

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

Case No. 6:03-bk-11735-ABB  
Chapter 7

SAMUEL I. BARBER,

Debtor.

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JAMES C. ORR, CHAPTER 7 TRUSTEE,

Plaintiff,

vs.

Adv. Pro. No. 6:05-ap-00078-ABB  
Adv. Pro. No. 6:05-ap-00247-ABB  
[Consolidated]

KENOFF & MACHTINGER, L.L.P. and  
KENOFF & MACHTINGER, A California  
General Partnership,

Defendants.

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**JUDGMENT**

This matter came before the Court on the Plaintiff's Motion for Summary Judgment and Memorandum of Law, the Amended Plaintiff's Motion to Amend Complaint filed by the Plaintiff, and the Amended Complaint to Avoid Preferential Transfer as to Personal Property and Real Property filed by James C. Orr, the Chapter 7 Trustee and the Plaintiff herein ("Plaintiff"), and the Defendant's Motion for Summary Judgment and Memorandum of Law filed by Kenoff & Machtinger, LLP and Kenoff & Machtinger, A California General Partnership, the Defendants herein. After reviewing the pleadings and evidence, hearing live argument, and in conformity with and pursuant to the **Memorandum Opinion** entered contemporaneously herewith, it is

**ORDERED, ADJUDGED and DECREED** that **JUDGMENT** is hereby entered in favor of the Plaintiff James C. Orr, Chapter 7 Trustee, and against the Defendants Kenoff & Machtinger, LLP and Kenoff & Machtinger, A California General Partnership; and it is further

**ORDERED, ADJUDGED and DECREED** that the attachment of the Defendants' judgment lien to the Debtor's one-third interest in 2209 Howard Drive, Winter Park, Florida on July 23, 2003 constitutes an avoidable preferential transfer pursuant to 11 U.S.C. § 547(b) and such transfer is hereby avoided and set aside pursuant to 11 U.S.C. § 547(b); and it is further

**ORDERED, ADJUDGED and DECREED** that the Trustee holds the proceeds of sale of the Debtor's one-third interest in 2209 Howard Drive, Winter Park, Florida free and clear of such voided judgment lien.

Dated this 10<sup>th</sup> day of August, 2006.

*/s/ Arthur B. Briskman*  
ARTHUR B. BRISKMAN  
United States Bankruptcy Judge