

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT**

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| In re:<br>KATHLEEN A. MATUS<br><br><p align="right">Debtor(s).</p> | CASE NO: 22-30820<br><br>CHAPTER: 7 |
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| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address:<br><br>Christina M. Turgeon, Esq. (CT#28067)<br>Fitzgerald Law, PC<br>46 Center Square<br>East Longmeadow, MA 01028<br><br><input checked="" type="checkbox"/> <i>Attorney for:</i> Andrea M. O'Connor, Trustee<br><br><input type="checkbox"/> <i>Individual appearing without attorney</i> | <p><b><u>NOTICE OF ORDER GRANTING MOTION FOR PUBLIC SALE OF ESTATE PROPERTY</u></b></p> <p><b><u>D. CONN. BANKR. L. R. 6004-1(b)</u></b></p> |
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**INSTRUCTIONS FOR COMPLETING AND FILING THIS NOTICE**

1. This Notice shall be completed in accordance with Fed. R. Bankr. P. 6004(c) and (f) and D. Conn. Bankr. L. R. 6004-1(b).
2. This Notice shall be completed and filed *only* after a hearing on a Motion to Sell Estate Property, Motion to Sell Estate Property Free and Clear of Liens, and/or Motion to Approve Procedures to Sell Estate Property is held by the Court.

**Description of property to be sold:**

2/3 Remainder Interest in 17 Holiday Hill Road, Meriden, Connecticut

**Public Sale/Auction Information:**

|                                  |                             |                              |            |
|----------------------------------|-----------------------------|------------------------------|------------|
| Date of Public Sale/Auction:     | 12/06/2023                  | Time of Public Sale/Auction: | 10:30 A.M. |
| Location of Public Sale/Auction: | See attached Bid Procedures |                              |            |

**NOTE:** The Public Sale/Auction may be conducted telephonically, remotely using ZoomGov, and/or by other remote technology platform or medium.

**Objection/Overbid Deadline and Hearing Information:**

Last date to file Objections or to submit Overbids to Public Sale/Auction: December 1, 2023

Hearing Date and Time regarding Public Sale/Auction: 12/06/2023 at 10:30 AM

Location of hearing: U.S. Bankruptcy Court  
157 Church St., 18th Floor  
New Haven, CT 06510

Pursuant to D. Conn. Bankr. L.R. 6004-1(b), this form is mandatory. It has been approved for use in the United States Bankruptcy Court for the District of Connecticut and will be posted by the Clerk on the Court's website for publication.

Public Sale/Auction opening bid:

Terms and conditions of Public Sale/Auction, including whether the proposed sale/auction is to be free and clear of liens pursuant to 11 U.S.C. §363(f), and including information about how to register as a bidder:

See attached Bid Procedures for details.  
Qualified Bid Deadline: 12/1/2023 at 12:00 p.m.  
Sealed Bid Deadline, if necessary: 12/5/2023 at 4:00 p.m.

Public Sale/Auction overbid procedure, including bid increments (if any):

See attache Bid Procedures for details.  
Qualified Bid Deadline: 12/1/2023 at 12:00 p.m.  
Sealed Bid Deadline, if necessary: 12/5/2023 at 4:00 p.m.  
Minimum overbid: \$44,000  
Minimum deposit: \$1,000

Contact person for potential bidders or potential higher offers (include name, address, telephone, fax and/or email address):

Christina M. Turgeon, Esq.  
Counsel to Andrea M. O'Connor, Trustee in Bankruptcy of Kathleen A. Matus  
Fitzgerald Law, PC  
46 Center Square  
East Longmeadow, MA 01028  
413-486-1110  
cmt@fitzgeraldpc.com

Date:

Pursuant to D. Conn. Bankr. L.R. 6004-1(b), this form is mandatory. It has been approved for use in the United States Bankruptcy Court for the District of Connecticut and will be posted by the Clerk on the Court's website for publication.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF CONNECTICUT  
NEW HAVEN DIVISION**

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|                    |   |                       |
|--------------------|---|-----------------------|
| In re              | : | Case No. 22-30820 AMN |
|                    | : | Chapter 7             |
| Kathleen A. Matus, | : |                       |
| <i>Debtor</i>      | : |                       |
|                    | : | Re: ECF No. 24        |

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**ORDER APPROVING BID PROCEDURES**

On November 15, 2023, the court held a hearing upon the Chapter 7 Trustee's Motion for Approval of Sale Procedures. The Trustee in the above-captioned case, sought approval of Bid Procedures in connection with the sale of 17 Holiday Hill Road, Meriden Connecticut (the "Property") by the Bankruptcy Estate of Kathleen A. Matus (the "Bankruptcy Estate"). The Bid Procedures, predicated upon an Asset Purchase Agreement, setting forth the terms and conditions of a proposed sale to Michael W. Jukonski or such other person who makes the highest and best offer to purchase the Real Estate (see, ECF No. 24, pp. 9-14), are appended to this order as Exhibit A.

