

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt Division**

In re:

THE CONDOMINIUM ASSOCIATION OF
THE LYNNHILL CONDOMINIUM,

Debtor.¹

Case No. 18-10334

Chapter 11

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR THE HEARING ON DECEMBER 10, 2018 AT 10:00 AM**

Location of Hearing: United States Bankruptcy Court for the District of Maryland, before the Honorable Wendelin I. Lipp, United States Bankruptcy Judge, **Room 3-C**, 6700 Cherrywood Lane, Greenbelt, MD 20770

I. Case and Distribution Updates

II. Lienholder/Record Owner Disputes

A. Unit N-110

1. Status: The proceeds for Unit N-110 have not been distributed because the Association has received correspondence from Altisource regarding the foreclosure of a lien on Unit N-110 and advising that they represent the new owner of Unit N-110. Altisource, however, has not filed any pleadings or claims with the Court.

B. Unit N-411

1. Claim 19-2 filed by McKinney Technology Partners, Inc.
2. *Opposition to Motion for an Order (I) Authorizing Initial Distributions, (II) Expunging Former Resident/Unit Owner Claims, and (III) Allowing Unit Lienholder and Certain Class 3 Claims* [Doc. 361].
3. *Motion of Muluye Abteu to Allow Late Filing of Unit Lienholder Claim* [Doc. 362].
4. *Notice of Request for Payment of Daniel Wakjira's Claim, Opportunity to Object and Hearing Thereon* [Doc. 372].

¹ The Debtor's federal identification number is 52-0993760.

5. *Objection of Unit Lienholder Muluye Abteu Regarding Unit N-411 to Request for Payment of Daniel Wakjira's Claims* [Doc. 379].
6. *Notice of Request for Payment to Unit Lienholder Muluye Abteu Regarding Unit N-411, Opportunity to Object and Hearing Thereon* [Doc. 380].
7. *Opposition of Unit Lienholder Muluye Abteu Regarding Unit N-411 to Debtor's Motion for an Order (I) Authorizing Initial Distributions, (II) Expunging Former Resident/Unit Owner Claims, And (III) Allowing Unit Lienholder and Certain Class 3 Claims* [Doc. 381].
8. Status: The proceeds for Unit N-411 have not been distributed because three lienholder claims have been asserted with respect to Unit N-411. The Association requests that the Court (i) determine the priority and amount of McKinney Technology Partners, Inc.'s, Mr. Wakjira's, and Mr. Abteu's respective claims against Unit N-411 (to the extent allowed) and (ii) authorize the Association to distribute a total of \$14,917.35 from the Disputed Condo Fees Escrow in accordance with the Court's determination.

C. Unit N-101 and Unit S-613

1. Claim 129-1 of Walling Trust Admin.
2. Claim 131-1 of Richard Bardach.
3. Claim 136-3 of Kevin B. Richmond.
4. *Memorandum* filed by Walling Trust Advisory LLC [Doc. 424].
5. *Correspondence (Notice of Recorded Judgment for Waljune Private Lending LLC vs. Nathan Carter Filed 12/22/09 in the Circuit Court for Baltimore County)* [Doc. 431].
6. *Unit Lienholder Response to Notice of Evidentiary Hearing on Objections to Initial Distributions and Other Distribution Issues* [Doc. 434].
7. Status: The proceeds for Units N-101 and S-613 have not been distributed because three lienholder claims were filed with respect to Units N-101 and S-613. The Association requests that the Court (i) determine the priority and amount of the claims filed by the Walling Trust Admin, Richard Bardach, and Kevin Richmond against these units (to the extent allowed); (ii) determine whether any amounts should be distributed to Maurine Hill (Unit N-101) or Dwayne Brown (Unit S-613) on account of their respective former ownership interests in Units N-101 and S-613 (because all of the judgments are against one of the two co-owners, Nathan Carter); and (iii) authorize the Association to distribute a total of \$41,172.70 in accordance with the Court's determinations.

D. Unit N-603

1. Claim 127-1 of Community Restoration Corporation.
2. Claim 138-1 of CRE Investments, Inc.
3. *Claimant, CRE Investments, Inc.'s Response to the Notice of December 10, 2018 Evidentiary Hearing on Objections to Initial Distributions and Other Distribution Issues* [Doc. 433].
4. Status: The proceeds for Unit N-603 have not been distributed because two competing lienholder claims were filed for Unit N-603. The Association requests that the Court (i) determine the priority and amount of the claims filed by Community Restoration Corporation and CRE Investments, Inc. against Unit N-603 (to the extent allowed) and (ii) authorize the Association to distribute a total of \$14,927.93 in accordance with the Court's determination.

