



UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: Chapter 11  
JCK LEGACY COMPANY, et al., Case No: 20-10418(MEW)  
TACOMA NEWS INC. Case No. 20-20-10461  
(Independent Motion/Non  
Joinder)

MOTION TO VACATE ORDER GRANTING PBGC'S MOTION FOR ORDER  
REQUIRING MEDIATION, IN PART

1.1 This matter is presented pursuant to: Federal Rules of Bankruptcy Procedure -- 2021 Edition Supreme Court of the United States and Rule 9002(1)(2)(3)(4)(5).

Further :Action" or "Civil Action" means an adversary proceeding or, when appropriate, "a contested petition", or "proceeding to Vacate an Order for relief or to determine any other uncontested matter". Creditor Sarmiento contest's again that he is a Priority class or a secured Creditor and that his Amended Brief has not been filed. That he appropriately filed a Chapter 11 proof of claim. However that he did not list the Liabilities. This Bankruptcy Court has not responded to any of his request's for extension's of time. So therefore he maintains his position.

RELEVANT POINTS IN RULE 9002

1.2 "Appeal" means an appeal as provided by 28 U.S.C. subsection 158. This Appeal falls under the above statute.

1.3 The "Clerk" responsible for the Bankruptcy must serve all related parties not served including the "Judge" as Sarmiento made this Motion before the October 5th, 2021 deadline.

1.4 "Judge" means Bankruptcy Judge if the case or proceeding is pending before a Bankruptcy Judge.

1.5 "Judgment" includes any Order appealable to an appellate Court. This Order dated to be heard on October 10th, 2021 at 10:00 am prevailing Eastern Time, is a Judgment and Order Appealable.

CONCLUSION

1.6 For these reasons alone Creditor Sarmiento request that this Honorable Court Grant his Motion To Vacate in Part Pursuant To Rule 9002(1)(2)(3)(4)(5).



DATED and SIGNED this 28th day of September 2021.

Respectfully Submitted By:  
Alberto Colt-Sarmiento, Creditor  
Prose., Doc No. 406372., F-10  
Washington Corrections Center  
PO BOX No. 900  
Shelton WA 98584  
[www.jpay.com](http://www.jpay.com)

CERTIFICATE OF SERVICE

I, Alberto Colt-Sarmiento, hereby certify that on the date below, I caused the foregoing, (1) "Motion To Vacate Order Granting PBG'S Motion Granting Order For Mediation, In Part ., (2) "Notice To Vacate Order Granting PBG'S Motion Granting Order For Mediation in part" (3) and "Notice of Misjoinder and Non Joinder party by Creditor Alberto Colt-Sarmiento" to be deposited in the institutional legal system, to be delivered via U.S. Postal Service, to the following parties:

- (1) THE HONORABLE MICHAEL WILES, U.S. Bankruptcy Court, Southern District of New York, 1 Bowling Green New York City, NY 10004;
- (2) ATTN: Bankruptcy Court Clerk, U.S. Bankruptcy Court, Southern District of New York, 1 Bowling Green New York City, NY 10004.
- (3) THE PENSION BENEFIT GUARANTY CORPORATION, 1200 E Street, N.W. Washington, DC 20005-4026.
- (4) The Debtors, JCK Legacy Company, c/o FTI Consulting, Inc., 1201 W. Peachtree Street, NW, suite 500, Atlanta, Georgia 30309, Attn.: Sean M. Harding.
- (5) Counsel for the Plan Administration Trustee, Skadden, Arps, Slate, Meagher & Flom LLP, One Manhattan West, New York, New York 10001, Attn.: Shana A. Elberg, and Bram A. Stochlic, 300 South Grand Avenue, Suite 3400, Los Angeles, California 90071, Attn.: Van C. Durrer, II, and Destiny N. Almogue destiny, and 525 University Avenue, Palo Alto, California 94301 Attn.: Jennifer Madden.
- (6) Co-Counsel for the Plan Administration Trustee, Togut, Segal & Segal LLP, One Penn Plaza, Suite 3335, New York, New York 10119, Attn.: Albert Togut and Kyle J. Ortiz.
- (7) The Guc Recovery Trust, c/o DSI Consulting, Inc., 110 East 42nd Street, suite 1818, New York, New York 10017 Attn.: William A. Brandt., Jr.
- (8) Counsel for the GUC Recovery Trustee, Pillsbury Winthrop Shaw Pittman LLP, 31 West 52nd Street, New York, New York. Attn.: Leo T. Crowley and Kwame O. Akuffo.
- (9) The office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014, Attn.: Benjamin J. Higgins and Briuan S. Masumoto; and

I, Alberto Colt-Sarmiento, do certify that on the date below I did send the above mentioned documents via the above cited U.S. Postal Service, to the foregoing parties:

I Declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct.

