

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

\_\_\_\_\_

JAMES L. LANGLEY

CASE NO.: DK10-11900

\_\_\_\_\_ Debtor(s)/

**NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST**

**TRUSTEE'S MOTION FOR AUTHORITY TO SELL THE ESTATE'S  
INTEREST IN STIPULATED JUDGMENT RE: TRUSTEE'S CLAIMS  
AGAINST CHAD THOMAS MYERS**

Please take notice that the above-referenced motion has been filed with the Bankruptcy Court. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you want the court to consider your views on this matter, attend the hearing scheduled for March 19, 2014 at 10:00 a.m. at the United States Bankruptcy Court, U.S. Courthouse and Federal Building, 410 West Michigan, Room 114, Kalamazoo, Michigan.

You or your attorney may wish to file a response explaining your position. Such response should be received at least seven days prior to the scheduled hearing. A copy should also be served upon the party who has filed the motion and to his/her attorney.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

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Notice returned to Stephen Langeland, Esq. for service upon matrix. Court to serve Buyer's List. (February 4, 2014-kt)

February 4, 2014

DANIEL M. LAVILLE  
CLERK OF BANKRUPTCY COURT



\_\_\_\_\_  
/s/

BY: Kathleen Trapp, Deputy Clerk

NOTICE IS HEREBY GIVEN that the court may, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the new hearing date. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be accessed through the Bankruptcy Court's web site ([www.miwb.uscourts.gov](http://www.miwb.uscourts.gov)) provided the person has a PACER login and password, or by visiting the Clerk's Office of the United States Bankruptcy Court located at One Division Avenue North, 2nd Floor, Grand Rapids, Michigan 49503. Information about a PACER login and password may be obtained by either calling PACER service center between 8:00 a.m. and 5:00 p.m. Monday through Friday, CST at (800) 676-6856 or via its web site at <http://pacer.pcs.uscourts.gov>.

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

In Re:

JAMES L. LANGLEY,

Case No. 10-11900

Chapter 7

Debtor(s).

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**MOTION FOR AUTHORITY TO SELL THE ESTATE'S INTEREST IN  
STIPULATED JUDGMENT RE: TRUSTEE'S CLAIMS AGAINST CHAD THOMAS  
MYERS**

NOW COMES Stephen L. Langeland, Trustee, moves for a sale of real property of the estate pursuant to 11 U.S.C. §363 as follows:

1. He is the duly appointed and acting Chapter 7 Trustee in this case filed under Chapter 7 on September 30, 2010.
2. Included in the property of this estate is a stipulated judgment against Chad Thomas Myers, a copy of which is attached hereto.
3. As of the date of Motion said asset has a value of \$100,000.00.
4. The Trustee has attempted to sell the judgment by soliciting offers from various entities that purchase judgments and posting the asset for sale on the National Association for Bankruptcy Trustee's website.
5. That the Trustee has received numerous inquiries as to the judgment, but has only received two offers on the judgment.
6. That the highest offer that the Trustee has received is the sum of \$1,250.00 received from Maurice Bailey of 2428 Peace Point Trail, Hoschton, Georgia 30548.
7. That it is in the best interest of this estate and its creditors that the said asset be offered for sale at public auction in open court at the earliest possible date, subject to the following terms and conditions:
  - A. **PROPERTY:** The property to be sold is described above.
  - B. **BIDDING:** Bidding will commence with the bid of Maurice Bailey in the amount of \$1,250.00 with subsequent bids in increments of not less than \$100.00.

Sale shall be on a cash basis, with the successful bidder, other than Maurice Bailey being required to make a non-refundable deposit with the Trustee in

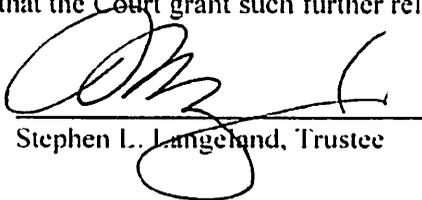
the sum of \$1,250.00 in cash or certified funds at the conclusion of the bidding in open court. No contingent bids shall be received. Closing shall take place as soon as possible at a date mutually agreed upon by the Trustee and the Purchaser, and the total balance of the bid price shall be paid at closing. In order to expedite closing as soon as possible, the stay provisions of Fed.R.Bankr.P.6004(g) shall be set aside as null and void.

