



ORDERED in the Southern District of Florida on April 13, 2017.

A handwritten signature in black ink, appearing to read "Erik P. Kimball".

Erik P. Kimball, Judge  
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION  
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| In re:<br><br>CARLA A. AZZATA,<br><br>Debtor. | Case No. 16-10879-BKC-EPK<br><br>Chapter 7 |
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**ORDER GRANTING DEBTOR’S MOTION FOR APPROVAL OF (I) SETTLEMENT AGREEMENT WITH SEC RECEIVER AND PROPERTY LIENHOLDERS; (II) SALE OF HOMESTEAD REAL PROPERTY FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES AND INTERESTS; AND (III) DISTRIBUTION OF SALE PROCEEDS PURSUANT TO TERMS OF SETTLEMENT AGREEMENT [D.E. 76]**

THIS MATTER came before the Court for hearing on Wednesday, April 12, 2017, at 10:30 a.m., upon *Debtor’s Motion for Approval of (I) Settlement Agreement with SEC Receiver and Property Lienholders; (II) Sale of Homestead Real Property Free and Clear of Liens, Claims, Encumbrances and Interests; and (III) Distribution of Sale Proceeds Pursuant to Terms of Settlement Agreement [D.E. 76]* (the “Motion”).<sup>1</sup> The Court, having reviewed the Motion and relevant record in this case, having noted that the Motion has been duly and property served on

<sup>1</sup> Capitalized terms used and not defined herein shall have the meanings ascribed to them in the Motion.

all required parties, having heard and considered the representations of counsel at the hearing, noting that no interested party objected to approval of the Motion and relief contemplated thereunder, and being otherwise fully advised, finds that good cause exists to grant the Motion and approve the proposed settlement and sale. Accordingly, it is:

**ORDERED AND ADJUDGED** that:

1. The Settlement Agreement and Debtor's sale of the Property pursuant to the terms of the Sale Contract and this Order (the "Sale"), and all transactions contemplated in connection therewith, are approved in all respects under 11 U.S.C. §§ 363(b) and 105(a). Debtor and Joseph Azzata, Receiver, the Lienholders and all other applicable parties are authorized to take all necessary actions and execute all necessary instruments to consummate the Settlement Agreement and the sale of the Property pursuant to the terms of the Sale Contract, and all transactions contemplated in connection therewith.

2. Pursuant to 11 U.S.C. § 363(f), the Property shall be sold at the closing free and clear of all liens, claims, encumbrances and interests, and all such liens, claims, encumbrances and interests shall attach to the net proceeds of the sale with the same validity, priority, force and effect as such liens, claims, interests and encumbrances had upon the Property immediately prior to the closing, except to the extent otherwise provided in the Settlement Agreement. The net sale proceeds shall be applied to pay off all liens against the Property at closing of the sale, pursuant to the terms of the Settlement Agreement, without further order of this Court.

3. Pursuant to Federal Rules of Bankruptcy Procedure 6004(h), 7062 and 8005, any stays otherwise applicable to this Order are waived and this Order shall become effective, and the proposed sale of the Property may be consummated, immediately upon entry of this Order on the Court docket.

4. The Court retains jurisdiction to interpret and enforce the terms of this Order.

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Submitted by:

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*[Attorney Mancuso shall serve a copy of this Order upon all interested parties and to file a Certificate of Service with the Court.]*