

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

IN RE: Case No. 16-20516-AJC

PROVIDENCE FINANCIAL INCOME  
FUND INC. Chapter 7

Debtor.  
\_\_\_\_\_ /

IN RE: Case No. 16-20517-AJC

PROVIDENCE FIXED INCOME FUND,  
LLC Chapter 7

Debtor.  
\_\_\_\_\_ /

**TRUSTEE’S MOTION FOR JOINT ADMINISTRATION**

Maria Yip, the Chapter 7 Trustee (the “Trustee”), for the bankruptcy estates of Providence Financial Investments, Inc. (“Providence Financial”) and Providence Fixed Income Fund, LLC (“Providence Fixed Income”), by and through undersigned counsel and pursuant to Rule 1015 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Local Rule 1015-1(B)(2)(b), files this Motion for Joint Administration (the “Motion”), and in support, the Trustee states as follows:

**JURISDICTION AND VENUE**

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

2. The statutory predicate for the relief sought herein is section 105(a) of the Bankruptcy Code, as complemented by Bankruptcy Rule 1015(b).

3. On July 28, 2016, Providence Financial filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the “Bankruptcy Code”).

4. On the same date, Providence Fixed Income filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.

5. Maria M. Yip is the duly appointed Chapter 7 Trustee of Providence Financial and Providence Fixed Income’s estates (jointly, the “Debtors”).

6. Both of the Debtors share the same officer and director, Antonio Buzaneli and the same parent corporation, Providence Holdings International, Inc.

### **RELIEF REQUESTED**

7. Through this Motion, the Trustee seeks the entry of an Order for Joint Administration of the cases for procedural purposes only.

### **LEGAL ARGUMENT**

8. Bankruptcy Rule 1015(b) provides in relevant part that [i]f a joint petition or two or more petitions are pending in the same court by or against ... a debtor and an affiliate, the court may order a joint administration of the estates.

9. The Debtors are “affiliates” as that terms is defined in Section 101(2) of the Code. Bankruptcy Rule 1015 provides for the fair and efficient administration of multiple cases of affiliated debtors, like here, while protecting the rights of individual creditors. *See In re PL Liquidation Corp.*, 305 B.R. 629, 633 (Bankr. D. Del. 2004).

10. According to the notes of the Advisory Committee on the Bankruptcy Rules, joint administration may include combining the debtors’ estates by using a single docket for matters occurring in the administration thereof, including the listing of filed claims, the combining of

notices to creditors of the different estates, and the joint handling of other pending administrative matters “that may aid in expedition of the cases and rendering the process less costly.”

11. Most, if not all, of the applications, notices and orders to be filed with the Court will affect both of the Debtors and their respective creditors. It would be an unnecessary burden on this Court and the Clerk’s office to maintain separate dockets for each of the affiliated Debtors. Joint administration facilitates an orderly and efficient administration thereof.

12. The Trustee request that the official caption to be used by all parties in all pleadings in the jointly administered cases be as follows:

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

IN RE:

PROVIDENCE FINANCIAL INCOME  
FUND INC.  
PROVIDENCE FIXED INCOME FUND,  
LLC,

Case No. 16-20516-AJC  
Chapter 7  
(Jointly Administered)

Case No. 16-20517-AJC

Debtors.

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13. This simplified caption will eliminate cumbersome and confusing procedures and ensure a uniformity of pleading identification.

14. Pursuant to the requirements of Local Rule 1015-1(B), the Trustee states that joint administration will not give rise to any conflict of interest among the estates of the Debtors. The rights of the respective creditors of the Debtors will not be adversely affected by joint administration of these cases because the relief sought is purely procedural and not intended to affect substantive rights. Each creditor and party in interest will maintain whatever claims or rights it allegedly has against a particular estate. Moreover, creditors will benefit from joint

administration because it will prevent different and duplicative efforts, and will provide an efficient means of administering the cases.

15. Finally, the Court will be relieved of the burden of scheduling duplicative hearings, entering duplicative orders and maintaining redundant files.

16. The Trustee also seeks the Court's direction that a notation substantially similar to the following notation be entered in the docket of each of the cases to reflect the joint administration of the cases:

An order had been entered in this case directing joint administration of the following cases for procedural purposes only: (i) Providence Financial Investments, Inc., Case No. 16-20516-AJC and (ii) Providence Fixed Income Fund, LLC, Case No. 16-20517-AJC. The docket of Providence Financial Investments, Inc., Case No. 16-20516-AJC should be consulted for all matters affecting this case.

17. No previous request for the relief sought in this Motion has been made to this or any other court.

WHEREFORE, the Trustee respectfully requests the Court enter an order substantially in the form attached hereto as **Exhibit A**, and grant such other and further relief as is just and proper.

Respectfully submitted,

/s/ Eyal Berger  
Eyal Berger, Esq.  
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Email: eyal.berger@akerman.com  
Joan Levit, Esq.  
Florida Bar Number: 987530  
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350 East Las Olas Boulevard  
Fort Lauderdale, FL 33301-2999  
Phone: (954) 463-2700  
Fax: (954) 463-2224

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on August 12, 2016, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day by transmission of Notices of Electronic Filing generated by CM/ECF to those parties registered to receive electronic notices of filing in this case as listed in the attached service list.

