

1 IN THE UNITED STATES BANKRUPTCY COURT FOR
2 THE DISTRICT OF PUERTO RICO

3 IN RE:

4 BLD REALTY INC

5 Debtor(s)

6 BLD REALTY INC

7 Plaintiff(s)

8 MICHAEL A. PABON, et al.

9 Defendant(s)

CASE NO. 22-00802-MCF11
Chapter 11

ADVERSARY NUMBER: 22-00034-MCF

10 FILED & ENTERED ON MAY/21/2026

11 OPINION AND ORDER

12 Codefendants, Latin Investment Corp., Ramon Clas Vazquez and Productos La Perfecta Corp. (collectively,
13 the “Codefendants”), move the court for a partial summary judgment as to them regarding the first and eighth causes
14 of action in the complaint (Docket No. 436). The Plaintiff, BLD Realty Inc., opposes the motion for partial summary
15 judgment (Docket No. 462). For the reasons expressed below, the court grants Codefendants’ motion for partial
16 summary judgment.

17 The Plaintiff, BLD Realty Inc., filed a ten-count complaint against various defendants. In a prior opinion
18 and order, the court dismissed the second, third, fourth, fifth, sixth, and seventh counts of the complaint (Docket No.
19 65). Recently, the court dismissed the first and eighth counts as to codefendant Michael A. Pabon (Docket No. 420).
20 Relying on the recent court order on Docket No. 420, the Codefendants request a partial summary judgment
21 dismissing the first and eighth counts as to them as well.

22 The first cause of action seeks a declaratory judgment that the monies owned by codefendants Perfecto
23 Price, Inc. and Mr. Perfecto Rivera constitute property of the estate, pursuant to 11 U.S.C. § 541.¹ The eighth cause
24 of action involves a turnover of property, pursuant to 11 U.S.C. § 542.
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27 ¹ Unless otherwise indicated, all references to “Bankruptcy Code” or to specific statutory sections are to the
28 Bankruptcy Reform Act of 1978, as amended, 11 U.S.C. §§ 101-1532. All references to “Bankruptcy Rule” are to the
29 Federal Rules of Bankruptcy Procedure, and all references to “Rule” are to the Federal Rules of Civil Procedure. All
references to “Local Bankruptcy Rule” are to the Local Bankruptcy Rules of the United States Bankruptcy Court for
the District of Puerto Rico. All references to “Local Civil Rule” are to the Local Rules of Civil Practice of the United
States District Court for the District of Puerto Rico.

1 Summary judgment is proper when there is no genuine issue as to any material fact and the moving party is
2 entitled to a judgment as a matter of law. Fed. R. Civ. P. 56; Fed. R. Bankr. P. 7056.
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4 It is undisputed that the first count centers around a local court judgment entered against codefendants
5 Perfect Price, Inc., and Mr. Perfecto Rivera regarding past due rents owed to BLD. Latin Investment, Clas Vazquez
6 and Productos La Perfecta are not named as codefendants in the first cause of action. The eighth count seeks the
7 turnover of rent monies by Perfect Price and Mr. Perfecto Rivera and the turnover of two real properties by Latin
8 Investment. In relation to the first cause of action, Latin Investment, Clas Vazquez and Productos La Perfecta were
9 never sued in the local court case nor was judgment entered against them. Nor are Latin Investment, Clas Vazquez
10 and Productos La Perfecta named in the allegations of the first cause of action of the complaint. As to the eighth
11 cause of action, Clas Vazquez and Productos La Perfecta were not named in the complaint; Latin Investment was
12 indeed named but only to request the turnover of two real properties relying on the fifth, sixth and seventh counts
13 which relate to the avoidance of transfer of properties to Latin Investment and that already have been dismissed as
14 well. Latin Investment, Clas Vazquez and Productos La Perfecta are therefore entitled to judgment in their favor as
15 to first and eight count.

16 Consequently, Latin Investment Corp., Ramon Clas Vazquez and Productos La Perfecta Corp., are entitled
17 to a partial summary judgment in their favor for the first and eighth counts of the complaint (Docket No. 436).

18 IT IS SO ORDERED.

19 In San Juan, Puerto Rico, this 21st day of May, 2026.
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22 Mildred Caban Flores
23 United States Bankruptcy Judge
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