

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 7

BARBARA SAFDIEH,

Case No.: 25-40011 (ESS)

Debtor.
-----X

ORDER: (A) APPROVING THE STALKING HORSE TERMS AND CONDITIONS OF SALE OF THE DEBTOR’S 100% MEMBERSHIP INTEREST IN 109 JEROME AVE, LLC; (B) APPROVING COMPETING TERMS AND CONDITIONS OF SALE OF THE DEBTOR’S MEMBERSHIP 100% INTEREST IN 109 JEROME AVE, LLC; (C) APPROVING THE FORM AND MANNER OF NOTICE OF THE SALE OF THE DEBTOR’S 100% MEMBERSHIP INTEREST IN 109 JEROME AVE, LLC; (D) SCHEDULING A HEARING TO CONFIRM THE SALE; (E) WAIVING THE 14-DAY STAY PERIOD; AND (F) GRANTING RELATED RELIEF

Upon that portion of the motion dated November 11, 2025 [ECF No. 193] (“Motion”)¹ of Lori Lapin Jones, solely in her capacity as Chapter 7 Trustee (“Chapter 7 Trustee”) of the estate of Barbara Safdieh (“Debtor”), by her counsel, seeking entry of an Order: (a) approving the Stalking Horse Terms and Conditions of Sale of the Debtor’s 100% membership interest in 109 Jerome Ave, LLC (“LLC Interest”); (b) approving the Competing Terms and Conditions of Sale; (c) approving the form and manner of notice of the sale of the LLC Interest; (d) scheduling a hearing to confirm the sale of the LLC Interest; (e) waiving the 14-day stay period; and (f) granting related relief; and upon the Affidavit of Service relating to the Motion; and upon the letter from the Debtor and Joseph Safdieh filed on December 3, 2025 [ECF No. 201] (“December 3 Objection”); and upon the objection of the Debtor and Joseph Safdieh filed on December 10, 2025 [ECF No. 204] (“December 10 Objection”); and upon the Chapter 7 Trustee’s reply to the December 3 Objection and the December 10 Objection (“Trustee Reply”) [ECF No. 207]; and

¹ Unless otherwise defined herein, capitalized terms shall have the same meanings ascribed to them in the Motion.

upon the reply of the Debtor and Joseph Safdieh to the Trustee Reply filed on December 16, 2025 [ECF No. 211] (“December 16 Objection”); and upon the status hearing conducted on, inter alia, the Motion on December 16, 2025; and upon the hearing conducted on January 13, 2026 (“Hearing”), the transcript of which is incorporated by reference; and counsel to the Chapter 7 Trustee having appeared at the Hearing; and the Debtor and Joseph Safdieh having appeared at the Hearing; and counsel to Lending Assets LLC (“Lending Assets”) having appeared at the Hearing; and upon the record of the Hearing; and after due deliberation and good cause appearing therefor, it is hereby **FOUND AND DETERMINED THAT**.²

A. This Court has jurisdiction over the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334. Consideration of the Motion and the relief requested therein is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

B. Good and sufficient notice of the relief sought in the Motion has been given, and no further notice is required. A reasonable opportunity to object or be heard regarding the relief requested in the Motion has been afforded to interested persons and entities, including: (i) the Debtor and her counsel of record; (ii) the United States Trustee; (iii) all parties in interest who have requested notice pursuant to Bankruptcy Rule 2002; (iv) all scheduled creditors of the Debtor; (v) all creditors that filed proofs of claim against the Debtor’s estate; and (vi) Joseph Safdieh (collectively, “Notice Parties”).

C. The proposed Notice of Sale is good, appropriate, adequate, and sufficient, and service on the Notice Parties is reasonably calculated to provide all interested parties timely and proper notice of the Sale, and no other or further notice of the Sale is required.

² Findings of fact shall be construed as conclusions of law and conclusions of law shall be construed as findings of fact, when appropriate. See FED. R. BANKR. P. 7052.

D. The Chapter 7 Trustee has articulated good and sufficient reasons for this Court to grant the relief requested in the Motion, including this Court's approval of the ~~Stalking~~ Competing Horse Terms and Conditions of Sale and the form and manner of service of the Notice of Sale.

E. The Chapter 7 Trustee has articulated good and sufficient reasons for, and the best interests of the Debtor's estate will be served by, this Court scheduling a hearing to consider whether to grant the remainder of the relief requested in the Motion.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. The December 3 Objection, the December 10 Objection, and the December 16 Objection are each overruled in their entirety.

2. The Stalking Horse Terms and Conditions of Sale annexed to the Motion as Exhibit B are approved.

3. The Chapter 7 Trustee is authorized to take all actions necessary to fully implement the Stalking Horse Terms and Conditions of Sale.

4. The Competing Terms and Conditions of Sale in the form annexed to the Motion as Exhibit C are approved.

5. All objections to entry of this Order or to the relief provided herein and requested in the Motion that have not been withdrawn, waived, resolved, or settled are hereby denied and overruled in their entirety.

