

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	:	Chapter 7
	:	
	:	
KRISTOPHER A. TROY	:	
	:	Case No. 22-10476 (LSS)
	:	
Debtor	:	
	:	

STIPULATION AND CONSENT ORDER

Kristopher A. Troy (the “Debtor”) and David W. Carickhoff, solely in his capacity as chapter 7 trustee of the Debtor’s chapter 7 estate (the “Trustee”), hereby stipulate and agree as follows:

WHEREAS, on May 24, 2022, this case was commenced by the filing of a voluntary petition under chapter 7 of the U.S. Bankruptcy Code, and;

WHEREAS, at the time of the commencement of this case, the Debtor and his wife, as tenants by the entirety, owned that certain parcel of real estate, known as 302 High Ridge Road, Wilmington, DE19807 (the “Premises”), and;

WHEREAS, the Premises served as the family’s principal and sole residence;

WHEREAS, on the schedules filed in this case on May 24, 2022, the Premises was listed on Schedule A and claimed as exempt on Schedule C, pursuant to 11 U.S.C. section 522(b)(2)(B);

WHEREAS, the Debtor testified at the first meeting of creditors conducted on June 29, 2022, that he and his wife intended to sell the Premises as soon as possible;

WHEREAS the Trustee has not yet filed his minute sheet concluding the meeting of creditors, and;

WHEREAS, at the first meeting of creditors the Trustee and the Office of the United States Trustee had requested further information from the Debtor, and;

WHEREAS the Debtor has fully complied with all information requests from the Trustee and the Office of the United States Trustee, and;

WHEREAS, an agreement of sale for the Premises has been entered that provides for final settlement on or about August 29, 2022, and;

WHEREAS the Buyers' title insurance company requires some form of Bankruptcy Court order regarding the disposition of the Premises, and;

WHEREAS the Trustee has indicated that he is not objecting to the Debtor's claimed exemption of the Premises and that he has no objection to the proposed sale of the Premises, and;

WHEREAS neither the Debtor nor his Counsel have received any comments or objections to the claimed exemptions, either formal or informal; however John Pinter filed an objection to any discharge of K&J Services, Inc.; and;

NOW THEREFORE, the parties to this stipulation have agreed, subject to Court approval, that;

1. The interest, if any, that the Trustee may have in the Premises is deemed fully exempted pursuant to 11 U.S.C. section 522(b)(2)(B) and is abandoned from the bankruptcy estate pursuant to 11 U.S.C. section 554 as being of inconsequential value and benefit to the estate.
2. To the extent that any creditor successfully objects to the discharge of its claim against the Debtor, such creditor's rights are reserved as to the proceeds of the sale of the Premises. The Debtor shall escrow half of the sale proceeds of the Premises through the deadline for parties to object to exemptions. If a timely objection is made, the escrowed funds shall not be released without further Court order.

>>> Signature Page Follows <<<

Dated: *31 August 2022*

/s/ David W. Carickhoff

David W. Carickhoff
Chapter 7 Trustee
300 Delaware Avenue, Suite 1100
Wilmington, DE19801
Tel. 303-777-4350
dwctrustee@gmail.com

FERRY JOSEPH, P.A.

Dated: *31 August 2022*

/s/ John D. McLaughlin, Jr.

John D. McLaughlin, Jr. (No. 4123)
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Counsel for Debtor

SO ORDERED.

Dated: 9/1/22



Laurie Selber Silverstein
Chief Bankruptcy Judge