

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>LIOR KATZ CA BAR NO.: 284559 KATZ LAW, A PROFESSIONAL CORPORATION 11620 WILSHIRE BLVD., SUITE 900 LOS ANGELES, CA 90025 PHONE: (310) 775-8920 FAX: (310) 382-2110 Email: katzlawapc@gmail.com</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Movants Refugio and Livier Estrada</p>	<p>FOR COURT USE ONLY</p>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>VERITY HEALTH SYSTEM OF CALIFORNIA, INC., et al.,</p> <p>Affects O'Connor Hospital</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 2:18-bk-20151-ER *Jointly Administered With: CHAPTER: 11 2:18-bk-20168-ER</p> <p style="text-align: center;">NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (ACTION IN NONBANKRUPTCY FORUM)</p> <p>DATE: 11/19/2018 TIME: 10:00 am COURTROOM: 1568</p>
<p>Movant: Refugio Estrada and Livier Marquez Estrada</p>	

1. **Hearing Location:**

- | | |
|---|--|
| <input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012 | <input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701 |
| <input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367 | <input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101 |
| <input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501 | |

2. Notice is given to the Debtor and trustee (*if any*)(Responding Parties), their attorneys (*if any*), and other interested parties that on the date and time and in the courtroom stated above, Movant will request that this court enter an order granting relief from the automatic stay as to Debtor and Debtor's bankruptcy estate on the grounds set forth in the attached Motion.
3. To file a response to the motion, you may obtain an approved court form at www.cacb.uscourts.gov/forms for use in preparing your response (optional LBR form F 4001-1.RFS.RESPONSE), or you may prepare your response using the format required by LBR 9004-1 and the Court Manual.

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.



4. When serving a response to the motion, serve a copy of it upon the Movant's attorney (or upon Movant, if the motion was filed by an unrepresented individual) at the address set forth above.
5. If you fail to timely file and serve a written response to the motion, or fail to appear at the hearing, the court may deem such failure as consent to granting of the motion.
6. ☒ This motion is being heard on REGULAR NOTICE pursuant to LBR 9013-1(d). If you wish to oppose this motion, you must file and serve a written response to this motion no later than 14 days before the hearing and appear at the hearing.
7. ☐ This motion is being heard on SHORTENED NOTICE pursuant to LBR 9075-1(b). If you wish to oppose this motion, you must file and serve a response no later than (date) _____ and (time) _____; and, you may appear at the hearing.
- a. ☐ An application for order setting hearing on shortened notice was not required (according to the calendaring procedures of the assigned judge).
- b. ☐ An application for order setting hearing on shortened notice was filed and was granted by the court and such motion and order have been or are being served upon the Debtor and upon the trustee (if any).
- c. ☐ An application for order setting hearing on shortened notice was filed and remains pending. After the court rules on that application, you will be served with another notice or an order that specifies the date, time and place of the hearing on the attached motion and the deadline for filing and serving a written opposition to the motion.

Date: 10/29/18

KATZ LAW, APC

Printed name of law firm (if applicable)

Lior Katz, Esq.

Printed name of individual Movant or attorney for Movant



Signature of individual Movant or attorney for Movant

MOTION FOR RELIEF FROM THE AUTOMATIC STAY AS TO NONBANKRUPTCY ACTION

1. **In the Nonbankruptcy Action, Movant is:**

- a. ☒ Plaintiff
- b. ☐ Defendant
- c. ☐ Other (specify):

2. **The Nonbankruptcy Action:** There is a pending lawsuit or administrative proceeding (Nonbankruptcy Action) involving the Debtor or the Debtor's bankruptcy estate:

- a. *Name of Nonbankruptcy Action:* *A formal lawsuit has not yet been initiated.
- b. *Docket number:*
- c. *Nonbankruptcy forum where Nonbankruptcy Action is pending:*
- d. *Causes of action or claims for relief (Claims):*
Medical malpractice and negligence claims arising from a medical procedure on Movant Refugio Estrada

3. **Bankruptcy Case History:**

- a. ☒ A voluntary ☐ An involuntary petition under chapter ☐ 7 ☒ 11 ☐ 12 ☐ 13
was filed on (date) 08/31/2018.
- b. ☐ An order to convert this case to chapter ☐ 7 ☐ 11 ☐ 12 ☐ 13
was entered on (date) _____.
- c. ☐ A plan was confirmed on (date) _____.