NOTICE

6. The Chapter 7 Trustee shall solicit higher and better offers for the LLC Interest for a period of sixty (60) days from January 16, 2026, the date of entry of this Order ("Solicitation Period") to 11:59 p.m. on March 17, 2026. The next highest bid for the LLC Interest shall be not less than \$700,000.00.

7. To the extent the Chapter 7 Trustee receives a higher and better offer for the LLC Interest before the expiration of the Solicitation Period, the Chapter 7 Trustee shall schedule a date and time to conduct an auction sale of the LLC Interest (“Auction”). The Auction shall be conducted within ten (10) days of the expiration of the Solicitation Period. Prior to the scheduled Auction, the Chapter 7 Trustee may file a notice on the docket reflecting the date and time of the Auction.

8. The Notice of Sale, substantially in the form annexed to the Motion as Exhibit D, is hereby approved.

9. The Chapter 7 Trustee shall cause notice of the Sale to be published at least once in accordance with Bankruptcy Rule 2002(l).

10. The notice as set forth in the preceding paragraphs shall provide good and sufficient notice of the sale and no other or further notice of the sale shall be necessary or required.

SALE APPROVAL HEARING

11. To the extent the Chapter 7 Trustee does not receive a higher and better offer for the LLC Interest before the expiration of the Solicitation Period, **the Court will hold an in-person sale approval hearing (the “Sale Approval Hearing”), on March 24, 2026, at 10:30 a.m., before the Honorable Elizabeth S. Stong, in Courtroom 3585, United States Bankruptcy Court for the Eastern District of New York, 271-C Cadman Plaza East, Brooklyn, New York 11201.** ~~the Sale Approval Hearing shall be held before this Court on March 24, 2026, at 10:30 a.m.~~

12. To the extent the Chapter 7 Trustee receives a higher and better offer for the LLC Interest before the expiration of the Solicitation Period, **the Court will hold an in-person Sale Approval Hearing, on March 31, 2026, at 10:30 a.m., before the Honorable Elizabeth S. Stong, in Courtroom 3585, United States Bankruptcy Court for the Eastern District of New York, 271-**

C Cadman Plaza East, Brooklyn, New York 11201.the Sale Approval Hearing shall be held before this Court on March 31, 2026, at 10:30 a.m.

13. The Sale Approval Hearing will be conducted in person. All participants, including attorneys, clients, and pro se parties, must register as follows:

Please register with eCourt Appearances at <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl> at least one business day before the scheduled hearing. To register, please provide your name, address, e-mail address, telephone number to be used on the hearing date, and if appropriate, the party that you represent.

Additional information about eCourt Appearances, including a tutorial on how to use the program, is available at <https://www.nyeb.uscourts.gov/registering-remote-hearing-appearance-using-ecourt-appearances>. In the event that you are not able to register online, you may call or email Judge Stong's courtroom deputy for instructions at (347) 394-1864, [ess hearings@nyeb.uscourts.gov](mailto:ess_hearings@nyeb.uscourts.gov), at least two (2) business days prior to the hearing date.

The Sale Approval Hearing will be conducted by telephone, video or in person, as the Court deems appropriate. Whether the Sale Approval Hearing is in person or remote, to appear, parties must register through eCourt Appearances, which can be accessed here: <https://ecf.nyeb.uscourts.gov/cgi-bin/eCourtAppearances.pl>.³

14. The Sale Approval Hearing may be adjourned by the Chapter 7 Trustee by filing a notice with this Court and serving such notice on the Notice Parties.

ADDITIONAL PROVISIONS

15. Notwithstanding Bankruptcy Rule 6004(h), this Order shall not be stayed for

³ If you have a CM/ECF account, you may access eCourt Appearances in "Utilities" menu after logging into CM/ECF. Alternatively, you may access eCourt Appearances on the Court's website at <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl>. In the event that you are not able to register online, you may call or email Judge Stong's courtroom deputy for instructions at (347) 394-1864, [ess hearings@nyeb.uscourts.gov](mailto:ess_hearings@nyeb.uscourts.gov), at least two (2) business days prior to the Sale Approval Hearing.

fourteen (14) days after the entry hereof and shall be effective and enforceable immediately upon entry hereof.

16. The Chapter 7 Trustee is authorized to pay her Bond premium from the Marketing Funds (as defined in paragraph 6 of the Stalking Horse Terms and Conditions of Sale).

17. The Chapter 7 Trustee is authorized and empowered to take such steps, incur and pay such costs and expenses, and do such things as may be reasonably necessary to fulfill the requirements established by this Order.

18. For avoidance of doubt, and consistent with the January 13 Hearing, nothing in this Order shall be construed to bar, or shall bar the Chapter 7 Trustee, or any other party, from objecting to any proof of claim filed by Lending Assets in this case on notice, consistent with applicable Bankruptcy Rules and the Local Bankruptcy Rules for the Court.

19. This Court may retain jurisdiction over any matter or dispute arising from or relating to the implementation of this Order.

Dated: Brooklyn, New York
January 16, 2026




Elizabeth S. Stong
United States Bankruptcy Judge