- C. TERMS: The property will be sold on an "as is," "where is" basis, without representation or warranty, express or implied, of any kind, nature or description including, but not limited to, any warranty about description or marketability, merchantability, or usability or a fitness for any purposes.
- D. FREE AND CLEAR OF LIENS: The property will be sold free and clear of any interest in such property of any entity other than the estate pursuant to 11 U.S.C. §363 (f). The Trustee is not aware of any other entity with an interest in the property.
8. Any person objecting to the validity, proprietary or legality and/or having any objection of any kind to the sale as described herein, shall file a written objection to the sale on or before five (5) business days before the date set for the hearing on this Motion and simultaneously serve copies on the attorney for the Trustee and the Trustee at the address listed in this Motion and, in accordance with Federal Rule of Bankruptcy Procedure 6004(b).
9. The Trustee reserves the right to withdraw this Motion at any time prior to completion of the hearing thereon.
10. The Trustee requests that the Notice of Hearing and a copy of the Motion be served by ordinary mail upon the following persons:

Maurice Bailey, 2428 Peace Point Trail, Hoschton, GA 30548;  
James Langley, P.O. Box 161, Wayland, MI 49348;  
Robert J. Sayfie, 161 Ottawa Ave., NW, Ste. 407, Grand Rapids, MI 49503;  
Stephen L. Langeland, 6146 W. Main Street, Suite C, Kalamazoo, MI 49009; and  
Office of the U.S. Trustee, 125 Ottawa NW, Room 200R, Grand Rapids, MI 49503.

**WHEREFORE**, the Trustee requests that this Court enter an Order Confirming Sale of the property as set forth above, to Maurice Bailey for the sum of \$1,250.00 or to such other purchaser for such additional sums as may be bid at the hearing in open Court, that Stephen L. Langeland, Trustee be authorized to take such steps, make such payments, and execute such documents as reasonably necessary to implement and effectuate said sale, and that the Court grant such further relief as may be just and equitable under the circumstances.

Dated: 2-3-14

  
Stephen L. Langeland, Trustee

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

Case No. 10-11900-swd

JAMES L. LANGLEY,

Chapter 7

Debtor.

Honorable Scott W. Dales  
Filed: September 30, 2010

STEPHEN L. LANGELAND, TRUSTEE,

Adv Proc. Case No: 12-80327-swd

Plaintiff,

v.

**STIPULATED JUDGMENT RE:  
TRUSTEE'S CLAIMS AGAINST  
CHAD THOMAS MYERS**

CHEMICAL BANK f/k/a BYRON BANK, CITI  
GROUP GLOBAL MARKET, INC. d/b/a  
MORGAN STANLEY SMITH BARNEY,  
BEVERLY A. BAIRD, CHAD THOMAS  
MYERS, THOMAS ALLEN MYERS,  
KRISTANN MARIE SNYDER f/k/a KRISTANN  
MARIE WILCOX, RICHARD L. STORER, and  
ELIZABETH GESS JONES a/k/a BETSY GESS,  
and TODD MYERS,

Defendants.

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This matter having come before the Court on the Trustee's and Chad Thomas Myers's Stipulation for Entry of Judgment resolving the Trustee's Claims against Chad Thomas Myers; and the Court being otherwise fully advised in the matter, now therefore,

IT IS HEREBY ORDERED that the Stipulation for the Entry of Judgment of the Trustee's Claims against Chad Thomas Myers is granted and JUDGMENT SHALL ENTER AS FOLLOWS:

a. A money judgment shall enter in favor of Plaintiff and against defendant Chad

Thomas Myers in the amount of \$100,000.

- b. This judgment shall act as a final adjudication on the merits of all issues and claims between the parties and not as a settlement of the disputed claim.
- c. This judgment shall have full collateral estoppel and res judicata that effect between the parties.
- d. Interest shall accrue on this judgment at the federal statutory rate and shall be compounded annual on the date of the judgment.
- e. This is a full and final judgment which closes the case, for which let execution issue.

Stipulated and Agreed as to Form and Content and Notice of Entry Waived:

Dated: August 23, 2013

By /s/ Scott Mancinelli  
Scott Mancinelli  
Attorney for Trustee

Dated: August 23, 2013

By /s/ Steven L. Langeland  
Steven L. Langeland  
Chapter 7 Trustee

Dated: August 23, 2013

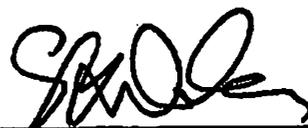
By /s/ Chad Thomas Myers  
Chad Thomas Myers  
In Pro Per

**END OF ORDER**

**IT IS SO ORDERED.**

Dated September 20, 2013



  
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Scott W. Dales  
United States Bankruptcy Judge