The court finds the bid procedures are reasonably calculated to produce the highest or best offer for the Property and will confer actual benefits upon the Bankruptcy Estate. The Bid Procedures represent an exercise of the Trustee's sound business judgment and will facilitate an orderly sale process.

The court finds the entry of this Order is in the best interests of the bankruptcy estate, creditors, and parties in interest.

Accordingly, it is hereby

**ORDERED:** The Motion for Approval of Sale Procedures is GRANTED; and it is further

**ORDERED:** The Bid Procedures annexed hereto as Exhibit A are APPROVED; and it is further

**ORDERED:** The Trustee shall serve the Bid Procedures, the APA and the Notice of Order Granting Motion for Public Sale of Estate Property pursuant to D. Conn.Bankr.L.R. 6004-1 (b) on all necessary parties, including all known or likely bidders, any potential bidders known to the Trustee, all parties in interest and all creditors.

Dated this 15th day of November, 2023, at New Haven, Connecticut.

*Ann M. Nevins*  
Chief United States Bankruptcy Judge  
District of Connecticut



EXHIBIT A

BID PROCEDURES

Submitting a Bid

a. Any party, other than Mr. Jukonski, that is interested in being a participant in the sale process and acquiring the Real Estate (each such person, a “Bidder”), must submit a “Qualified Bid,” as defined below. Upon request, the Trustee shall provide a word version of the APA to any Bidder.

b. A “Qualified Bid” must contain a signed APA from the Bidder on substantially the same terms as the Stalking Horse Bid, except Purchase Price, include a “red line” of any modifications or amendments to the APA, and must satisfy, at a minimum, the following requirements:

- i. The minimum overbid must be at least ten (10%) percent more than the Purchase Price in the Stalking Horse Bid;
- ii. Be accompanied by a deposit in the form of a certified check payable to the order of the Trustee or other immediately available funds in an amount equal to 10% of the overbid and sent to the Trustee so that it is received by the Trustee no later than the Qualified Bid Deadline (as defined herein);
- iii. Must be irrevocable until the close of the Sale Hearing (as defined herein);
- iv. Consent to such Qualified Bid being treated as a Back-up Bid, as defined herein; and
- v. Must contain a “no collusion” statement required in accordance with Local Rule 6004-2(e), a form of which is available upon request from the Trustee.
- vi. Must include written evidence that the Trustee reasonably concludes demonstrates that the Bidder has the necessary financial ability to close the sale and provide adequate assurance of future performance.

c. The Stalking Horse Bid shall be deemed a “Qualified Bid.”

d. All Qualified Bids must be submitted to the Trustee so that she receives the Qualified Bid no later than fourteen (14) days after entry of an Order approving the Bid Procedures (the “Qualified Bid Deadline”).

Auction Procedure

e. If the Trustee receives a timely Qualified Bid in addition to the Stalking Horse Bid, an auction of the Real Estate will be conducted (the “Auction”). The Trustee shall conduct the Auction prior to the Sale Hearing.

f. Within two business days after the Qualified Bid Deadline, the Trustee shall file a notice of any overbid on the docket and notify all Qualified Bidders, via email, that they must submit their highest and best offer (“Sealed Bid”) by sealed bid to counsel to the Trustee by email (cmt@fitzgeraldpc.com) by 4:00 p.m. on the day before the Sale Hearing (the “Sealed Bid Deadline”).

g. The Trustee shall: (i) review each Sealed Bid on the basis of financial and contractual terms and the factors relevant to the sale process, including those factors affecting the speed and certainty of consummating the sale; (ii) using her reasonable discretion taking into account her fiduciary duties, identify the highest or otherwise best offer for the Real Estate (the “Successful Bid”) and any second-highest Sealed Bid (the “Back-up Bid”); and (iii) present the Successful Bid to the Court for approval at the Sale Hearing and the basis for such determinations.

h. The Trustee, in her reasonable discretion, taking into account her fiduciary duties, may announce at the Auction additional procedural rules that are reasonable under the circumstances (e.g., the amount of time allotted to make subsequent overbids) for conducting the Auction, so long as such rules are not inconsistent with the Bid Procedures.

i. The Sale Hearing shall be conducted at the U.S. Bankruptcy Court for the District of Connecticut, 157 Church Street, 18<sup>th</sup> Floor, New Haven, Connecticut 06510 on the date/time set by the Court in connection with the Sale Motion and Notice of Sale.

j. Holders of Qualified Bids (“Qualified Bidders”) are authorized to participate in the Sale Hearing via Zoom video.

k. If the holder of the Successful Bid, for any reason, fails to timely conclude the sale of the Asset, the Trustee, upon the filing of a notice, but without further approval of the Court, shall be authorized to accept the Back-up Bid and close the sale.

l. If no other Qualified Bid is timely received by the Trustee, the Auction will not be held and the Stalking Horse Bid shall be deemed the Successful Bid.

