

In re:

ASSIGNMENT FOR BENEFIT OF
CREDITORS OF:

PROPER BSD, LLC, a Colorado limited
liability company

Assignor,

To:

NIR GAVRA,

Assignee

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

Case No. 2023-018976-CA-01

Division: CA44

MOTION TO SET NOTICE PROCEDURES

Assignee, Nir Gavra (the “Assignee”), files this Motion to Set Notice Procedures and states:

1. On June 21, 2023, an assignment for the benefit of creditors was duly executed by the Assignor, Proper BSD, LLC, assigning all of its assets to the Assignee under Chapter 727 of the Florida Statutes.
2. On June 27, 2023, (the “Petition Date”), a Petition was filed with the Clerk of this Court commencing this assignment for the benefit of creditors proceeding.
3. Prior to commencing the assignment, the Assignor’s business consisted of holding direct or indirect interests in limited liability companies which owned and managed real estate projects throughout Florida. The Assignee intends to liquidate these interests for the benefit of creditors as contemplated by Section 727 of the Florida Statutes.
4. The schedules delivered by the Assignor to the Assignee reflect over 150 creditors, the majority of which reside in Israel.
5. By this Motion, the Assignee requests the Court set notice procedures for service

to the creditor body. The cost of mailing notice of all filings to all Israeli creditors would be enormous and would drain the resources of the estate.

6. The Assignee proposes that he be permitted to provide notice to (a) all creditors and interested parties with addresses within the United States of ; (b) any creditor that files a notice of appearance in the assignment case; (c) any creditor that emails the Assignor's counsel to specifically request service; and (d) any creditor known by the Assignee to have a particularized interest in the subject to the document to be served.

7. Additionally, the Assignee proposes that he be authorized to create and maintain a publicly available website to post all case filings and other relevant updates to creditors. The Assignee will serve notice of the website address on all creditors.

8. Finally, to ensure that the Israeli creditors are provided adequate notice, the Assignee proposes that he translate critical case documents into Hebrew including the Notice of Assignment, the Proof of Claim form, and any proposed distributions and provide notice through mail or through the Assignee's website, as appropriate.

9. Fla. Stat. § 727.109(15) grants the Court broad authority to "[e]xercise any other powers that are necessary to enforce or carry out the provisions of this chapter." Fla. Stat. § 727.101 states that the intent of the assignment for the benefit of creditors statute is to "provide a uniform procedure for the administration of insolvent estates, and to ensure full reporting to creditors and equal distribution of assets according to priorities as established under this chapter."

10. The proposed notice of procures outlined herein will ensure that the estate remains solvent and is able to make the largest possible distribution to creditors.

WHEREFORE, the Assignee requests that the Court enter an order setting notice procedures as set forth above and granting such further relief as is deemed just and proper.

Dated: July 6, 2023

HOFFMAN, LARIN & AGNETTI, P.A.

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By: /s/ Michael S. Hoffman

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