UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 7
PIKE NURSERY HOLDING, LLC,	:	CASE NUMBER: 07-79129
Debtor.	:	

CHAPTER 7 TRUSTEE'S OBJECTION TO CLAIM NO. 636
FILED BY PATIO LIVING CONCEPTS

COMES NOW Marcus A. Watson, Sr., Chapter 7 Trustee of Pike Nursery Holding, LLC, and objects to claim no. 636 in the amount of $2,500 filed by Patio Living Concepts ("Patio") pursuant to 11 U.S.C. § 502 and Fed. Bankr. R. 3007 on the grounds that the claim is not entitled to any priority and lacks support. In support of his Objection, the Trustee shows this Court as follows:

1. This bankruptcy case began as a voluntary Chapter 11 petition filed on November 14, 2007.

2. On March 3, 2008, the Court entered a series of orders approving a sale of virtually all of the Debtor's wholesale and retail businesses and related assets. The Debtor thereafter ceased operations.

3. On March 17, 2008, this Court entered an Order Directing the United States Trustee to Appoint Chapter 11 Trustee in this bankruptcy case. On March

19, 2008, the Court approved the United States Trustee's appointment of Marcus A. Watson, Sr. as the Chapter 11 Trustee for the Debtor.

4. On March 24, 2008, the Court converted the case to Chapter 7 and Marcus A. Watson, Sr. was appointed as the interim Chapter 7 Trustee, Mr. Watson became the permanent Chapter 7 Trustee after the first meeting of creditors on April 28, 2008.

5. On or about December 15, 2010, the Court entered an Order fixing March 14, 2011 as the deadline for filing of proofs of claim ("Bar Date").

6. On January 3, 2011, Patio filed an unsecured priority claim, claim no. 636, in the amount of $2,500.00 indicating that the claim was entitled to priority pursuant to 11 U.S.C. § 507(a). The claimant did not specify the applicable paragraph of 11 U.S.C. § 507(a) upon which priority was based.

7. The claimant failed to attach any documentation to the proof of claim in support of the claim.

8. Accordingly, the Trustee requests that the Court disallow claim no. 636 for lack of support.

WHEREFORE Marcus A. Watson, Sr., Chapter 7 Trustee of Pike Nursery Holding, LLC, requests that the Court enter an Order sustaining his objection and disallowing claim no. 636.

This 7th day of April, 2011.

/s/ John A. Christy
JOHN A. CHRISTY
Georgia Bar No. 125518
jchristy@swfllp.com
J. CAROLE THOMPSON HORD
Georgia Bar No. 291473
chord@swfllp.com
AMANDA L. BROOKS
Georgia Bar No. 940657
abrooks@swfllp.com
Attorneys for Marcus A. Watson, Sr.,
Chapter 7 Trustee

SCHREEDER, WHEELER & FLINT, LLP
1100 Peachtree Street, N.E.
Suite 800
Atlanta, Georgia 30309-4516
Telephone: (404) 681-3450
Facsimile: (404) 681-1046
K:\7031\1\Priority Claim Objections\Patio Objection.doc

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
	)	
PIKE NURSERY HOLDING LLC,	)	CASE NUMBER: 07-79129-mgd
	)	
Debtor.	)	
	)	

NOTICE OF HEARING

PLEASE TAKE NOTICE that Marcus A. Watson, Sr., Chapter 7 Trustee, has filed Chapter 7 Trustee's Objection to Claim No. 636 Filed by Patio Living Concepts ("Motion") seeking to disallow the claim.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Objection in Courtroom 1201, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia, at 10:30 a.m. on May 12, 2011.

Your rights may be affected by the Court's ruling on the Motion. You should read the Motion carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the Motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Spring Street, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below and if possible also e-mail a copy to the undersigned at the e-mail address noted below.

This 7th day of April, 2011.

/s/ John A. Christy
JOHN A. CHRISTY
Georgia Bar No. 125518
jchristy@swfllp.com
J. CAROLE THOMPSON HORD
Georgia Bar No. 291473
chord@swfllp.com
AMANDA L. BROOKS
Georgia Bar No. 940657
abrooks@swfllp.com

Attorneys for Marcus A. Watson, Sr.,
Chapter 7 Trustee

SCHREEDER, WHEELER & FLINT, LLP
1100 Peachtree Street, N.E.
Suite 800
Atlanta, Georgia 30309-4516
(404) 681-3450
K:\7031\1\Priority Claim Objections\Patio Notice of Hearing.doc

CERTIFICATE OF SERVICE

This is to certify that the undersigned served a copy of the CHAPTER 7 TRUSTEE'S OBJECTION TO CLAIM NO. 636 FILED BY PATIO LIVING CONCEPTS and NOTICE OF HEARING through the electronic case filing system (ECF) or by placing a copy of the same in the United States Mail, with sufficient postage thereon to ensure delivery upon the parties listed on the Master Service List attached hereto and the following claimant:

Patio Living Concepts
Attn.: Theresa Klaus
P.O. Box 259
St. Albans, MO 63073

This 7th day of April, 2011.