#### Deposits

m. Any deposit tendered to the Trustee by the holder of the Successful Bid shall be applied to the purchase price at Closing.

n. The deposit for the Back-Up Bid shall be held in escrow by the Trustee pending the Closing and be returned immediately after the Closing, subject to Bankruptcy Court authority.

o. Any deposit tendered to the Trustee in connection with any Qualified Bid, except the Successful Bid and the Back-Up Bid, shall be returned immediately following the Auction.

p. The Trustee shall solicit offers from third parties through a listing on Inforuptcy.com and communicate with parties that may be interested in purchasing the Real Estate.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF CONNECTICUT

|                   |   |                         |
|-------------------|---|-------------------------|
|                   | ) |                         |
| In re             | ) | Chapter 7, No. 22-30820 |
|                   | ) |                         |
| KATHLEEN A. MATUS | ) |                         |
|                   | ) |                         |
| Debtor            | ) |                         |
|                   | ) |                         |

**CERTIFICATE OF SERVICE**

I, Andrea M. O'Connor, Esq., do hereby certify that, on November 20, 2023, copies of the Notice of Order Granting Motion for Public Sale and this Certificate of Service were served upon the parties below:

CM/ECF Notice:

Kim McCabe, Esq.  
OFFICE OF THE U.S. TRUSTEE  
Giaino Federal Building  
150 Court Street, Room 302  
New Haven, CT 06510

Audra Buckland, Esq.  
Law Offices of Neil Crane  
2679 Whitney Avenue  
Hamden, CT 06518

First Class Mail:

Kathleen A. Matus  
92 Bull Avenue, 2<sup>nd</sup> Floor  
Wallingford, CT 06492

Via E-Mail:

Nauni, LLC  
Attn: William Spears, Member  
[w\\_spears@msn.com](mailto:w_spears@msn.com)

Bankruptcy Asset Management  
Attn: John Palumbo, President & CEO  
[PalumboJ@aol.com](mailto:PalumboJ@aol.com)

JM Partners, LLC  
Attn: John Marshall, Member  
[jmarshall@jmpartnersllc.com](mailto:jmarshall@jmpartnersllc.com)

SM Financial Services Corporation  
Attn: Steven & Jane Mitnick  
[jmitnick@smfinancialservicescorp.com](mailto:jmitnick@smfinancialservicescorp.com)

All Creditors/Parties listed on Exhibit "A."

Dated: November 20, 2023

By: /s/ Andrea M. O'Connor  
Andrea M. O'Connor, Esq.  
For FITZGERALD LAW, P.C.  
46 Center Square

East Longmeadow, MA 01028  
Tel. (413) 486-1110  
amo@fitzgeraldpc.com  
Federal Bar No.: 431910 (Connecticut)

## EXHIBIT A

**Account Control Technology**

Attn: President / Manager  
PO Box 15095  
Wilmington, DE 19850-5095

**Atlantic Collection Agency**

Attn: President / Manager  
PO Box 730  
East Lyme, CT 06333-0730

**Bank of America**

Attn: President / Manager  
PO Box 15025  
Wilmington, DE 19886

**Bank of America**

Attn: President / Manager  
PO Box 15019  
Wilmington, DE 19886-5019

**Bank of New York, as Trustee**

c/o Green Tree Servicing LLC  
Attn: President / Manager  
7360 South Kyrene  
Tempe, AZ 85283

**Barton Gilman LLP**

Attn: President / Manager  
250 Broad Street  
Milford, CT 06460

**Capital Management Services, LP**

Attn: President / Manager  
698 1/2 South Ogden Street  
Buffalo, NY 14206-2317

**Capital One**

Attn: President / Manager  
PO Box 71083  
Charlotte, NC 28272-1083

**Citibank N.A.**

Attn: President / Manager  
701 E. 60th Street N  
Sioux Falls, SD 57117

**Citibank, N.A.**

c/o Quantum3 Group LLC  
PO Box 280  
Kirkland, WA 98083-0280

**Citizens Bank**

Attn: President / Manager  
PO Box 7000  
Providence, RI 02940

**Client Services Inc.**

Attn: President / Manager  
3451 Harry S Truman Boulevard  
Saint Charles, MO 63301-4047

**Comenity Bank**

Attn: President / Manager  
Bankruptcy Department  
PO Box 182125  
Columbus, OH 43218-2125

**Comenity Bank/Express**

Attn: President / Manager  
Bankruptcy Department  
PO Box 182125  
Columbus, OH 43218-2125

