

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11 Case**
 :
ARCAPITA BANK B.S.C.(c), et al., : **Case No. 12-11076 (SHL)**
 :
 : **Jointly Administered**
Debtors. :
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ORDER SUSTAINING DEBTORS' OBJECTION TO CLAIM OF HANI ALSOHAIBI
(Claim No. 280)

Upon consideration of the Debtors' objection to the claim of Hani Alsohaibi [Claim No. 280] (the "*Alsohaibi Claim*"), as set forth in the Debtors' Second Omnibus Objection to Claims [Docket No. 1050], as further supported by the Objection Supplement [Docket No. 1351] and the Debtors' Reply brief [Docket No. 1451] (together, the "*Claim Objection*")¹ in which the Debtors sought an order disallowing a portion of the Alsohaibi Claim and reducing the amount of the Alsohaibi Claim to a claim of \$148.91 against Debtor Arcapita Bank; the consideration of the Response of Hani Alsohaibi in support of the Alsohaibi Claim [Docket No. 1417]; the Stipulations of the parties as ordered by the Court [Docket Nos. 1372 & 1416]; and the consideration of the arguments of counsel as presented at the hearing on the Claim Objection; the Court finds (i) that it has jurisdiction to consider the Claim Objection pursuant to 28 U.S.C. §§ 157 and 1334, (ii) that venue of this proceeding is proper pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) that the relief requested in the Claim Objection is in the best interests of the Debtors' estates, their creditors, and other parties in interest, and (iv) that notice of the Claim Objection and the opportunity for a hearing with respect to the Alsohaibi Claim was appropriate under the

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Claim Objection.

particular circumstances; and based thereon and after due deliberation and sufficient cause appearing for the reasons stated at the hearing on the Claim Objection,

IT IS HEREBY ORDERED:

1. The Claim Objection is sustained, and the relief requested in the Claim Objection is granted to the extent provided herein.
2. Pursuant to section 502(b) of the Bankruptcy Code, the Alsohaibi Claim is disallowed to the extent it exceeds \$148.91 and is reduced and allowed as a Class 5(a) claim, as defined in the Debtors' chapter 11 plan of reorganization [Docket No. 1265], against Arcapita Bank in the amount of \$148.91.
3. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: September 6, 2013
New York, New York



/s/ Sean H. Lane

Sean H. Lane
United States Bankruptcy Judge