



ENTERED
08/28/2020

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: Garden Oaks Maintenance Organization, Inc., Debtor	§ § § § § §	Case No. 18-60018-H2-11
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ORDER DENYING TRUSTEE’S OMNIBUS OBJECTION TO CLAIMS
[Relates to Docket No. 167]

Upon the objection (the “Objection”) of the Chapter 7 Trustee (the “Trustee”) for entry of an order (this “Order”) sustaining the Omnibus Objection, all as more fully set forth in the Objection and the Declaration of the Chapter 7 Trustee, Randy Williams; and finding that:

1. this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334;
2. this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2);
3. this Court may enter a final order consistent with Article III of the United States Constitution;
4. venue of this proceeding and the Objection in this district is permissible pursuant to 28 U.S.C. §§ 1408 and 1409;
5. the remaining claimants (identified on the attached Schedule) each adopted the arguments and basis for equitable relief asserted by Michael Falick as the sole ground to support each of the filed claims;
6. notice of the Objection and opportunity for a hearing on the Objection was appropriate under the circumstances and no other notice need be provided.

The Court additionally read findings of fact and conclusions of law into the record, and based upon the findings and conclusions in this Order and on the record, it is

ORDERED that the Objection is overruled with respect to the claims identified on the attached schedule, and it is further

ORDERED that Claims identified on the attachment in the amounts stated are allowed as general unsecured claims, and it is further

ORDERED that due to the modification of the claims at the hearing, the allowance of the claims as general unsecured claims in no way prejudices the right of Garden Oaks Maintenance Organization, Inc., to assert the claims/defenses contained in the omnibus objection as to any claims other than those reflected on the attached Schedule in this proceeding; the Court makes no finding as to the viability of those claims/defenses of Garden Oaks Maintenance Organization, Inc.

Signed: August 28, 2020.


DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

AGREED AS TO FORM:

/s/ Johnie Patterson

Johnie Patterson
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/s/ Michael C. Falick

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Counsel for 1) Gary Ingram, 2) Rebecca Blaylock, 3) Jeffrey and Gay Lynn Martin, 4) Nathan and Lauren Butts-Smith, 5) Christopher and Susanna Schmidt, 6) Robert and Lindsey Gabriel and 7) Edward and Kristin Pylant.

7/27/2018	108	Angela Lane & Nicholas Eoff 709 W 41st St Houston, TX 77018-5405	\$3,835.50
9/11/2018	389	Bryan and Valerie Klein PO Box 342 Terlingua, TX 79852	\$4,987.50
6/4/2018	11	Charles L. West 806 Victoria Cloudcroft, NM 88317	\$1,312.50
8/27/2018	296	Christopher and Susanna Schmidt 733 W. 38th St. Houston, TX 77018	\$3,431.25
5/21/2018	7	Cynthia Bonner 807 W. 42nd St. Houston, TX 77018	\$4,470.00
5/29/2018	9	David T. Seaman 336 W. 33rd St. Houston, TX 77018	\$9,000.00
8/23/2018	256	Denver & Lauren Smith 524 W 32nd St Houston, TX 77018-8326	\$2,178.00
8/23/2018	257	Denver & Lauren Smith 524 W 32nd St Houston, TX 77018-8326	\$3,300.00
8/24/2018	290	Diego Martinez & Rebecca Murray 3214 Randall St Houston, TX 77018-7508	\$1,417.50
8/23/2018	251	Edward & Kristin L. Pylant 1310 Sue Barnett Dr Houston, TX 77018-4424	\$5,660.00
8/28/2018	333	FRANCISCO AGUAYO, JR. 806 W 31ST HOUSTON TX 77018	\$3,870.00
5/15/2018	4	Gary C. Ingram 14027 Memorial Dr., Suite 258 Houston, TX 77079	\$3,112.50
8/13/2018	185	Irwin & Shirley Leong 8151 Sleepy Time Ct Clarkston, MI 48348-2653	\$2,635.00
8/23/2018	258	Jacob & Melanie Stephens 1046 W 43rd St Houston, TX 77018-4302	\$2,717.31
7/31/2019	406	Jeffery & Danette Savela 22375 Fossil Ridge San Antonio, TX 78261	\$7,312.50
8/1/2018	122	Jeffrey G. Martin 710 W 39th St Houston, TX 77018-5404	\$4,800.00

8/27/2018	297	Johnson Sutherland 733 W 39th St Houston, TX 77018-5403	\$2,898.75
8/28/2018	356	Johnson Sutherland 733 W 39th St Houston, TX 77018-5403	\$2,887.50
10/18/2019	435	Mark Ostrewich Jillian Ostrewich 208 E 31st 1/2 St. Unit A Houston Texas 77018	\$2,325.00
8/27/2018	331	Mark R Klein 1340 Sue Barnett Dr. Houston, Tx 77018	\$12,970.18
7/13/2018	45	Mary Patranella 1502 Sue Barnett Dr Houston, TX 77018-4306	\$3,562.50
8/24/2018	281	Matthew W. Moriarty, Moriarty Construction, LLC 3414 Broadmead Dr Houston, TX 77025	\$7,322.67
8/24/2018	282	Matthew W. Moriarty, Moriarty Construction, LLC 3414 Broadmead Dr Houston, TX 77025	\$5,928.75
8/24/2018	283	Matthew W. Moriarty, Moriarty Construction, LLC 3414 Broadmead Dr Houston, TX 77025	\$1,808.11
8/24/2018	284	Matthew W. Moriarty, Moriarty Construction, LLC 3414 Broadmead Dr Houston, TX 77025	\$5,850.00
7/9/2018	26	Michael & Christine Gore 423 W 31st St Houston, TX 77018-8315	\$4,507.50
8/9/2018	164	Michael & Julia Falick 519 W 34th St Houston, TX 77018-7615	\$3,187.50
5/30/2018	10	Micheal & Jennette Moreno 811 W. 42nd St. Houston, TX 77018	\$4,875.00
8/16/2018	202	Nathan & Lauren Smith 1050 Gardenia Dr Houston, TX 77018-4313	\$4,950.00
9/6/2018	385	Olesya Korneva & Diego O. Batista 1038 W 41st St Houston, TX 77018-5202	\$3,243.75
8/30/2018	381	Preston Haygood 1054 W 43rd St Houston, TX 77018-4302	\$2,250.00
8/24/2018	273	R. James Amaro Jr. 448 W. 19th #335 Houston, TX 77008	\$3,787.50

7/9/2018	28	Rebecca C. Blaylock 726 Sue Barnett Houston, TX 77018	\$1,694.79
7/26/2019	404	Rebecca C. Blaylock 726 Sue Barnett Houston, TX 77018	\$1,694.79
8/27/2018	312	Robert Bruce Gabriel & Lindsey Browning Gabriel 228 W. 33rd. St. Houston, TX 77018	\$8,857.20
7/10/2018	29	Stewart Hoffer and Shannon Hoffer 5319 Pocahontas Street Bellaire, TX 77401	\$3,471.63