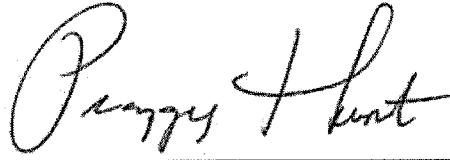


This order is **SIGNED**.

Dated: November 26, 2025



PEGGY HUNT  
U.S. Bankruptcy Judge



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH

In re:

MSB TRUST,

Debtor.

Bankruptcy Case No. 25-23863

Chapter 11

Honorable Peggy Hunt

**ORDER GRANTING MOTION FOR IN REM RELIEF FROM AUTOMATIC STAY**

The matter before the Court is a *Motion for In Rem Relief from Automatic Stay* [Dkt. No. 40] (the “**Motion**”) filed by Canyon View Federal Credit Union fka University First Federal Credit Union (“**Canyon View**”), seeking in rem relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(4) in relation to real property located at 4643-4645 South Highland Drive, Salt Lake City, UT 84117, and as more particularly described below (the “**Highland Drive Property**”). *Notice* of the Motion and opportunity to object and for hearing [Dkt. No. 41] was properly filed and served and no further notice is required. Max W. Barber (“**Mr. Barber**”) filed an *Objection* to the Motion [Dkt. No. 47]. The Debtor did not file a response.

An initial hearing on the Motion was held on November 19, 2025. Marlon L. Bates, Scalley Reading Bates Hansen & Rasmussen, P.C., appeared on behalf of Canyon View; Max W. Barber appeared *pro se*; and Peter J. Kuhn appeared on behalf of the Office of the United

States Trustee. The Debtor did not make an appearance. The initial hearing was continued to November 26, 2025.

An evidentiary hearing on the Motion was held on November 26, 2025, and appearances made on the record were the same as those at the initial hearing. Again, the Debtor did not appear. Evidence was received and admitted, and arguments and representations were made. Based on the above-referenced pleadings, the evidence, the representations and arguments made by the parties, the record in this case as well the record in each of the 6 other cases associated with Mr. Barber filed in the last two years and the applicable law, the Court made findings of fact and conclusions of law on the record, which are incorporated in this Order. Based thereon,

**IT IS HEREBY ORDERED that:**

1. The Motion is **GRANTED**;
2. The Objection is **OVERRULED**;
3. The automatic stay under 11 U.S.C. §362(a) is terminated as to the Highland Drive

Property, specifically described as:

Beginning at a point in the center of Highland Drive, West 165 feet and North 14 deg, 05' West 717.73 feet from the Southwest corner of the East half of the Southeast quarter of Section 4, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 14 deg. 05' West 97.53 feet; thence North 89 deg. East 353.9 feet; thence South 14 deg. 05' East 97.53 feet; thence South 89 deg. West 353.9 feet to beginning.

Less and excepting land conveyed in that certain warranty deed recorded July 28, 1987 as Entry No. 4497379 in Book 5945 at Page 144, being partially described as follows:

Beginning at a point in the center of Highland Drive West 165 feet and North 14 deg, 05' West along said center line 717.73 feet from the Southwest corner of the East half of the Southeast Quarter of Section 4, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 14 deg. 05' West along said center line 97.53 feet; thence North 89 deg. East 41.06 feet to the Easterly right of way line of said Highland Drive; thence South 14

deg. 05' East along said right of way 97.53 feet; thence South 89 deg. West 41.06 feet to the point of beginning.