E. Unit N-212 (to be handled by Mr. William Johnson)

1. *Reply Regarding the Former Unit Owner of Record for Unit N-212* filed by William Johnson on behalf of the Association [Doc. 415].
2. Status: There is uncertainty over the record owner of Unit N-212. In communications with Debtor's bankruptcy counsel, Wells Fargo Bank, N.A. has asserted that it is the unit owner of Unit N-212, but the Debtor has been unable to confirm this information as explained further in the Association's reply.

III. Motion for an Order (I) Authorizing Initial Distributions, (II) Expunging Former Resident/Unit Owner Claims, and (III) Allowing Unit Lienholder and Certain Class 3 Claims [Doc. 353] (Pending Objections)

A. Resolved

1. **Mr. Iqbal Alami (Unit N-313)**
 - a. Oral Objection at October 3, 2018 Hearing.
 - b. *Withdrawal of Objection* [Doc. 448].
 - c. Status: This matter has been resolved and is not going forward.
2. **Queen & Long Properties, LLC (Unit N-701)**
 - a. *Letter* (Objection) filed by Steven Queen [Doc. 413].
 - b. Status: The parties have reached an agreement and are in the process of executing a stipulation.

3. **Mr. Muluye Abtew's Objection as to Unit N-202**

- a. *Objection of Unit Lienholder Muluye Abtew Regarding Unit N-411 to Request for Payment of Daniel Wakjira's Claims* [Doc. 379].
- b. Status: The parties have reached an agreement with respect to Unit N-202 and are in the process of executing a stipulation.

B. Disputed

1. *Opposition to Motion for an Order (I) Authorizing Initial Distributions, (II) Expunging Former Resident/Unit Owner Claims, and (III) Allowing Unit Lienholder and Certain Class 3 Claims* filed by Mr. Daniel Wakjira [Doc. 361].
 - a. Status: This matter should be resolved when Item II.B. above is heard and resolved.
2. *Objection of Unit Lienholder Muluye Abtew Regarding Unit N-411 to Request for Payment of Daniel Wakjira's Claims* [Doc. 379].
 - a. Status: This matter should be resolved when Item II.B. above is heard and resolved.
3. *Request to Late File a Lien by a Third-Party Creditor, Walter Cook (Unit S-409)* [Doc. 365].
 - a. *Proof of Service of Document* filed on behalf of Walter Cook [Doc. 421].
 - b. Status: This matter is going forward.
4. *Praeipie* filed by Dorcas Adeoye (Unit S-601) [Doc. 410].
 - a. *Certificate of Service* [Doc. 425].
 - b. Status: This matter is going forward.
5. *Statement in Support of Claims for Units N-406 and Unit S-715* filed by Samuel Karkenny [Doc. 438].
 - a. Status: This matter is going forward.
6. *Praeipie* filed by Lora Brighthaupt Relating to Unit S-603 (Objection) [Doc. 357].
 - a. *Letter* filed by Lora Brighthaupt Relating to Unit S-603 [Doc. 419].
 - b. Status: This matter is going forward.

7. *Federal National Mortgage Association's Qualified Response to Motion for an Order Authorizing Initial Distributions, Expunging Former Resident/Owner Claims, and Allowing Unit Lienholder and Certain Class 3 Claims or in the Alternative Limited Motion to Reconsider Order Approving New Sale Allocation Related to Real Property Located at 3103 Good Hope Avenue, Unit 501, Temple Hills, MD 20748* [Doc. 359].
 - a. Support Document Maryland State Department of Assessment and Taxation Report filed on behalf of Fannie Mae [Doc. 360].
 - b. Oral Objection at October 3, 2018 Hearing Relating to Unit N-716.
 - c. Status: This matter is going forward and will be handled by Mr. William Johnson.

IV. Motion for an Order Authorizing the Association to Award a Success Fee to the Board of Directors [Doc. 426]

- A. *Letter* (Objection) filed by Samuel Bryant [Doc. 435].
- B. *Stipulation and Consent Order Extending Time for United States Trustee to Respond to Motion for Order Authorizing Success Fee* [submitted by the U.S. Trustee's Office to the Court with the Association's consent].
- C. Status: The Association requests that the Court adjourn the hearing on this matter to a date after December 17 given that the Association has given the U.S. Trustee an extension on the time to respond.