**Comprehensive Orthopaedics**

Attn: President / Manager  
863 North Main St., Suite 200  
Wallingford, CT 06492-2121

**Credit Control, LLC**

Attn: President / Manager  
PO Box 31179  
Tampa, FL 33631-3179

**Department Stores National Bank**

Attn: President / Manager  
701 E 60th Street N  
Sioux Falls, SD 57117

**Express**

Attn: President / Manager  
PO Box 659728  
San Antonio, TX 78265-9728

**GAP Card**

Attn: President / Manager  
PO Box 530942  
Atlanta, GA 30353-0942

**Hilton Grand Vacation Resorts Corporation**

Attn: President / Manager  
6355 Metro West Blvd., Suite 180  
Orlando, FL 32835

**Internal Revenue Service**

Attn: President / Manager  
PO Box 7346  
Philadelphia, PA 19101-7346

**Kohl's**

Attn: President / Manager  
PO Box 2983  
Milwaukee, WI 53201-2983

**Law Offices Howard Lee Schiff**

Attn: President / Manager  
510 Tolland Street  
PO Box 280245  
East Hartford, CT 06128

**London & London**

Attn: President / Manager  
48 Christian Lane  
Newington, CT 06111

**LVNV Funding, LLC**

Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

**Macy's**

Attn: President / Manager  
PO Box 689195  
Des Moines, IA 50368-9195

**Marinosci Law Group, PC**

Attn: President / Manager  
275 West Natick Road, Ste. 500  
Warwick, RI 02886

**McCalla Raymer Leibert Pierce LLC**

Attn: President / Manager  
50 Weston Street  
Hartford, CT 06120

**Medical Home Care**

Attn: President / Manager  
6900 College Blvd., Suite 550  
Leawood, KS 66211

**Michael P. Gaudio DMD**

Attn: President / Manager  
850 North Main St. Ext.  
Westview Building 1  
Wallingford, CT 06492-2466

**Middlesex Health**

Attn: President / Manager  
28 Crescent St.  
Middletown, CT 06457-3650

**Midland Funding LLC**

Attn: President / Manager  
320 East Big Beaver Road, #300  
Troy, MI 48083

**Nationstar Mortgage**

Attn: President / Manager  
PO Box 650783  
Dallas, TX 75265

**Northeast Medical Group**

Attn: President / Manager  
300 George Street, 6th Floor  
PO Box 7309  
New Haven, CT 06519-0309

**peritus Portfolio Services II, LLC**

Attn: President / Manager  
PO Box 141419  
Irving, TX 75014

**Portfolio Recovery Associates**

Attn: President / Manager  
PO Box 12903  
Norfolk, VA 23541

**Portfolio Recovery Associates LLC**

Attn: President / Manager  
PO Box 4115  
Dept 922  
Concord, CA 94524

**Portfolio Recovery Associates,  
LLC**

POB 41067  
Norfolk VA 23541

**Resurgent Capital Services**

Attn: President / Manager  
Suite 110 MS 576  
55 Beattie Place  
Greenville, SC 29601

**Sears Credit Cards**

Attn: President / Manager  
PO Box 6282  
Sioux Falls, SD 57117-6282

**State of Connecticut - DRS**

Attn: President / Manager  
Collections Unit - Bankruptcy  
450 Columbus Blvd., Ste. 1  
Hartford, CT 06103-1837

**Synchrony Bank**

Attn: President / Manager  
Bankruptcy Department  
PO Box 965060  
Orlando, FL 32896-5060

**Toyota Financial Services**

Attn: President / Manager  
PO Box 5855  
Carol Stream, IL 60197-5855

**US Department of Education**

P O Box 16448  
Saint Paul MN 55116-0448

**Victoria's Secret**

Attn: President / Manager  
PO Box 659728  
San Antonio, TX 78265-9728

**World Financial Network Bank**

Attn: President / Manager  
PO Box 182125  
Columbus, OH 43218-2125

**Yale Medicine**

Attn: President / Manager  
PO Box 7309  
New Haven, CT 06519-0309

**Yale Medicine**

Attn: President / Manager  
PO Box 1880  
New Haven, CT 06508-1880

**Yale-New Haven Health**

Attn: President / Manager  
PO Box 788327  
Philadelphia, PA 19178-8327

**Yale-New Haven Health**

Attn: President / Manager  
PO Box 1227  
South Windsor, CT 06074-7227

**Yale-New Haven Health**

Attn: President / Manager  
PO Box 1403  
New Haven, CT 06505

**Yale-New Haven Hospital**

Attn: President / Manager  
20 York Street  
New Haven, CT 06511

**Leona Jukonski**

17 Holiday Hill Road  
Meriden, CT 06450

**Michael Jukonski**

17 Holiday Hill Road  
Meriden, CT 06450

**David E. Wyskiel, Esq.**

PO Box 835  
Meriden, CT 06450