



ORDERED in the Southern District of Florida on August 17, 2021.

A handwritten signature in black ink, appearing to read "Robert A. Mark", written over a horizontal line.

**Robert A. Mark, Judge
United States Bankruptcy Court**

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
www.flsb.uscourts.gov**

In re:

1 GC COLLECTIONS, *et al.*,¹
Debtors.

Chapter 11

Case No. 18-19121-RAM
(Jointly Administered)

**ORDER SUSTAINING LIQUIDATING TRUSTEE'S OBJECTION
TO CLAIM NO. 28 FILED BY STEVEN SCHWARTZ**

THIS MATTER came before the Court upon the *Liquidating Trustee's Objection to Claim No. 28 Filed by Steven Schwartz* [ECF No. 2560] (the "**Objection**")² filed by the Liquidating Trustee. By way of the Objection, the Liquidating Trustee seeks entry of an order,

¹ The Debtors in the Chapter 11 Cases, along with the business addresses and the last four (4) digits of each Debtor's federal tax identification number, if applicable, are: 1 GC Collections, c/o Development Specialists, Inc., 500 West Cypress Creek Road, Suite 400, Fort Lauderdale, Florida 33309 (9517); and 1 West Collections, c/o Development Specialists, Inc., 500 West Cypress Creek Road, Suite 400, Fort Lauderdale, Florida 33309 (1711).

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Objection.

pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007-1, disallowing and expunging the Disputed Claim.

The Court, having reviewed the Objection, finds that (i) it has jurisdiction over the matters raised in the Objection pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and this Court may enter a final order consistent with Article III of the Constitution; (iii) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; (iv) the relief requested in the Objection is in the best interests of the Trust, the beneficial holders of the Trust and other parties in interest; (v) notice of the Objection was appropriate under the circumstances and no other notice need be provided; (vi) the Liquidating Trustee represented that the Objection was served upon all the parties required, that the 30-day response time provided by Local Rule 3007-1(D) has expired, that no one has filed or served a response to the Objection; and (vii) upon review of the record before the Court, including the legal and factual bases set forth in the Objection, good and sufficient cause exists to grant the relief requested. Accordingly, it is

ORDERED as follows:

1. The Objection is **SUSTAINED**.
2. Claim No. 28 filed by Steven Schwartz is disallowed.
3. The Liquidating Trustee is authorized to expunge the Disputed Claim from the claims register.
4. The Order shall be without prejudice to the Liquidating Trustee's ability to assert other causes of action.
5. The Liquidating Trustee is hereby authorized and empowered to take all actions necessary to implement the relief granted in this Order.

6. This Court shall retain jurisdiction with respect to all matters arising from or relating to the interpretation or implementation of this Order.

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Submitted by:

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Co-Counsel for the Liquidating Trustee

(Epiq is directed to serve copies of this Order upon all interested parties and to file a Certificate of Service with the Court.)