Case 8-09-75473-reg Doc 127 Filed 08/19/10 Entered 08/19/10 15:58:42

Motion Date: September 29, 2010

Time: 9:30 a.m.

Location: Central Islip

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK

In Re:

SUFFOLK READY MIX, LLC.

Chapter 7 Case No. 09-75473

Debtor.

-----

#### MOTION FOR RELIEF FROM AUTOMATIC STAY

Secured Lease Creditor Key Equipment Finance Inc. ("Key"), through its attorneys Lemery Greisler LLC, respectfully moves the Court for an Order pursuant to 11 U.S.C. §362 (d)(1)(2) for relief from the Automatic Stay and, in support of its motion, states as follows:

#### PARTIES

- Debtors Suffolk Ready Mix, LLC ("Debtor") filed its Voluntary
   Petition for Relief under Chapter 11 of the United States Bankruptcy Code in this
   Court on July 24, 2009.
- The case was converted to one under Chapter 7 under the United
   States Bankruptcy Code on August 9, 2010.
  - 3. R. Kenneth Barnard, Esq. is the duly appointed Chapter 7 Trustee.
- 4. Key is a secured creditor of the Debtor pursuant to a Vehicle Finance Agreement under which Key financed the Debtor's purchase of a 2007 Heil Dry bulk Trailer. As of the date of filing, Key was owed \$55,606.16.
  Evidence of Key's claim and the perfection of its lien is attached hereto as Exhibit "A."

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