/s/ Joan Levit  
Joan Levit, Esq.

**SERVICE LIST**

**16-20516-AJC Notice will be electronically mailed to:**

Eyal Berger, Esq. on behalf of Trustee Maria Yip  
eyal.berger@akerman.com, jeanette.martinez@akerman.com

James B Miller, Esq on behalf of Debtor Providence Financial Investments, Inc.  
bkcmiami@gmail.com

Office of the US Trustee  
USTPRegion21.MM.ECF@usdoj.gov

Maria Yip  
trustee@yipcpa.com, myip@ecf.epiqsystems.com

Maria Yip on behalf of Trustee Maria Yip  
trustee@yipcpa.com, [myip@ecf.epiqsystems.com](mailto:myip@ecf.epiqsystems.com)

Susan R Sherrill-Beard, Esq on behalf of Creditor U.S. Securities and Exchange Commission  
[sherrill-beards@sec.gov](mailto:sherrill-beards@sec.gov), [atltreorg@sec.gov](mailto:atltreorg@sec.gov); [berlina@sec.gov](mailto:berlina@sec.gov); [martinc@sec.gov](mailto:martinc@sec.gov)

**16-20516-AJC Notice will not be electronically mailed to:**

Providence Financial Investments, Inc.  
Providence Fixed Income Fund, LLC  
6303 Blue Lagoon Dr. # 435  
Miami, FL 33126

Thomas De Araujo  
2 S Biscayne Blvd #2690  
Miami, FL 33131

**EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

IN RE: Case No. 16-20516-AJC

PROVIDENCE FINANCIAL INCOME  
FUND INC. Chapter 7

Debtor.

\_\_\_\_\_ /

IN RE: Case No. 16-20517-AJC

PROVIDENCE FIXED INCOME FUND,  
LLC Chapter 7

Debtor.

\_\_\_\_\_ /

**ORDER GRANTING CHAPTER 7 TRUSTEE'S  
MOTION FOR JOINT ADMINISTRATION**

**THIS MATTER** came before the Court on \_\_\_\_\_, pursuant to Federal Rule of Bankruptcy Procedure 1015 and Local Rule 1015-1(B)(2)(b), upon the Motion for Joint



Administration (the “Motion”) [ECF No. \_\_\_], filed by Maria Yip, in her capacity as the Chapter 7 Trustee (the “Trustee”), for the bankruptcy estates of Providence Financial Investments, Inc. (“Providence Financial”) and Providence Fixed Income Fund, LLC (“Providence Fixed Income” and with Providence Financial, the “Debtors”). The Court finds that good and sufficient notice of the Motion and the hearing have been provided; and the relief requested in the Motion is in the best interests of the Debtors, their estates and their creditors. Having reviewed the Motion and the record herein and good and sufficient cause exists for granting the relief requested, it is

**ORDERED** that:

1. The Motion is **GRANTED**.
2. The above-captioned bankruptcy cases shall be jointly administered. Case No. 16-20516-AJC is designated as the “lead case”.
3. A single case docket and court file will be maintained under the “lead case” number.
4. Hearings in these jointly administered cases shall be joint hearings unless otherwise specified.
5. The style of these jointly administered cases shall be the style set forth below:

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

IN RE:

PROVIDENCE FINANCIAL INCOME  
FUND INC.  
PROVIDENCE FIXED INCOME FUND,  
LLC,

Debtors.

Case No. 16-20516-AJC  
Chapter 7  
(Jointly Administered)

Case No. 16-20517-AJC

\_\_\_\_\_ /

6. Court papers filed in any case other than the lead case shall be captioned under the lead case name and case number, followed by the words (“Jointly Administered”) and beneath that caption, the case names and numbers for the cases in which the document is being filed. Claims filed shall indicate only the case name and the case number in which the claim is asserted. Separate claims registers shall be maintained for each case.

7. The trustee will not commingle assets or liabilities unless and until it is determined, after notice and hearing, that these cases involve the same debtor or that another ground exists to order substantive consolidation of these cases.

8. A docket entry shall be made in each of the cases substantially as follows:

An order had been entered in this case directing joint administration of the following cases for procedural purposes only: (i) Providence Financial Investments, Inc., Case No. 16-20516-AJC and (ii) Providence Fixed Income Fund, LLC, Case No. 16-20517-AJC. The docket of Providence Financial Investments, Inc., Case No. 16-20516-AJC should be consulted for all matters affecting this case.

9. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

# # #

Submitted by:

**AKERMAN, LLP**

Joan Levit, Esq.

Las Olas Centre II, Suite 1600

350 East Las Olas Boulevard

Fort Lauderdale, FL 33301-2999

Phone: (954) 463-2700/Fax: (954) 463-2224

*Counsel to the Chapter 7 Trustee*

[joan.levit@akerman.com](mailto:joan.levit@akerman.com)

*(Attorney Levit shall upon receipt serve a copy of this Order upon all interested parties and file a certificate of service.)*