

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

Case No. 6:08-bk-00322-ABB  
Chapter 7

CESAR RAFAEL ABUCHAR and  
LILIAN HERRERA ABUCHAR,

Debtors.

**ORDER**

This matter came before the Court on the Motion to Redeem Personal Property Secured by a Loan to Mazda American Credit (Doc. No. 40) filed by Cesar Rafael Abuchar and Lilian Herrera Abuchar, a/k/a Lilian Rosy Abuchar, a/k/a Rosy Abuchar, the Debtors herein (collectively, the "Debtors"), seeking to redeem a 2007 Mazda M3 VIN JM1BK32F571712787 ("Vehicle") pursuant to 11 U.S.C. Section 722 and the Motion by Mazda American Credit for Relief from Stay (Doc. No. 29) seeking relief from the automatic stay of 11 U.S.C. Section 362(a) to pursue its remedies against the Vehicle. Mazda filed an Objection (Doc. No. 42) to the Debtors' Motion to Redeem. The Chapter 7 Trustee abandoned all right, title, and interest in the Vehicle (Doc. No. 34). A final evidentiary hearing was conducted on June 2, 2008 at which counsel for the Debtors and counsel for Mazda appeared.

Accordingly, it is

**ORDERED, ADJUDGED and DECREED** that the Debtors' Motion to Redeem (Doc. No. 40) is hereby **GRANTED**; and it is further

**ORDERED, ADJUDGED and DECREED** that the Debtors may redeem the Vehicle pursuant to 11 U.S.C. Section 722 within thirty (30) days after the date of entry of this Order by paying \$16,000.00 in cash, cashier's check or certified check to Mazda American Credit. Mazda American Credit, within thirty (30) days of timely receipt of such payment, shall execute a satisfaction of its lien and deliver the original Certificate of Title for the Vehicle to the appropriate Department of

Motor Vehicles, or, if the title is electronic, notify the Department of Motor Vehicles the lien has been satisfied; and it is further

**ORDERED, ADJUDGED and DECREED** that if the redemption payment is not timely made, the Debtors' right to redeem the Vehicle shall expire, and Mazda American Credit's Motion for Relief from Stay (Doc. No. 29) shall automatically be granted and the automatic stay 11 U.S.C. Section 362(a) shall thereupon be lifted as to the Vehicle. This provision shall only allow Mazda American Credit to take action against the Vehicle and does not authorize any party to seek or obtain an *in personam* remedy against the Debtors regarding the Vehicle.

Dated this 19<sup>th</sup> day of June, 2008

*/s/Arthur B. Briskman*

ARTHUR B. BRISKMAN

United States Bankruptcy Judge