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6 **UNITED STATES BANKRUPTCY COURT**

7 **DISTRICT OF NEVADA**

8 IN RE:

9 JAZI GHOLAMREZA ZANDIAN,

CASE NO. BK-N-16-50644-BTB
CHAPTER 15

10 Debtor.

11 _____ /
12 PATRICK CANET,

Adv. No. _____

13 Plaintiff,

14 v.

**COMPLAINT FOR ORDER
AUTHORIZING SALE OF REAL
PROPERTY**

15 FRED SADRI, as Trustee for the Star
16 Living Trust, dated April 14,1997,
17 SATHSOWI T. KOROGHLI, as Managing
18 Trustee for Koroghli Management Trust,
19 and RAY KOROGHLI, as Managing
20 Trustee for Koroghli Management Trust,

ASC Hearing Date:
Hearing Time:

21 Defendants.
22 _____ /

23 Plaintiff Patrick Canet, Judicial Liquidator and Foreign Representative, as and for his
24 complaint against FRED SADRI, as Trustee for the Star Living Trust, dated April 14,1997,
25 SATHSOWI T. KOROGHLI, as Managing Trustee for Koroghli Management Trust, and
26 RAY KOROGHLI, as Managing Trustee for Koroghli Management Trust, alleges as
27 follows:

28 **PARTIES**

1. Patrick Canet is the Judicial Liquidator and Foreign Representative for Debtor
Jazi Gholamreza Zandian (“Plaintiff”).

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1 2. Plaintiff is informed and believes and thereon alleges that, at all times relevant,
2 Defendant Fred Sadri (“Mr. Sadri”), is an individual residing in Clark County, Nevada. Mr.
3 Sadri is and was at all times relevant to this proceeding, the sole Trustee for The Star Living
4 Trust, Dated April 14, 1997 (“SLT”).

5 3. Plaintiff is informed and believes and thereon alleges that, at all times relevant,
6 Ray Koroghli (“Mr. Koroghli”), and Sathsowi T. Koroghli (“Mrs. Koroghli”) are
7 individuals residing in Clark County, Nevada. Mr. and Mrs. Koroghli are and were at all
8 times relevant to this proceeding, the co-Trustees for Koroghli Management Trust (“KMT”).

9 **JURISDICTION**

10 4. This Court has jurisdiction over this adversary proceeding by reason of 28 U.S.C.
11 §§ 157(a) and 1334.

12 5. This is a core proceeding by reason of 28 U.S.C. § 157(b)(2)(A), (M), (O) and
13 (P).

14 6. Venue of this proceeding is proper in accordance with 28 U.S.C. § 1409.

15 7. Pursuant to F.R.Bankr.P. 7008 and LR 7008, and Plaintiff consents to entry of a
16 final order or judgment in this proceeding.

17 **RELEVANT FACTS**

18 8. Plaintiff repeats and alleges the allegations in paragraphs 1 through 7 as though
19 fully set forth herein.

20 9. On May 25, 2017, as plaintiffs, Defendants filed adversary proceeding 17-05016
21 in this case for quiet title and declaratory relief with respect to certain real property located
22 in Washoe County, Nevada (“Quiet Title Action”). Specifically the Quiet Title Action
23 related to the following parcels:

24 a. 079-150-09 (Parcel 1);

25 b. 079-150-10 (Parcel 2);

26 c. 079-150-13 (Parcel 3);

27 d. 084-040-02 (Parcel 4);

28 e. 084-040-04 (Parcel 5);

- 1 f. 084-040-06 (Parcel 6);
- 2 g. 084-040-10 (Parcel 7);
- 3 h. 084-130-07 (Parcel 8);
- 4 i. 084-140-17 (Parcel 9).

5 (collectively, the “Property”).

6 10. On July 20, 2018, the Court entered its Findings of Fact and Conclusions of
7 Law (“Findings and Conclusions”), in the Quiet Title Action. **Adv. DE 60**. On that same
8 date, the Court entered its Judgment (“Judgment”), on the Quiet Title Action. **Adv. DE 61**.

9 11. The Findings and Conclusions and Judgment determine that SLT is a co-owner
10 of a one-third undivided interest in title to the Property; that KMT is a co-owner of a one-
11 third undivided interest in title to the Property, and Zandian is the owner of an undivided
12 one-third interest in title to the Property as a co-owner with SLT and KMT.

13 12. The Judgment was not appealed.

14 13. Plaintiff and Defendants were unable to reach an agreement on the disposition of
15 the Property.

16 **CLAIM FOR RELIEF**

17 **11 U.S.C. § 363(h)**

18 14. Plaintiff repeats and alleges the allegations in paragraphs 1 through 13 as though
19 fully set forth herein.

20 15. Pursuant to 11 U.S.C. § 363(b), the Plaintiff desires to sell the estate's interest
21 for the benefit of the estate.

22 16. Partition in kind of the Property among the estate and the Defendants is
23 impracticable.

24 17. Sale of the estate's undivided interest in the Property would realize significantly
25 less for the estate than sale of the Property free of the interests of the Defendants.

26 18. The benefit to the estate of a sale of the Property free of the interests of the
27 Defendant outweighs the detriment, if any, to the Defendants.

28 19. The Property is not used in the production, transmission, or distribution, for sale,

1 of electric energy or of natural or synthetic gas for heat, light, or power.

2 **WHEREFORE**, Plaintiff prays for order and judgment against Defendants as
3 follows:

- 4 1. Authorizing Plaintiff to list the entirety of the Property for sale with a reputable
5 broker to be approved by the Court;
- 6 2. Subject to Court approval, upon sale of the Property, to have proceeds of sale held
7 in escrow pending entry of an order authorizing disposition of the sale proceeds; and
- 8 3. For such other relief as this Court deems proper.

9 DATED: September 30, 2019.

10 **HARTMAN & HARTMAN**

11 /S/ Jeffrey L. Hartman
12 Jeffrey L. Hartman, Esq.
13 Attorney for Patrick Canet,
14 Foreign Representative

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