/s/ Amanda L. Brooks
AMANDA L. BROOKS

SCHREEDER, WHEELER & FLINT, LLP
1100 Peachtree Street, N.E.
Suite 800
Atlanta, Georgia 30309-4516
404-681-3450

CHAPTER 7 MASTER SERVICE LIST

U.S. Trustee
362 Richard Russell Bldg.
75 Spring Street, SW
Atlanta, GA 30303

Marcus A. Watson
Finley, Colmer and Company
3091 Governors Lake Drive
Suite 450
Norcross, GA 30071

John A. Christy, Esq. – via ECF
Carole Thompson Hord, Esq. – via ECF
Schreeder, Wheeler & Flint, LLP
1100 Peachtree Street, Suite 800
Atlanta, Georgia 30309
Email: *jchristy@swfllp.com*
Email: *chord@swfllp.com*

J. Robert Williamson – via ECF
Scroggins & Williamson
1500 Candler Building
127 Peachtree Street, NE
Atlanta, GA 30303
Email: *rwilliamson@swlawfirm.com*

William A. DuPre IV – via ECF
Paul M. Alexander – via ECF
Miller & Martin PLLC
1170 Peachtree St., N.E. Suite 800
Atlanta, GA 30309-7649
Email: *bdupre@millermartin.com*
Email: *palexander@millermartin.com*

Christopher T. Buchanan
James R. Langdon – via ECF
Moore & Van Allen
100 North Tryon Street
Suite 4700
Charlotte, NC 28202-4003
Email: *jimlangdon@mvalaw.com*

Jonathan S. Shenson
Klee, Tuchin, Bogdanoff & Stern, LLP
1999 Avenue of the Stars
39th Floor
Los Angeles, CA 90067-5061

Karen Fagin White – via ECF
Cohen Pollock Merlin & Small
3350 Riverwood Parkway
Atlanta, GA 30339
Email: *kfwhite@cpmas.com*

Scott B. Riddle, Esq. – via ECF
Suite 3250 One Atlantic Center
1201 W. Peachtree Street NW
Atlanta, GA 30309
Email: *sbriddle@mindspring.com*

Ron C. Bingham, II, Esq. – via ECF
Thompson, O'Brien, Kemp & Nasuti, P.C.
40 Technology Parkway South
Suite 300
Norcross, GA 30092
Email: *rbingham@tokn.com*

John C. Pennington – via ECF
P. O. Box 275
Helen, GA 30545
Email: *jcppc@alltel.net*

Priscilla H. Douglas, Esq.
Corporate Counsel
California First Leasing Corporation
18201 Van Karman Avenue
Suite 800
Irvine, CA 92612

Robert M. D. Mercer – via ECF
Gwendolyn J. Godfrey – via ECF
Bryan Cave Powell Goldstein, L.L.P.
Fourteenth Floor
One Atlantic Center
1201 West Peachtree Street, NW
Atlanta, GA 30309-3488
Email: *rmercer@pogolaw.com*
Email: *ggodfrey@pogolaw.com*

Jeffrey N. Pomerantz – via ECF
Jeffrey W. Dulberg – via ECF
Pachulski Stang Ziehl & Jones LLP
Eleventh Floor
10100 Santa Monica Blvd.
Los Angeles, CA 90067-4100
Email: *jpomerantz@pszjlaw.com*
Email: *jdulberg@pszjlaw.com*

EXHIBIT "A"

Bruce Z. Walker, Esq. – via ECF
Cohen Pollock Merlin & Small
3350 Riverwood Parkway
Suite 1600
Atlanta, GA 30339
Email: *bwalker@cpmas.com*
Email: *mnewsome@cpmas.com*

Sarah R. Borders – via ECF
Robert K. Ozols
King & Spalding LLP
1180 Peachtree Street, N.E.
Atlanta, GA 30309
Email: *sborders@kslaw.com*

Micheal W. Bishop, Esq. – via ECF
Looper Reed & McGraw, P.C.
4600 Thanksgiving Tower
1601 Elm Street
Dallas, TX 75201
Email: *mbishop@lrmlaw.com*

Samuel D. Hicks
Hicks, Casey & Foster, P.C.
136 N. Fairground Street
Suite 100
Marietta, GA 30060

American Express Bank FSB – via ECF
c/o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701
Email: *notices@becket-lee.com*

American Express Travel & Related Svcs Co – via ECF
c/o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701
Email: *notices@becket-lee.com*

Recovery Management Systems Corp.
Attn: Ramesh Singh
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Jody Charles Campbell – via ECF
Webb, Tanner, Powell, Mertz & Wilson LLP
P. O. Box 1390
Lawrenceville, GA 30046-1390
Email: *jcampbell@wtpllp.com*

Michael E. Hastings
Brandy M. Rapp
LeClairRyan
1800 Wachovia Tower
Drawer 1200
Roanoke, VA 24006

