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. 730 FILED BY HANCK GROVES & NURSERY

COMES NOW Marcus A. Watson, Sr., Chapter 7 Trustee of Pike Nursery Holding, LLC, and objects to claim no. 730 in the amount of $4,931.25 filed by Hanck Groves & Nursery ("Hanck") pursuant to 11 U.S.C. § 502 and Fed. Bankr. R. 3007 on the grounds that the claim is duplicative of claim no. 448. 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 and became the permanent Chapter 7 Trustee after the first meeting of creditors on April 28, 2008.

5. On May 20, 2008, Hanck filed an administrative proof of claim, claim no. 448, asserting a claim in the amount of $4,931.25. Claim no. 448 was re-classified as a general unsecured claim pursuant to the Order Granting Chapter 7 Trustee's Objection to Administrative Claim No. 448 Filed by Hanck Groves & Nursery entered on June 14, 2010.

6. On March 14, 2011, Hanck filed a proof of claim, claim no. 730, asserting a claim in the amount of $4,931.25. Claim nos. 448 and 730 attach the same invoices.

7. Accordingly, the Trustee requests that the Court disallow claim no. 730 as duplicative of claim no. 448.

WHEREFORE Marcus A. Watson, Sr., Chapter 7 Trustee of Pike Nursery Holding, LLC, requests that the Court sustain his objection and disallow claim no. 730.

This 31st day of July, 2013.

/s/ John A. Christy
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UNITED STATES BANKRUPTCY COURT
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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. 730 Filed by Hanck Groves & Nursery ("Motion") seeking to disallow the claim.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion in Courtroom 1201, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia, at 10:30 a.m. on September 5, 2013.

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 31st day of July, 2013.

/s/ John A. Christy
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CERTIFICATE OF SERVICE

This is to certify that the undersigned served a copy of the CHAPTER 7 TRUSTEE'S OBJECTION TO CLAIM NO. 730 FILED BY HANCK GROVES & NURSERY 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:

Hanck Groves & Nursery
c/o Walter C. Hanck, owner
15900 SW 258th street
Homestead, FL 33031

This 31st day of July, 2013.

/s/ J. Carole Thompson Hord
J. CAROLE THOMPSON HORD

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