

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

In re: Lee O. Kraus, Jr. <p align="right">Debtor(s).</p>	CASE NO: 20-50946 CHAPTER: 11
Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address: Timothy D. Miltenberger, tmiltenberger@cbshealaw.com Cohn Birnbaum & Shea P.C. CityPlace II, 185 Asylum Street, Hartford, CT 06103; Tel: (860) 493-2262; Fax: (860) 727-0361; Bar: CT08874 <input checked="" type="checkbox"/> <i>Attorney for:</i> Lee O. Kraus, Jr. <input type="checkbox"/> <i>Individual appearing without attorney</i>	<p><u>NOTICE OF ORDER GRANTING MOTION FOR PRIVATE SALE OF ESTATE PROPERTY</u></p> <p><u>D. CONN. BANKR. L. R. 6004-1(b)</u></p>

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:

509 Stanwich, Road, Greenwich, Connecticut ("509 Stanwich") as more fully described in Exhibit A to the Debtor's First Amended Motion for Authority to Sell the Estate's Interest in Real Estate Free and Clear of Liens and Encumbrances and Interest of Co-Owner. See [ECF No. 408](#). The Debtor obtained authority to sell 509 Stanwich at a private sale pursuant to an order of the United States Bankruptcy Court (the "Bankruptcy Court") in the above-referenced case. See [ECF No. 401](#). 509 Stanwich is co-owned by the Debtor and the Debtor's wife and the estate will receive half of the net proceeds of the sale. The net proceeds received by the estate will not be distributed without further order of the Bankruptcy Court. The estate and the estate's co-owner will split a real estate commission totaling 5% of the purchase price, or, based on \$1,865,000, the sum of \$93,250.

Private Sale Information:

Date of Private Sale:	No later than April 14, 2023	Time of Private Sale:	2:00 P.M.
Location of Private Sale:	Law Offices of Vincent J. Freccia III, 1200 Summer Street, Suite 107, Stamford, CT 06905		

Objection Deadline and Hearing Information:

Last date to file Objections to Private Sale:	March 21, 2023
Hearing Date and Time regarding Private Sale:	March 28, 2023 at 2:00 p.m.
Location of hearing:	U.S. Bankruptcy Court 915 Lafayette BLVD, 1st Floor Bridgeport, CT 06604

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.

Terms and conditions of auction/sale, including whether the Proposed Private Sale 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:

The proposed sale is a private sale of real estate after marketing the property through the Greenwich, Connecticut multiple listing service.

The proposed sale is for \$1,865,000, "AS IS, WHERE IS" with no inspection, financing or other contingencies. The proposed sale is for a closing n more than 15 days of Court approval. The proposed purchaser has provided proof of funds and the estate and a 10% deposit, or \$186,500 with the balance due at closing. The sale will be free and clear of liens, interests and encumbrances. The closing adjustments will be made pursuant to local practice in Greenwich, Connecticut with an anticipated brokerage commission of 5%, which payment will be split between the estate and the co-owner of the property, Elizabeth Kraus. Authority to pay said commision without the necessity of a fee application has been granted by the Bankruptcy Court and said commission will be paid at closing. The co-owner of 509 Stanwich Road, Elizabeth Kraus consents to the sale.

To register as a bidder, on or before March 21, 2023, the bidder must (i) make a bid on 509 Stanwich in excess of \$1,865,000 contingent only on the bidder obtaining marketable title, (ii) provide a deposit of 10% of the bid, and (iii) provide proof funds for the full amount of the bid.

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

Timothy Miltenberger, Esq
Cohn Birnbaum & Shea P.C.
CitiPlace II, 15th Floor, 185 Asylum Street
Hartford, CT 06103
Direct: (860) 493-2262
Mobile: (203) 243-4488
tmiltenberger@cbshealaw.com

Date: February 28, 2023

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.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

Cohn Birnbaum & Shea
PC CityPlace II, 15th Floor
185 Asylum Street
Hartford CT 06103

A true and correct copy of the foregoing document entitled: **NOTICE OF ORDER GRANTING MOTION FOR PRIVATE SALE OF ESTATE PROPERTY** was served on (date) 2/28/2023 in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to this Court's Administrative Procedures for Electronic Case Filing (Appendix A), the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 2/28/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See Exhibit A, attached hereto

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) February 28, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows:

See Exhibit B, attached hereto

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date), I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows:

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date February 28, 2023

Printed Name Timothy D. Miltenberger

Signature /s/ Timothy D. Miltenberger

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.

EXHIBIT A

Parties served by the Court via Notice of Electronic Filing

Todd H. Bartels

Polsinelli, PC
900 W.48th Place,Suite 900
Kansas City, MO 64112
816-572-4418
888-253-8293 (fax)
tbartels@polsinelli.com
Assigned: 12/18/2020
LEAD ATTORNEY

representing **Jill D. Olsen**
(Creditor)

James E. Bird

Polsinelli, PC
900 W.48th Place, Suite 900
Kansas City, MO 64112
816-753-1000
816-753-1536 (fax)
jbird@polsinelli.com
Assigned: 12/18/2020
LEAD ATTORNEY

representing **Jill D. Olsen**
(Creditor)

Sara Buchanan

Bendett & McHugh, P.C.
270 Farmington Ave., Suite 151
Farmington, CT 06032
860-470-2682
860-773-6328 (fax)
BKECF@bmpc-law.com
Assigned: 11/20/2020

representing **BANK OF AMERICA, N.A.**
(Creditor)