J. Hayden Kepner, Jr., Esq. – via ECF
Arnall Golden Gregory LLP
171 17th Street, SW, Suite 2100
Atlanta, GA 30363
Email: *hkepner@agg.com*

Paul M. Rosenblatt, Esq. – via ECF
Kilpatrick Stockton LLP
1100 Peachtree Street, NE
Suite 2800
Atlanta, GA 30309-4530
Email: *prosenblatt@kilpatrickstockton.com*

William H. Short Jr., Esq.
Haynsworth Sinkler Boyd, P.A.
P. O. Box 11889
Columbia, SC 29211-1889

Samuel R. Arden, Esq. – via ECF
Hartman, Simons, Spielman & Wood LLP
6400 Powers Ferry Road, NW
Suite 400
Atlanta, GA 30339
Email: *sarden@hssw.com*

Michael D. Payne, Esq. – via ECF
Lisa Ritchey Craig, Esq. – via ECF
McCullough, Payne & Haan, LLC
171 17th Street NW
Atlanta, GA 30363
Email: *mpayne@mphlawfirm.com*
Email: *lcraig@mphlawfirm.com*

David H. Conaway, Esq.
Shumaker, Loop & Kendrick, LLP
128 S. Tryon Street, Suite 1800
Charlotte, NC 28202

Mark A. Baker – via ECF
Morris Schneider Prior Johnson & Freedman
1587 Northeast Expressway
Atlanta, GA 30329
Email: *M_Baker@Prommis.com*

James C. Joedecke, Jr., Esq. – via ECF
Ryan D. Worsley, Esq.
Andersen, Tate & Carr, P.C.
One Sugarloaf Centre
1960 Satellite Boulevard, Suite 4000
Duluth, GA 30097
Email: *gconroy@atclawfirm.com*

J. Dewayne Bunch, Esq.
McCoin, McCoin and Bunch
443 Worth Street, NW
Cleveland, TN 37311

Charles M. Gisler, Esq.
165 N. Main Street
Jonesboro, GA 30236-3568

Thomas R. Walker, Esq. – via ECF
McGuireWoods LLP
The Proscenium
1170 Peachtree Street, NE
Atlanta, GA 30309
Email: *trwalker@mcguirewoods.com*

David W. Cranshaw – via ECF
Morris, Manning & Martin, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326
Email: *dhp@mmmlaw.com*

Michael F. Holbein, Esq. – via ECF
Arnall Golden Gregory LLP
171 17th Street, NW
Suite 2100
Atlanta, GA 30363-1031
Email: *michael.holbein@agg.com*

S. Elizabeth Hall, Esq. – via ECF
McKenna Long & Aldridge LLP
303 Peachtree Street, Suite 5300
Atlanta, GA 30308
Email: *ehall@mckennalong.com*

Alisa H. Aczel, Esq. – via ECF
Troutman Sanders LLP
5200 Bank of America Plaza
600 Peachtree Street NE
Atlanta, GA 30308-2216
Email: *alias.aczel@troutmansanders.com*

J. Scott Jacobson, Esq.
Melissa J. Perignat, Esq. – via ECF
Holt Ney Zatcoff & Wasserman, LLP
100 Galleria Parkway, Suite 600
Atlanta, GA 30339
Email: *mperignat@hnzw.com*

William Rountree, Esq. – via ECF
Macey, Wilensky & Kessler, LLP
600 Marquis Two Tower
285 Peachtree Center Avenue, NE
Atlanta, GA 30303
Email: *wrountree@MaceyWilensky.com*

Monrovia Nursery Company
Attn: Tyler Page
18331 E. Foothill Blvd.
Azusa, CA 91702

Internal Revenue Service
Centralized Insolvency Operation
P. O. Box 21126
Philadelphia, PA 19114

Internal Revenue Service
Insolvency
Attn: District Director
Room 400 - Stop 334D
401 West Peachtree Street NW
Atlanta, GA 30308

Commissioner
Georgia Department of Labor
Sussex Place - Room 600
148 International Blvd., N.E.
Atlanta, GA 30303

United States Attorney General
950 Pennsylvania Avenue NW
Washington, DC 20530

US Attorney
Civil Process Clerk
1800 Richard B. Russell Building
75 Spring Street, S.W.
Atlanta, GA 30303

Secretary of Labor
U.S. Department of Labor
Frances Perkins Building
200 Constitution Ave., NW
Washington, DC 20210

Federal Trade Commission
Southeast Region
Attn: Bradley Elbein, Director
Suite 1500
225 Peachtree Street, NE
Atlanta, GA 30303

Ronald S. Gellert, Esq.
Eckert Seamans Cherin & Mellott, LLC
Two Liberty Place
50 S. 16th Street, 22nd Floor
Philadelphia, PA 19102

Mark A. Gilbert, Esq.
Coleman Talley LLP
P.O. Box 5437
Valdosta, GA 31603-5437

K:\7031\1\NEW MASTER SERVICE LIST.doc