

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re:

Chapter 11

FEDERATION EMPLOYMENT AND  
GUIDANCE SERVICE D/B/A FECS<sup>1</sup>,

Case No.: 15-71074 (REG)

Debtor.

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**ORDER GRANTING PLAN ADMINISTRATOR’S OBJECTION TO  
PROOF OF CLAIM NO. 1787 FILED BY OR ON BEHALF OF FRANK BAHAMONDE**

THIS MATTER having come before the Court upon the objection of the Plan Administrator appointed in this Case (the “Objection”)<sup>2</sup> seeking entry of an Order, pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure, disallowing and expunging proof of claim number 1787 (the “Claim”), filed by or on behalf of Frank Bahamonde (the “Claimant”); and the Court having reviewed the Objection; and notice having been provided to (i) the Claimant, at the address for notice set forth on the Claim, (ii) counsel for the Oversight Committee, (iii) the Office of the United States Trustee, and (iv) those parties who have entered a notice of appearance in this Case; and no responses or other objections having been filed; and upon the Certificate of No Objection filed on October 26, 2021 [Docket No. 1281]; and the Court having found that the relief requested in the Objection is in the best interest of the Debtor’s Estate, creditors and other parties in interest; and it appearing that sufficient notice of the Objection has been given, and the Court having determined that the legal and factual bases set forth in the Objection establish cause for the relief granted herein; and after due deliberation and consideration

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<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 4000.

<sup>2</sup> Unless otherwise defined, capitalized terms used herein shall have the meanings ascribed to them in the Objection and any exhibits thereto.

of the Motion having been had; and it appearing that good and sufficient cause exists for granting the Objection, it is hereby

**ORDERED**, that the relief requested in the Objection is GRANTED to the extent set forth below and upon the terms and conditions set forth herein; and it is further

**ORDERED**, that the Claim is hereby disallowed and expunged; and it is further

**ORDERED**, the automatic stay imposed in this Case pursuant to Section 362(a) of the Bankruptcy Code and injunctions imposed under the Confirmation Order, are hereby modified and lifted for the sole and limited purpose of allowing the Claimants to litigate the State Court Action in another forum; provided, however, that (a) any recovery in the State Court Action against the Debtor or the Estate shall be limited solely to any available insurance coverage of the Debtor or the Estate, (b) each party shall bear its own legal fees, defense costs, and other related fees and expenses in connection with any such litigation, and (c) the Plan Administrator shall not be required to participate in any way in the State Court Action; and it is further

**ORDERED**, that any and all rights of the Plan Administrator to defend the State Court Action are hereby reserved; and it is further

**ORDERED**, that the Debtor's claims and noticing agent and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order; and it is further

**ORDERED**, that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

**Dated: Central Islip, New York  
October 29, 2021**



A handwritten signature in black ink, appearing to read "Robert E. Grossman". The signature is written in a cursive style and is positioned above a horizontal line.

**Robert E. Grossman  
United States Bankruptcy Judge**