Holley L. Claiborn

Office of The United States
Trustee
The Giaimo Federal Building
150 Court Street, Room 302
New Haven, CT 06510
(203) 773-2210
(203) 773-2217 (fax)
holley.l.claiborn@usdoj.gov
Assigned: 12/01/2020

representing **U. S. Trustee**
Office of the U.S. Trustee
Giaimo Federal Building
150 Court Street, Room 302
New Haven, CT 06510
(203)773-2210
USTPRegion02.NH.ECF@USDOJ.GOV
(U.S. Trustee)

Douglas M. Evans

Kroll, McNamara, Evans &
Delahanty LLP
65 Memorial Road, Suite 300
West Hartford, CT 06107
(860) 561-7070
860-561-7075 (fax)
bankr@kmelaw.com
Assigned: 12/16/2020

representing **Jill D. Olsen**
(Creditor)

Paul N. Gilmore

Updike, Kelly & Spellacy, P.C.
225 Asylum Street, 20th Floor
Hartford, CT 06103
860-509-5326
pgilmore@uks.com
Assigned: 01/25/2021
LEAD ATTORNEY

representing **Elizabeth Kraus**
(Creditor)

Carl T. Gulliver

Carl Gulliver Law LLC
470 James Street
Suite 007
New Haven, CT 06513
(203) 364-2404
carlgulliver@culliverlaw.com
Assigned: 11/12/2020
TERMINATED: 11/01/2021

representing **Lee O. Kraus, Jr.**
505 Stanwich Road
Greenwich, CT 06831
(Debtor)

Assigned: 06/08/2021

representing **Jeffrey R. King**
Sage Law LLP
12980 Metcalf Avenue, Suite 500
Overland Park, KS 66213-2646
(Spec. Counsel)

Joseph M Kaufman

U.S. Department of Justice
P.O. Box 55
Washington, DC 20044
202-598-5508
202-514-5238 (fax)
joseph.m.kaufman@usdoj.gov
Assigned: 07/01/2022

representing **United States, on behalf of Internal
Revenue Service**
(Claimant)

E.Benton Keatley

Polsinelli, PC
900 W.48th Place, Suite 900
Kansas City, MO 64112

representing **Jill D. Olsen**
(Creditor)

816-753-1000
816-753-1536 (fax)
ebkeatley@polsineli.com
Assigned: 12/18/2020
LEAD ATTORNEY

Edward Benton Keatley
Polsinelli PC
900 W. 48th Pl., Suite 900
Kansas City, MO 64112
816-218-1285
816-753-1536 (fax)
ebkeatley@polsinelli.com
Assigned: 12/22/2020

representing **Jill D. Olsen**
(Creditor)

Lauren M. Nash
United States Attorney's Office
Connecticut Financial Center
157 Church Street
New Haven, CT 06510
203-821-3807
203-773-5392 (fax)
lauren.nash@usdoj.gov
Assigned: 07/23/2021

representing **United States, on behalf of Internal
Revenue Service**
(Claimant)

EXHIBIT B

Via First Class Mail:

Lee O. Kraus, Jr.
505 Stanwich Road
Greenwich, CT 06831

Bank of America, N.A.
Att: Pres. or Other Officer
P.O. Box 31785
Tampa, FL 33631-3785

Bank Of America, N.A.
Sara Buchanan
Bendett & McHugh, P.C.
270 Farmington Ave., Suite 151
Farmington, CT 06032

Chase Card Services
Attn: Pres. or Other Officer
Po Box 15298
Wilmington, DE 19850

Elizabeth Kraus
Paul N. Gilmore
Updike, Kelly & Spellacy, P.C.
100 Pearl Street
Hartford, CT 06103

Internal Revenue Service
Att: Revenue Agent
Centralized Insolvency Oper.
P.O. Box 7346
Philadelphia, PA 19101-7346

Jill D. Olsen
Paul J Roshka, Jr
Polsinelli PC
1 E. Washington, Suite 1200
Phoenix, AZ 85004

Jill D. Olsen
c-o Todd H. Bartels and
E. Benton Keatley
POL SINELLI PC
900 W. 48th Place, Suite 900
Kansas City, MO 64112

Jill D. Olsen

c/o Douglas M. Evans
Kroll, McNamara, Evans & Delahanty LLP
65 Memorial Road, Suite 300
West Hartford, CT 06107

Jill D. Olsen, Esq

The Olsen Law Firm, LLC
118 N. Consitor Lane
Suite B#290
Liberty, MO 64068

JPMorgan Chase Bank, N.A.

s/b/m/t Chase Bank USA, N.A.
c/o Robertson, Anschutz & Schneid, P.L.
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487

Shipman & Goodwin LLP

Attn. Eric S. Goldstein, Esq.
One Constitution Plaza
Hartford, CT 06103

Tax Collector, Greenwich

101 Field Point Road
Greenwich, CT 06830

Via Certified Mail:

Honorable Merrick B. Garland

U.S. Attorney General
950 Pennsylvania Avenue NW
Washington, DC 20530

Vanessa Roberts Avery

United States Attorney
157 Church Street
New Haven, CT 06510

United States Attorney

Att: Civil Process Clerk
Connecticut Financial Center
157 Church Street
New Haven, CT 06510