

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

In re:	)	
	)	
ATLANTIC FABRICATION & DESIGN	)	Case No. 17-14891-JDL
LLC,	)	Chapter 11
	)	
Debtor.	)	
	)	

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**DEBTOR’S OBJECTION TO PROOF OF CLAIM #17  
AND BRIEF IN SUPPORT AND NOTICE AND OPPORTUNITY FOR HEARING**

**Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document.** If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Ave., Oklahoma City, OK 73102 no later than fourteen (14) days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant’s attorney and all others required to be served and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

**The 14-day period for response includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).**

**NOTICE OF HEARING  
(TO BE HELD IF A RESPONSE IS FILED)**

**Notice is hereby given that if a response to the Motion is filed, the hearing on the matter will be held on July 12th, 2018, at 9:30am in the 2nd floor courtroom of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102. If no response is timely filed and the court grants the requested relief prior to the above-referenced hearing date, the hearing will be stricken from the docket.**

NOW COMES, Atlantic Fabrication & Design LLC, debtor in the above-captioned case (“Debtor”), by its undersigned attorney of record, Jason A. Sansone, and states as follows:

1. On December 4, 2017, Debtor filed a voluntary petition for relief pursuant to

chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Western District of Oklahoma [Doc. No. 1].

2. On January 2, 2018, the Court entered an Order fixing the bar dates for filing proof of claims [Doc. No. 45] and said Order was served on the Claimant [Doc. No. 49]. The last date for filing proof of claims in this case was March 1, 2018 for all persons or entities, other than Governmental Units (as such term is defined in § 101(27)), including Claims under § 503(b)(9).

3. Fora Financial Business Loans, LLC (“Claimant”) filed Proof of Claim #17 on June 4, 2018 (the “Claim”) through their attorney Anitra Walker of Aubrey Law Firm PC (“Claimant’s Counsel”).

4. Claimant is not, and does not purport to be, a Governmental Unit. Therefore, the bar date for Claimant to file a Claim was March 1, 2018.

5. Claimant’s Counsel’s address on the Claim matches an address contained in the original matrix filed on December 4, 2017 [Doc. No. 2]. The record reflects that Claimant received notice of the petition and Order fixing the claim bar date.

6. Pursuant to § 502(b)(9), the claim is untimely and should be disallowed.

7. For all the reasons set forth above, it is respectfully requested that Debtor’s Objection to Proof of Claim #17 be sustained and that counsel for Debtor be awarded attorney’s fees in the sum of \$225.00 for having brought such Objection and that such fees be paid directly to counsel for Debtor by Claimant and that Claimant be directed not to include such award of attorney’s fees in any further proof of claim.

WHEREFORE, it is respectfully requested that Debtor's Objection be granted and for such additional or alternative relief as may be just and proper.

Respectfully Submitted,  
**SANSONE HOWELL PLLC**

/s/ Jason A. Sansone  
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**COUNSEL FOR DEBTOR**

Dated: June 4, 2018

#### **CERTIFICATE OF MAILING**

I, Jason A. Sansone, hereby certify that on June 4, 2018, a true and correct copy of the above was electronically served using the CM/ECF system to the Office of the United States Trustee.

Further, I certify that on June 4, 2018 a true and correct copy of the above was mailed via U.S. Mail, first class, postage prepaid and properly addressed to the following at the address shown:

Aubrey Law Firm PC  
12 Powder Springs Street, Suite 240  
Marietta, GA 30064

/s/ Jason A. Sansone  
Jason A. Sansone, OBA 30913