4. **Grounds for Relief from Stay:** Pursuant to 11 U.S.C. § 362(d)(1), cause exists to grant Movant relief from stay to proceed with the Nonbankruptcy Action to final judgment in the nonbankruptcy forum for the following reasons:

- a. ☒ Movant seeks recovery only from applicable insurance, if any, and waives any deficiency or other claim against the Debtor or property of the Debtor's bankruptcy estate.
- b. ☐ Movant seeks recovery primarily from third parties and agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.
- c. ☐ Mandatory abstention applies under 28 U.S.C. § 1334(c)(2), and Movant agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.
- d. ☐ The Claims are nondischargeable in nature and can be most expeditiously resolved in the nonbankruptcy forum.
- e. ☒ The Claims arise under nonbankruptcy law and can be most expeditiously resolved in the nonbankruptcy forum.

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f. ☐ The bankruptcy case was filed in bad faith.

(1) ☐ Movant is the only creditor, or one of very few creditors, listed or scheduled in the Debtor's case commencement documents.

(2) ☐ The timing of the filing of the bankruptcy petition indicates that it was intended to delay or interfere with the Nonbankruptcy Action.

(3) ☐ Multiple bankruptcy cases affect the Nonbankruptcy Action.

(4) ☐ The Debtor filed only a few case commencement documents. No schedules or statement of financial affairs (or chapter 13 plan, if appropriate) has been filed.

g. ☐ Other (specify):

5. **Grounds for Annulment of Stay.** Movant took postpetition actions against the Debtor.

a. ☐ The actions were taken before Movant knew that the bankruptcy case had been filed, and Movant would have been entitled to relief from stay to proceed with these actions.

b. ☐ Although Movant knew the bankruptcy case was filed, Movant previously obtained relief from stay to proceed in the Nonbankruptcy Action in prior bankruptcy cases affecting the Nonbankruptcy Action as set forth in Exhibit. _____.

c. ☐ Other (specify):

6. **Evidence in Support of Motion: (Important Note: declaration(s) in support of the Motion MUST be signed under penalty of perjury and attached to this motion.)**

a. ☒ The DECLARATION RE ACTION IN NONBANKRUPTCY FORUM on page 6.

b. ☐ Supplemental declaration(s).

c. ☐ The statements made by Debtor under penalty of perjury concerning Movant's claims as set forth in Debtor's case commencement documents. Authenticated copies of the relevant portions of the Debtor's case commencement documents are attached as Exhibit. _____.

d. ☐ Other evidence (specify):

7. ☒ **An optional Memorandum of Points and Authorities is attached to this Motion.**

Movant requests the following relief:

1. Relief from the stay pursuant to 11 U.S.C. § 362(d)(1).

2. ☒ Movant may proceed under applicable nonbankruptcy law to enforce its remedies to proceed to final judgment in the nonbankruptcy forum, provided that the stay remains in effect with respect to enforcement of any judgment against the Debtor or property of the Debtor's bankruptcy estate.

3. ☐ The stay is annulled retroactively to the bankruptcy petition date. Any postpetition acts taken by Movant in the Nonbankruptcy Action shall not constitute a violation of the stay.

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

4. ☐ The co-debtor stay of 11 U.S.C. § 1201(a) or § 1301(a) is terminated, modified, or annulled as to the co-debtor, on the same terms and condition as to the Debtor.
5. ☒ The 14-day stay prescribed by FRBP 4001(a)(3) is waived.
6. ☐ The order is binding and effective in any bankruptcy case commenced by or against the Debtor for a period of 180 days, so that no further automatic stay shall arise in that case as to the Nonbankruptcy Action.
7. ☐ The order is binding and effective in any future bankruptcy case, no matter who the debtor may be, without further notice
8. ☒ Other relief requested.


Date: 10/29/2018

KATZ LAW, APC

Printed name of law firm (if applicable)

Lior Katz, Esq.

Printed name of individual Movant or attorney for Movant



Signature of individual Movant or attorney for Movant

MEMORANDUM OF POINTS AND AUTHORITIES
(MOVANT: REFUGIO ESTRADA and LIVIER MARQUEZ ESTRADA)

I. INTRODUCTORY FACTS

On or about October 4, 2017, Movant Refugio Estrada underwent a cardiac catheterization / angiogram ("the procedure") at a hospital run by Debtor O'Connor Hospital and located San Jose, CA. Dr. Hossein Shenasa, M.D. was the cardiologist performing the procedure. Dr. Arash M. Padidar assisted, and Ed Fontana, R.N. was present in his capacity as nurse. Other staff may have also have been present. During or after the procedure, Mr. Estrada became unresponsive. According an Operative Report, "[a]s one of the staff was getting the Contrast injector and tubing ready for left ventriculography preparation, inadvertently air bubbles were injected to the left ventricle." An emergency CT scan of the brain showed an air embolism/emboli. Movants allege that the air embolism was caused as a result of negligence of either the cardiologist and/or the medical staff involved in the performance of the procedure and/or as a result of the use of defective equipment. Both Movants, Mr. and Mrs. Estrada, now have medical malpractice and negligence-related claims against Debtor O'Connor Hospital.

