

Pablo E. Bustos, Esq.
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Attorney for the Creditor Conrad P. Burnett, Jr.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Residential Capital, LLC, et. al.

Debtors

-----X

AFFIRMATION OF PABLO E. BUSTOS
IN SUPPORT OF DISMISSAL OF SANCTIONS MOTION

I, Pablo E. Bustos, Esq., of Bustos & Associates, P.C., am licensed to practice law before the Southern District of New York. I represent the Creditor, Conrad Burnett and state the following under penalty of perjury:

1. I have spoken to Mr. Burnett, via email and over the phone, about his case.
2. Mr. Burnett has been litigating this case without the use of an attorney for some time.
3. Well after the case had commenced, I was brought in to forward certain arguments.
4. What those arguments are is not germane to this motion, but in general I believed them to have merit, to not be frivolous, and that they could be settled without, relatively speaking, more protracted litigation. Now, in hindsight, after being exposed to the complexities of the case, I believe that a quick settlement for Mr. Burnett's claims is not possible.
5. I have communicated to Mr. Burnett that perhaps the assistance of other counsel may be his best option.



6. My main focus now is that Mr. Burnett has the ability to forward his claims somehow.
7. I have read the Declaration of Dennis J. Huelbig. It is true that I asked him to call the Court to advise it of a schedule conflict I had that day. Perhaps, mistakenly, I understood that this conflict was not a problem. If it was, I categorically state that I did not intentionally try to create unnecessary waste of judicial resources.
8. I have reviewed what has occurred, and made changes in my office practice to avoid further misunderstandings.
9. I will be communicating with Mr. Burnett until I am replaced and/or relieved as his Counsel.

I respectfully pray to the Court to dismiss the motion for sanctions against me in its entirety.

Dated: March 13, 2015
New York, New York

Sincerely,

/s/ Pablo E. Bustos, Esq.
Pablo E. Bustos, Esq.
Bustos & Associates, P.C.
225 Broadway, 39th Floor
New York, New York
Phone: (212) 796-6256

CERTIFICATE OF SERVICE

I HEREBY certify that a true and correct copy of the foregoing AFFIRMATION OF PABLO E. BUSTOS IN SUPPORT OF DISMISSAL OF SANCTIONS MOTION is to be electronically filed with the Clerk of the Court using the ECF system, which sends notification of such filing to all ECF participants requesting electronic service.

Dated: March 13, 2015
New York, New York

Sincerely,

/s/ Pablo E. Bustos, Esq.
Pablo E. Bustos, Esq.
Bustos & Associates, P.C.
Attorneys for Creditor Conrad P. Burnett, Jr.
225 Broadway, 39th Floor
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Attorney for the Creditor Conrad P Burnett Jr

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:
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Residential Capital, LLC, et al.	:
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Debtors.	:
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Chapter 11
Case No. 12-12020 (MG)
Jointly Administered
Hon. Martin Glenn

**DECLARATION OF DENNIS J HUELBIG JR IN SUPPORT OF
DISMISSAL OF AN ORDER TO SHOW CAUSE AS TO ATTORNEY
PABLO E BUSTOS, ESQ**

I, DENNIS J HUELBIG JR, declare:

1. I am over 18 years of age and am competent to testify in this matter.
2. All of the statements made in this declaration are true as of my own personal knowledge.
3. I am the legal assistant to attorney Bustos & Associates, P.C. and work under the supervision of attorney Pablo E Bustos, Esq duly admitted to practice before this court and licensed to practice law in the courts of the State of New York. I make this declaration in position to the Order to Show Cause issued by this court on February 26, 2015 [Docket No.: 8207.]
4. I have personal knowledge that Attorney Bustos did not willfully not appear at a hearing on February 11, 2015. I personally called chambers on the morning of the hearing prior to court being in session and spoke with Judge Glenn's Law Clerk and notified the

Court that Mr. Bustos has a scheduling conflict and was at a deposition in Brooklyn.

Furthermore, I personally asked the Clerk if Mr. Bustos could appear at the afternoon session after lunch. The Clerk asked me to hold and I did; then, she came back on the phone and notified me to have it was okay and that the Judge would make a ruling on the Claims and Objections.

5. On the same day mentioned above, the Creditor Conrad P Burnett Jr, filed an adversary against the Debtor and Joint-Debtors. Mr. Bustos shortly thereafter, went to the Court to have the Summons issued.

6. I assisted Mr. Bustos in preparing the Reply Oppositions; the issue at hand is the Eighteenth Omnibus Objection was framed in a complaint format instead of an Objection. The Omnibus objection contained similar elements of a Complaint. In fact, it is upon my information and belief that the only appropriate measure to respond was in a fashion of an affirmative defenses which would require the Liquidating Trust to provide evidence the affirmative defenses. I was instructed to research the matters in the Omnibus objection and the only alternative was to counter the averments by the Liquidating trust. Would the Reply by Creditor Burnett would have been entertained the Creditor could have requested that the court take judicial notice of the contents of this complaint pursuant to Rule 201 of the Federal Rules of Evidence. Ultimately Creditor would have been able to show cause as to his pleading.

7. I or the Law Firm of Bustos & Associates did not at any time relevant intend to abuse the judicial system or create unnecessary waste of resources; we just were approaching these allegations in a professions manner.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct. I executed this declaration on March 13, 2015.

Respectfully Submitted,

/s/ Dennis J Huelbig Jr

Bustos & Associates, P.C.
Dennis J Huelbig Jr.
Legal Assist for Pablo E Bustos, Esq.
Attorney for the Creditor Conrad P Burnett Jr

CERTIFICATE OF SERVICE

I HEREBY certify that a true and correct copy of the foregoing
DECLARATION OF DENNIS J HUELBIG JR IN SUPPORT OF
DISMISSAL OF AN ORDER TO SHOW CAUSE AS TO ATTORNEY
PABLO E BUSTOS, ESQ is to be electronically filed with the Clerk of the Court
using ECF system, which sent notification of such filing to all ECF participants
requesting electronic service.

Date: 3/13/2015

Respectfully Submitted,

/s/ Dennis J Huelbig Jr

Bustos & Associates, P.C.
Dennis J Huelbig Jr.
Legal Assist for Pablo E Bustos, Esq.
Attorney for the Creditor Conrad P Burnett Jr