

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
BAY CITY

IN RE: Kevin W. Kulek

Chapter 7 Petition
16-21030-dob
Honorable Daniel Opperman

_____/

RANDALL L. FRANK, TRUSTEE,
Plaintiff,

Adversary Case Number
16-2073
Honorable Daniel Opperman

V

AMANDA LYNN KULEK,
ALSO KNOWN AS
AMANDA L. KULEK AND
AMANDA KULEK,
Defendant.

_____/

Keith M. Nathanson, P41633
Special Litigation Counsel to Randall L. Frank, Trustee
Attorney for Plaintiff
Keith M. Nathanson, PLLC
2745 Pontiac Lake Road
Waterford, MI 48328
(248) 436-4833
kn@nathanson-law.com

Amanda Kulek
Defendant in pro se
1301 East Pine River Road
Midland, Michigan 48460
(989) 941-8860
fae@laumephotography.com

_____/

**ORDER PARTIALLY RESOLVING TRUSTEE'S CLAIM (AGAINST REAL PROPERTY
OF DEFENDANT ONLY)**

This matter having come before this Honorable Court upon the signed stipulation of the parties, and upon Trustee's Motion to Compromise a Portion of the Estate's Claim against Defendant, and the Court being first duly advised in the premises:

IT IS HEREBY ORDERED that Defendant, Amanda Kulek, shall pay to the Estate, the sum of Thirty Thousand (\$30,000.00) Dollars, representing the compromised claim of the Estate in the real property located at 1301 East Pine River Road, Midland, Michigan.

IT IS FURTHER ORDERED that Defendant, Amanda Kulek, shall have to August 23, 2017 to provide to Counsel for Trustee, a commitment from a lender to loan the Thirty Thousand (\$30,000.00) Dollars to Defendant, either by way of a mortgage, a secured loan on other security, a personal loan, line of credit, or other lending mechanism.

IT IS FURTHER ORDERED that upon payment of the Thirty Thousand (\$30,000.00) Dollars, pursuant to the terms above, that Plaintiff/Trustee will file and record a release of the notice of lis pendens and a release of the prior recorded order prohibiting transfer of the property.

IT IS FURTHER ORDERED that Defendant shall have thirty (30) days from the commitment to loan letter to close said loan and remit the funds to the Plaintiff/Trustee.

IT IS FURTHER ORDERED that should Defendant fail to provide the aforementioned commitment to lend or fail to remit the Thirty Thousand (\$30,000.00) Dollars to Plaintiff/Trustee, that Plaintiff/Trustee shall have and be entitled to a money judgment against Defendant for Thirty Thousand (\$30,000.00) Dollars, and that this Order shall be treated as a money judgment for Thirty Thousand (\$30,000.00) Dollars.

IT IS FURTHER ORDERED that this compromise does not resolve the Plaintiff/Trustee's Claims for \$18,501.00 transferred to Defendant which is part and parcel of Plaintiff's Adversary Complaint in this matter.

IT IS FURTHER ORDERED that this Consent Order does not resolve all pending claims in this adversary proceeding.

Signed on July 24, 2017



/s/ Daniel S. Opperman

**Daniel S. Opperman
United States Bankruptcy Judge**