Dated and Signed this 28th day of September 2021.

Respectfully Submitted By:

X *Alberto Colt-S*  
Alberto Colt-Sarmiento, Creditor  
Prose., No. 406372., F-10  
Washington Corrections Center  
PO BOX No. 900  
Shelton WA 98584  
[www.jpays.com](http://www.jpays.com)





IN THE UNITED STATES BANKRUPTCY COURT  
OF SOUTHERN DISTRICT OF NEW YORK

In re:

TACOMA NEWS INC,  
JCK LEGACY COMPANY et al.,  
Debtors.

CASE No. 20-20-10461  
CASE No. 20-10418 (MEW)  
NOTICE OF MISJOINDER AND  
NON JOINDER PARTY PURSUANT  
TO RULE 7021:  
(CLERK'S ACTION REQUIRED)

TO: CLERK OF THE BANKRUPTCY COURT  
ALL PARTIES OF RECORD

PLEASE TAKE NOTICE that Alberto Colt-Sarmiento,  
Creditor Prose, hereby appears as a self-represented party  
of record, without waiving any objections.

PLEASE TAKE NOTICE that Alberto Colt-Sarmiento, claims  
that he is a misjoinder and or Non Joinder party to the rec-  
ent filed pleadings that require an ("Objection") by October  
5th, 2021.

PLEASE TAKE NOTICE that any other parties should use this  
same form to object to being a General Unsecured Creditor.

PLEASE TAKE NOTICE Clerk that Creditor Sarmiento can serve  
documents via Jpay App. At Jpay.com. And anyone who wants to  
serve him electronically or vice versa can forward documents  
through those means. Go to WWW.Jpay.com (Create account)  
(Search by Entering DOC No. 406372, Name: ALBERTO SARMIENTO).

PLEASE TAKE NOTICE Clerk You are hereby requested to  
serve all further papers and proceedings in said cause, except  
original process, upon said Prose Creditor's at their stated  
address below stated.

DATED and SIGNED this 28th day of September 2021.

Respectfully Submitted By:

X Alberto Colt-S  
Alberto Colt-Sarmiento, Creditor  
Prose., Doc No. 406372., F-10  
Washington Corrections Center  
PO BOX No. 900  
Shelton WA 98584  
www.Jpay.com



IN THE UNITED STATES BANKRUPTCY COURT  
OF SOUTHERN DISTRICT OF NEW YORK

In re:  
TACOMA NEWS INC,  
JCK LEGACY COMPANY et al.,  
Debtors.

Case No. 20-20-10461  
Case No. 20-10418(Mew)

Notice To Vacate Order/  
Judgment In part, To Move  
To Appeal Pursuant To:  
Rule 9002(1)(2)(3)(4)(5):  
(CLERK'S ACTION REQUIRED)

To: CLERK OF THE BANKRUPTCY COURT  
ALL PARTIES OF RECORD

PLEASE TAKE NOTICE that Alberto Colt-Sarmiento, Creditor Prose, hereby appears as a self-represented party of record, without waiving any objections. You are hereby requested to serve all further papers and proceedings in said cause, except original process, upon said Prose Creditors at their stated address below stated.

THIS NOTICE is to Vacate Order/Judgment in part to move to Appeal PURSUANT TO Rule 9002(1)(2)(3)(4)(5), Creditor assert's that this New reconstruction of the company requires them to disclose more their available penny stock's.

DATED and SIGNED this 28th day of September 2021.

Respectfully Submitted By:  
Alberto Colt-Sarmiento, Creditor  
DOC No. 406372., F-10  
Washington Corrections Center  
PO BOX No. 900  
Shelton WA 98584  
www.Jpay.com