On or about October 31, 2018, O'Connor Hospital filed a voluntary Chapter 11 bankruptcy in this Court (case #2:18-bk-20168-ER) ("O'Connor Bankruptcy"). The O'Connor Bankruptcy was later consolidated with another chapter 11 bankruptcy case filed by Verity Health System of California, Inc. (case # 2:18-bk-20151-ER) by way of an Order Granting Motion for Joint Administration, entered on September 4, 2018.

Movants had submitted a Notice of Intent to Sue to Debtor O'Connor Hospital *pre-petition*, as required by California law pursuant to California Code of Civil Procedure 364. Now that Movants have been advised of the instant bankruptcy, Movants ceased any actions to enforce their claims, pending the granting of the instant Motion. Movants seek relief from the automatic stay so that they can proceed with state court litigation against Debtor O'Connor Hospital. Relief from the automatic stay is appropriate in this case "for cause" pursuant to 11 U.S.C. 362(d)(1) since Movants seek recovery only from applicable insurance of the Debtor, if any, and will waive any deficiency or other claim against the Debtor or property of the Debtor's bankruptcy estate. Upon obtaining relief from the automatic stay, Movants plan to commence litigation in state court.

POINTS AND AUTHORITIES

**MOVANTS ARE ENTITLED TO RELIEF FROM THE AUTOMATIC STAY
PURSUANT TO 11 U.S.C. 362(d)(1)**

11 U.S.C. 362(d)(1) provides as follows:

(d) On request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this section, such as by terminating, annulling, modifying, or conditioning such stay—

(1) for cause, including the lack of adequate protection of an interest in property of such party in interest;

Relief from the automatic stay may be granted to allow a state court litigation in another forum to proceed to conclusion. *See, e.g., Packerland Packing Co. v. Griffith Beverage Co. (In re Kimble)*, 776 F.2d 802, 807 (9th Cir. 1985). Courts in the Central District have routinely considered the following twelve (12) distinct factors in determining whether to lift the stay to permit a state court litigation to continue in another forum:

1. Whether the relief will result in a partial or complete resolution of the issues;
2. The lack of any connection with or interference with the bankruptcy case;
3. Whether the foreign proceeding involves the debtor as a fiduciary;
4. Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases;
5. Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation;
6. Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question;
7. Whether the litigation in another forum would prejudice the interests of other creditors, the creditors' committee and other interested parties;
8. Whether the judgment claim arising from the foreign action is subject to equitable subordination under Section 510(c);
9. Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f);
10. The interests of judicial economy and the expeditious and economical determination of litigation for the parties;
11. Whether the foreign proceedings have progressed to the point where the parties are prepared for trial, and
12. The impact of the stay on the parties and the "balance of hurt"

Truebro, Inc. v. Plumberex Specialty Prods., Inc. (In re Plumberex Specialty Prods., Inc.), 311 B.R. 551, 558

(C.D. Cal. 2004) (citing In re Curtis, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984)). However, not all twelve

(12) factors are relevant in every case. Id. at 560.

An analysis of the factors relevant to this case supports granting relief from the automatic stay “for cause” pursuant to 11 U.S.C. 362(d)(1) so that Movants can proceed with their state court litigation. With respect to the first factor, allowing Movants to proceed with their litigation against the Debtor (for recovery from Debtor’s insurance provider) will result in a complete resolution of the matter. As to the second factor, since Movants also seek monetary relief as against Debtor’s insurance provider, and not from the Debtor or the estate, allowing Movants to proceed with his litigation will not interfere with the instant bankruptcy.