Also less and excepting land conveyed to that certain Warranty Deed recorded November 27, 1996 as Entry No. 6516309 in Book 7545 at Page 1178, being more particularly described as follows:

A parcel of land in fee for the widening of a highway known as Project No. 2082, being part of an entire tract of property, situate in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 4, Township 2 South, Range 1 East, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in the Southerly boundary line of said entire tract, which point is 165.00 feet West and 717.73 Feet (Hwy Dist 712.38 feet) North 14 deg. 05' West and 39.14 feet North 89 deg. 00'00" East from the Southwest corner of the East half of the SE  $\frac{1}{4}$  of said Section 4; thence North 14'05'00" West 97.53 feet to the Northerly boundary line of said tract; thence North 89 deg. 00'00" East 1.26 feet along the Northerly boundary line to a point 40.00 feet perpendicularly distant from the centerline of said project; thence South 14 deg. 00'23" East 97.50 feet along a line parallel to said project centerline to the Southerly boundary line of said entire tract; thence South 89 deg. 00'00" West 1.15 feet along said Southerly boundary line to the point of beginning as shown on the official map of said project on file in the Office of Salt Lake County.

Parcel No.: 22-04-479-002

4. The 14-day stay under Fed. R. Bankr. P. 4001(a)(4) is **WAIVED** and this Order is effective immediately as of the time stated on the record at the hearing;
5. Canyon View is permitted to send any party or parties protected by the automatic stay any and all notices required by state and/or federal law or regulation, and to proceed, pursuant to applicable non-bankruptcy law, to exercise all of its legal remedies and rights to enforce its lien against the Property, and to take such actions with respect to the Property as are provided for under applicable non-bankruptcy law; and
6. Canyon View is **AUTHORIZED** to record this Order with the Salt Lake County Recorder's Office pursuant to 11 U.S.C. §362(d)(4).

7. Once recorded, this Order is binding in any other case filed under title 11 of the United States Code purporting to affect the Property filed not later than 2 years after the date of the entry of this Order.

--END OF ORDER--

I hereby certify that the annexes and foregoing is a true and complete copy of a document, or, an authorized electronic entry, on file in the United States Bankruptcy Court for the District of Utah

Case/AP # 25-23863 Document # 58  
Date Filed: 11/26/25 Date Entered on Docket 11/26/25  
Number of Pages 60

DATED: 11/26/25 ATTEST: David A. Sime, Clerk of Court  
By: [Signature]  
Deputy Clerk

**DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing *Order Granting Motion for In Rem Relief from Automatic Stay* shall be served on the parties in the manner designated below:

**By Electronic Service:** The parties of record in this case, as identified below, are registered CM/ECF users.

- Marlon L. Bates marlon@scalleyreading.net, brandon@scalleyreading.net
- Adam D. Ford adam.ford@fordcranelaw.com, chase.hess@fordcranelaw.com
- Peter J. Kuhn Peter.J.Kuhn@usdoj.gov,  
Lindsey.Huston@usdoj.gov;Rinehart.Peshell@usdoj.gov;Rachelle.D.Hughes@usdoj.gov  
;Brittany.Dewitt@usdoj.gov
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov

**By U.S. Mail:** In addition to the parties receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed. R. Civ. P. 5(b).

Max W. Barber  
4643-4645 S. Highland Drive  
Holladay, UT 84117

MSB Trust  
4643-4645 S. Highland Drive  
Holladay, UT 84117

MSB International, LLC  
c/o Max Barber, Registered Agent  
4643-4645 South Highland Drive  
Salt Lake City, UT 84117

MSB International, LLC  
c/o Max Barber, Registered Agent  
6543 N Landmark Dr. #1148  
Park City, UT 84098

MSB International, LLC  
c/o Max Barber, Registered Agent  
1028 South 1900 East  
Salt Lake City, UT 84108

GSE Global, LLC  
c/o Max Barber, Registered Agent  
4645 South Highland Drive  
Salt Lake City, UT 84117

GSE Global, LLC  
c/o Max Barber, Registered Agent  
6543 N Landmark Dr. #1148  
Park City, UT 84098

GSE Global, LLC  
c/o Max Barber, Registered Agent  
1028 South 1900 East  
Salt Lake City, UT 84108

Sarah Navarra  
1028 South 1900 East  
Salt Lake City, UT 84108