 14, 2017 I provided a true and correct copy of the Suggestion in Bankruptcy to the following:

Mutual Of Omaha Bank successor/merg service method: No Service

Guaranty Solutions LLC, assignee represented by Koukol,David,J (Bar Number: 18102)  
service method: Electronic Service to dkoukol@westomahalaw.com

US Bank service method: No Service

Guaranty Solutions LLC, assignee represented by Michael W. Milone (Bar Number: 25800)  
service method: Electronic Service to mmilone@westomahalaw.com

Property Ventures LLC service method: No Service

Nebraska State Bank of Omaha service method: No Service

Wells Fargo Bank service method: No Service

Signature: /s/ Patrick Turner (Bar Number: 23461)



IN THE

DOUGLAS COUNTY, NEBRASKA

Guaranty Solutions, LLC, assignee of Mutual of Omaha Bank, as successor by merger to Nebraska State Bank of Omaha,

Case No. CI 12-4591

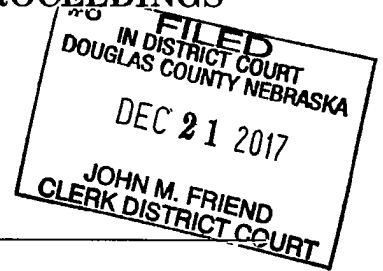
Plaintiff,

vs.

**ORDER STAYING PROCEEDINGS**

Property Ventures LLC, a Nebraska limited liability company,

Defendant.



**Introduction**

*This matter* came before the Court on December 14, 2017, for the judgment debtor examinations of: (1) Lisa A. Rezac, a.k.a. Lisa A. Murante; (2) Gina L. Murante; (3) Samuel Murante; and (4) a designated representative of Defendant Property Ventures, LLC, regarding a judgment owed by Property Ventures to Guaranty Solutions, LLC. Guaranty Solutions appeared through its counsel, David J. Koukol, Sharon A. Hansen, and Michael W. Milone. Lisa A. Rezac and Gina L. Murante appeared through their counsel, Ryan M. Kunhart. Samuel Murante appeared through his counsel, Matthew V. Rusch. Property Ventures, LLC, appeared through its counsel, Patrick R. Turner. The Court, having heard and considered arguments from counsel, finds as follows.

**Factual and Procedural Background**

Before commencing the judgment debtor examinations of each person present, counsel collectively gave notice to the Court of Property Ventures' recently filed bankruptcy petition and requested a stay of proceedings pending resolution of the bankruptcy petition. The Court takes judicial notice of Property Ventures' Suggestion in Bankruptcy filed the same day. The Suggestion specifically shows Property Ventures filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Nebraska on December 13, 2017, at case number 17-81762-TLS. The

Suggestion attaches a "Notice of Bankruptcy Case Filing" generated by the Bankruptcy Court's electronic filing system related to Property Ventures' Chapter 11 petition.

### **Legal Analysis and Conclusions of Law**

Nebraska courts "inherently possess the power to stay . . . proceedings when required by the interests of justice." *Schuessler v. Benchmark Marketing and Consulting, Inc.*, 243 Neb. 425, 429, 500 N.W.2d 529, 534 (1993). Upon the filing of a Suggestion of Bankruptcy that attaches a "Notice of Bankruptcy Case Filing," the Court and the parties may take no further action "until it can be shown to the satisfaction of the court that the automatic stay imposed by 11 U.S.C. § 362 does not apply or that the automatic stay has been terminated, annulled, modified, or conditioned so as to allow the case to proceed." Neb. Unif. Dist. Ct. R. § 6-1506 (rev. 2008).

Property Ventures has met the requirements of Neb. Unif. Dist. Ct. R. § 6-1506. This case, including the scheduled judgment debtor examinations of Lisa A. Rezac, Gina L. Murante, Samuel Murante, and a designated representative of Property Ventures, LLC, must be stayed in accordance with court rule. Upon an appropriate showing by motion, the Court will allow the parties to proceed with the judgment debtor examinations of Lisa Rezac, Gina Murante, Samuel Murante, and a designated representative of Property Ventures, LLC. This order will not affect any other judgment debtor examinations scheduled now or later for Lisa Rezac, Gina Murante, and Samuel Murante in matters other than the above-captioned case.

### **Order**

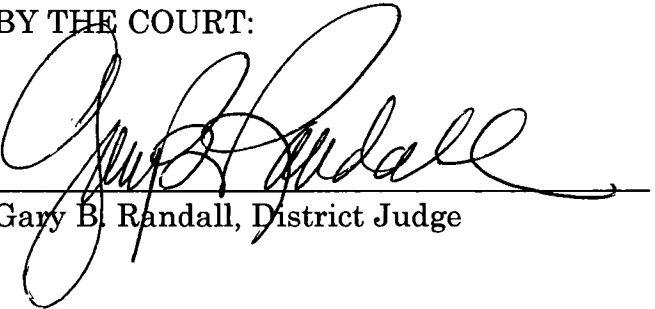
*It is therefore ordered:*

1. This case, including the scheduled judgment debtor examinations of Lisa A. Rezac, Gina L. Murante, Samuel Murante, and a designated representative of Property Ventures, LLC, are stayed under Neb. Unif. Dist. Ct. R. § 6-1506, until further order of the Court.

2. Upon an appropriate showing by motion, the Court will allow the parties to proceed with the judgment debtor examinations of Lisa Rezac, Gina Murante, Samuel Murante, and a designated representative of Property Ventures, LLC.
3. This order will not affect any other judgment debtor examinations scheduled now or later for Lisa Rezac, Gina Murante, and Samuel Murante in matters other than the above-captioned case.

Dated this 20 day of December, 2017.

BY THE COURT:



Gary B. Randall, District Judge

*Prepared and Submitted by:*  
David J. Koukol #18102  
Michael W. Milone #25800  
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Counsel for Guaranty Solutions, LLC,  
Assignee of Mutual of Omaha Bank, Plaintiff

*Approved as to form by:*

/s/ Ryan M. Kunhart

Jeffrey J. Blumel

Ryan M. Kunhart

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Counsel for Lisa and Gina Murante

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Counsel for Samuel Murante

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Counsel for Property Ventures, LLC



**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on December 21, 2017 , I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Patrick R Turner  
patrick.turner@stinson.com

Michael W Milone  
mmilone@westomahalaw.com

Date: December 21, 2017

BY THE COURT:

*John M. Friend*  
CLERK