As to the fifth factor, Movants maintain that the Debtor is covered by insurance, and as a result, neither Debtor or the estate would suffer financially from litigation of Movants’ case in state court. Courts have supported granting relief from stay when a creditor seeks to obtain relief from the automatic stay to proceed against the debtors’ insurance policy. *See Foust v. Munson S. S. Lines*, 299 U.S. 77, 87-88 (1936) (bankruptcy injunction should be lifted to permit wrongful death suit to go forward since claimant’s only interest is establishing liability under the existing insurance policy); *Holtkamp v. Littlefield (In re Holtkamp)*, 669 F.2d 505, 508 (7th Cir. 1982) (stay lifted to allow civil action to go forward since bankruptcy estate not jeopardized, as insurer assumed full financial responsibility for defending litigation); *Elliot v. Hardison*, 25 B.R. 305, 308 (E.D. Va. 1982) (“Where the claim is one covered by insurance or indemnity, continuation of the action should be permitted since hardship to the debtor is likely to be outweighed by hardship to the plaintiff.” (quoting 2 Collier on Bankruptcy ¶ 362.07(3) (15th ed. 1980))). The idea is that “the ‘fresh-start’ policy is not intended to provide a method by which an insurer can escape its obligations based simply on the financial misfortunes of the insured. Such a result would be fundamentally wrong.” *Matter of Edgeworth*, 993 F. 2d 51, 54 (5th Cir. 1993). “[T]he insurance company should not be entitled to gain a benefit that was not intended or in any way computed within the rate charged for its policy.” *In re Jet Florida Systems, Inc.*, 883 F. 2d 970, 975 (11th Cir.1989).

As to the seventh factor, the litigation in another forum would not prejudice the interests of other creditors, since Movants would only seek monetary compensation from Debtor’s insurer. Therefore, no monies will be taken from the estate to pay toward any award obtained by the Debtor. As to the tenth factor, the matters

involved in Movants' claim concern matters of state law that need not be decided by this Court. As such, it would be more expeditious and economical to allow Movants to proceed in state court against the Debtor, especially due to Movants' limited recovery from Debtor's insurance, not the Debtor itself.

As to the twelfth and final factor, which inquires as to "the impact of the stay on the parties and the 'balance of hurt'", the "balance of the hurt" strongly favors granting relief from the automatic stay. If this Court does not grant the instant Motion, Movants will likely not be able to proceed with his claim in timely manner and would lose his ability to seek compensation for the injuries he sustained as a result of Debtor's alleged negligence. The delay that would result could strip Movants from their ability to litigate their claims due to the upcoming statute of limitations. On the other hand, granting the Motion will not "hurt" the Debtor, since Movants would only seek compensation in state court from Debtor's insurer. Debtor's insurer should not benefit at the expense of Movants should this Court not grant the Motion. For these reasons, relief from the automatic stay pursuant to 11 U.S.C. 362(d)(1) should be granted.

CONCLUSION


For the reasons set forth above, sufficient cause exists for granting the instant Motion. Movants request that this Court grant relief from stay and allow Movants to proceed with his claim against the Debtor, only to the extent that any compensation or award will be paid by Debtor's insurer, not Debtor or Debtor's estate. Relief from stay, and a waiver of the 14-day stay is appropriate in this matter.

Respectfully Submitted,

DATED: October 29, 2018

KATZ LAW, A PROFESSIONAL CORPORATION

By: _____


LIOR KATZ
Attorney for Movants

DECLARATION RE ACTION IN NONBANKRUPTCY FORUM

I, (name of Declarant) Deon S. Goldschmidt, declare as follows:

1. I have personal knowledge of the matters set forth in this declaration and, if called upon to testify, I could and would competently testify thereto. I am over 18 years of age. I have knowledge regarding (Nonbankruptcy Action) because:

- ☐ I am the Movant.
☐ I am Movant's attorney of record in the Nonbankruptcy Action.
☐ I am employed by Movant as (title and capacity):
☒ Other (specify): I am Movants' state court counsel, representing Movants in a medical malpractice action that will be filed against the Debtor.

2. I am one of the custodians of the books, records and files of Movant as to those books, records and files that pertain to the Nonbankruptcy Action. I have personally worked on books, records and files, and as to the following facts, I know them to be true of my own knowledge or I have gained knowledge of them from the business records of Movant on behalf of Movant, which were made at or about the time of the events recorded, and which are maintained in the ordinary course of Movant's business at or near the time of the acts, conditions or events to which they relate. Any such document was prepared in the ordinary course of business of Movant by a person who had personal knowledge of the event being recorded and had or has a business duty to record accurately such event. The business records are available for inspection and copies can be submitted to the court if required.

3. In the Nonbankruptcy Action, Movant is:

- ☒ Plaintiff
☐ Defendant
☐ Other (specify):

4. The Nonbankruptcy Action is pending as:

- a. *Name of Nonbankruptcy Action:* The action has not yet been filed.
b. *Docket number:*
c. *Nonbankruptcy court or agency where Nonbankruptcy Action is pending:*
Movant has served a Notice of Intent to Sue letter (in terms of CCP 364) on Debtor O'Connor Hospital, which expires on December 30, 2018; the statute of limitations runs on December 31, 2018.

