

# BANKRUPTCY <sup>UP</sup>DATE

## December 3, 2024

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### LKA Decision

You can use the link in the "Links" section below to view the following decision:

#### *In re Clarey*

**Issue:** Whether the debtors were entitled to summary judgment concerning their objection to a creditor's proof of claim because the mechanic's lien securing the creditor's claim was barred by the statute of limitations and its filing violated the automatic stay under 11 U.S.C. §362(a)(4) and (5)?

**Ruling:** No. The debtors failed to meet their burden of proof to be awarded summary judgment and the record showed genuine issues of material fact remained to be resolved at trial.

### Links

[In re Clarey](#)

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