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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 TRANSFIRST GROUP, INC. f/k/a
 10 TRANSFIRST HOLDINGS, INC.,
 TRANSFIRST THIRD PARTY SALES LLC
 11 f/k/a TRANSFIRST MERCHANT
 SERVICES, INC., and PAYMENT
 12 RESOURCES INTERNATIONAL, LLC,

Case No. 2:17-CV-00487-APG-VCF

**ORDER APPROVING STIPULATION
 REGARDING CLAIMS AS PROPERTY OF
 THE ESTATE**

13 Plaintiffs,

14 v.

15 DOMINIC JOSEPH MAGLIARDITI;
 16 FRANCINE MAGLIARDITI; in her
 individual capacity, and as trustee of FRM
 17 TRUST, DJM IRREVOCABLE TRUST, and
 the FANE TRUST; ATM ENTERPRISES,
 18 LLC, DII CAPITAL, INC.; DFM
 HOLDINGS, LTD; DFM HOLDINGS, LP,
 19 DII PROPERTIES LLC, MAGLIARDITI,
 LTD.; CHAZZLIVE.COM, LLC; and
 20 SPARTAN PAYMENT SOLUTIONS, LLC.,

21 Defendants.

22 The Stipulation Regarding Claims As Property Of The Estate (“Stipulation”)¹ [ECF No.
 23 237] having been filed; the Court having reviewed the Stipulation, and for good cause shown, it is
 24 hereby

25 ORDERED that the Stipulation Regarding Claims As Property Of The Estate is approved;
 26 and it is further

27 _____
 28 ¹Unless otherwise defined herein, capitalized terms have the meanings ascribed them in the underlying Stipulation.

1 ORDERED that:

2 1. The Claims are property of the Debtor’s bankruptcy estate pursuant to 11 U.S.C. §
3 541(a) and/or are held and controlled by the Chapter 7 Trustee from and after the Petition Date;

4 2. The Trustee and Transfirst Group, Inc. f/k/a Transfirst Holdings, Inc., Transfirst
5 Third Party Sales LLC f/k/a Transfirst Merchant Services, Inc., and Payment Resources
6 International, LLC each reserves its respective rights and claims with regard to the issue of
7 whether new claims that are currently not alleged in the Action (the “Newly Discovered Claims”),
8 are property of the Debtor’s bankruptcy estate pursuant to 11 U.S.C. § 541 and/or are held and
9 controlled by the Chapter 7 Trustee from and after the Petition Date; and

10 3. The Stipulation does not apply to actions for contempt that are currently pending in
11 the Action or may arise from actions of the Defendants in the Action, and the Parties specifically
12 reserve the issue of whether such contempt claims are the property of the Debtor’s bankruptcy
13 estate pursuant to 11 U.S.C. § 541 and/or are held and controlled by the Chapter 7 Trustee from
14 and after the Petition Date.

15 Submitted by:

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17 /s/ Jeanette E. McPherson
18 Jeanette E. McPherson, Esq.
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Attorneys for Shelley D. Krohn, Trustee

21 IT IS SO ORDERED.

22 Dated: August 27, 2018.

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UNITED STATES DISTRICT JUDGE