5. **Procedural Status of Nonbankruptcy Action:**

- a. The Claims are:
Movant, Refugio Estrada underwent a cardiac catheterization/angiogram on October 4, 2017 at Debtor O'Connor Hospital. During and after the procedure, Movant became unresponsive due to an air embolism. Movant alleges that this embolism was caused as a result of the negligence of the Debtor and its medical staff. A Notice of Intent to Sue letter (in terms of CCP 364) was served on Debtor.
- b. True and correct copies of the documents filed in the Nonbankruptcy Action are attached as Exhibit ____.
- c. The Nonbankruptcy Action was filed on (date) ____.
- d. Trial or hearing began/is scheduled to begin on (date) ____.
- e. The trial or hearing is estimated to require ____ days (specify).
- f. Other plaintiffs in the Nonbankruptcy Action are (specify):

Only the Movants

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

g. Other defendants in the Nonbankruptcy Action are (*specify*):

6. Grounds for relief from stay:

a. ☐ Movant seeks recovery primarily from third parties and agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or the Debtor's bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.

b. ☐ Mandatory abstention applies under 28 U.S.C. § 1334(c)(2), and Movant agrees that the stay will remain in effect as to enforcement of any resulting judgment against the Debtor or the Debtor's bankruptcy estate, except that Movant will retain the right to file a proof of claim under 11 U.S.C. § 501 and/or an adversary complaint under 11 U.S.C. § 523 or § 727 in this bankruptcy case.

c. ☒ Movant seeks recovery only from applicable insurance, if any, and waives any deficiency or other claim against the Debtor or property of the Debtor's bankruptcy estate. The insurance carrier and policy number are (*specify*):

To best of Movant's knowledge, the insurance policy is limited to one million dollars (\$1,000,000.00). The name of the Insurer is unknown at this time.

d. ☐ The Nonbankruptcy Action can be tried more expeditiously in the nonbankruptcy forum.

(1) ☐ It is currently set for trial on (*date*) _____.

(2) ☐ It is in advanced stages of discovery and Movant believes that it will be set for trial by (*date*) _____. The basis for this belief is (*specify*):

(3) ☐ The Nonbankruptcy Action involves non-debtor parties and a single trial in the nonbankruptcy forum is the most efficient use of judicial resources.

e. ☐ The bankruptcy case was filed in bad faith specifically to delay or interfere with the prosecution of the Nonbankruptcy Action.

(1) ☐ Movant is the only creditor, or one of very few creditors, listed or scheduled in the Debtor's case commencement documents.

(2) ☐ The timing of the filing of the bankruptcy petition indicates it was intended to delay or interfere with the Nonbankruptcy Action based upon the following facts (*specify*):

(3) ☐ Multiple bankruptcy cases affecting the Property include:

(A) Case name:

Case number:

Chapter:

Date filed:

Date discharged:

Date dismissed:

Relief from stay regarding this Nonbankruptcy Action ☐ was ☐ was not granted.

(B) Case name:
Case number: Chapter:
Date filed: Date discharged: Date dismissed:
Relief from stay regarding this Nonbankruptcy Action ☐ was ☐ was not granted.

(C) Case name:
Case number: Chapter:
Date filed: Date discharged: Date dismissed:
Relief from stay regarding this Nonbankruptcy Action ☐ was ☐ was not granted.

☐ See attached continuation page for information about other bankruptcy cases affecting the Nonbankruptcy Action.

☐ See attached continuation page for additional facts establishing that this case was filed in bad faith.

f. ☐ See attached continuation page for other facts justifying relief from stay.

7. ☐ Actions taken in the Nonbankruptcy Action after the bankruptcy petition was filed are specified in the attached supplemental declaration(s).

a. ☐ These actions were taken before Movant knew the bankruptcy petition had been filed, and Movant would have been entitled to relief from stay to proceed with these actions.

b. ☐ Movant knew the bankruptcy case had been filed, but Movant previously obtained relief from stay to proceed with the Nonbankruptcy Action enforcement actions in prior bankruptcy cases affecting the Property as set forth in Exhibit ____

c. ☐ For other facts justifying annulment, see attached continuation page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Oct 29, 2018 Deon S. Goldschmidt

Date

Printed name



Signature

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

11620 Wilshire Blvd., Suite 900, Los Angeles, CA 90025

A true and correct copy of the foregoing document entitled: **NOTICE OF MOTION AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (with supporting declarations) (ACTION IN NONBANKRUPTCY FORUM)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 10/29/2018, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See attached page

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) 10/29/2018, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

See attached page

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/29/2018 Lior Katz

Date

Printed Name


Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

PROOF OF SERVICE – CONTINUATION

Parties Served by NEF

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