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16 Attorneys for Debtor
17 and Debtor-in-Possession

18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE NORTHERN MARIANA ISLANDS
20 BANKRUPTCY DIVISION

21 In re
22
23 IMPERIAL PACIFIC INTERNATIONAL
24 (CNMI), LLC,
25
26 Debtor and
27 Debtor-in-Possession.

Case No. 24-00002
Chapter 11

**EX PARTE MOTION TO SHORTEN
TIME UNDER LOCAL RULE 7.1(F);
DECLARATION OF CHUCK C. CHOI**

[Related to ECF 347, 348]

EX PARTE MOTION TO SHORTEN TIME UNDER LOCAL RULE 7.1(F)

Imperial Pacific International (CNMI), LLC debtor and debtor-in-possession (the “Debtor”), hereby moves this Court pursuant to L.R. 7.1(f) and LBR 9006-1(b) to shorten the time for a hearing on the following:

1. Motion For Order Authorizing Debtor to Obtain Postpetition Litigation Funding (the “Financing Motion”), filed as ECF 347.



1 2. Application to Employ KCL & Partners (“Employment Application”, together with
2 the Financing Motion, the “Motions”), filed as ECF 348.

3 This Motion is based on the accompanying Memorandum of Points and Authorities filed
4 contemporaneously herewith, the attached declaration, and such other and further matters as may
5 be presented Herein.

6 MEMORANDUM OF POINTS AND AUTHORITIES

7 This Motion is made pursuant to L.R. 7.1(f) of the Civil Local Rules of the United States
8 District Court for the Northern Mariana Islands, LBR 9006-1, LBR 9013-1, and Rule 9006 of the
9 Federal Rules of Bankruptcy Procedure.

10 On or about June 10, 2015, the Debtor commenced a collection action (the “HK
11 Litigation”) before the High Court of Hong Kong (“HCA”), against Chan, Chi Hung for (a)
12 US\$1,446,184.40; or an order for payment of US\$1,500,000; (b) prejudgment interest; and (c)
13 costs. Hong Kong solicitors KCL & Partners (“KCL”) represents the Debtor in the HK Litigation
14 which is scheduled for trial between June 18-25, 2025.

15 As set forth in the Employment Application, KCL has not received any payment from the
16 Debtor (other than amounts necessary to deposit with the HCA as “security for costs”) since
17 approximately April, 2023. The Debtor understands that as of the Debtor’s April 19, 2024, petition
18 date herein, KCL was owed approximately \$47,000, which it has waived.

19 KCL’s proposed engagement letter which is attached to the Employment Application,
20 requires the Debtor to obtain Bankruptcy Court approval of the litigation funding by January 31,
21 2025. The Debtor is concerned that KCL will seek to withdraw from the HK Litigation if
22 arrangements are not made to assure their payment which could lead to the dismissal of the HK
23 Litigation and forfeiture of the Debtor’s approximately \$200,000 “security for costs” deposit.

1 The Financing Motion seeks approval for up to HK \$1,420,000.00 (or approximately US
2 \$183,000) from Kangyi Software Limited (the “Litigation Lender”), pursuant to the terms
3 set forth in the proposed Litigation Funding Agreement (the “LFA”) which is attached
4 thereto.

5
6 The Debtor requests relief under Local Rule 7.1(f) with respect to the Motions. The
7 Debtor seeks entry of an order scheduling a hearing on both matters for 9:00 a.m. on January 31,
8 2025, which this Court has set for a further Status Conference in this case. The Debtor
9 respectfully requests entry of an order to shorten time to hear the Motions as follows:

10
11 **Proposed Hearing Date and Time:** January 31, 2025, 9:00 a.m. (ChST)

12 **Proposed Deadline for Responses:** Up to hearing

13 **Proposed Deadline for Reply:** N/A

14 The Debtor proposes to provide notice of the hearing to consider the Motions to the
15 following parties:

- 16
17 a. Office of the United States Trustee;
18 b. Official Committee Unsecured Creditors;
19 c. The Chief Solicitor for the Commonwealth of the Northern Mariana Islands; and
20 d. All parties who have appeared in the case.

21 The Debtor submits that based upon the foregoing, cause exists to schedule a hearing to
22 consider the Motions on January 31, 2025, or as soon thereafter as possible.

23
24 DATED: Honolulu, Hawaii, January 16, 2025.

25 /s/ Chuck C. Choi

26 CHUCK C. CHOI

27 ALLISON A. ITO

28 CHARLES MCDONALD

Attorneys for IMPERIAL PACIFIC

INTERNATIONAL (CNMI), LLC.

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Declaration of Chuck C. Choi

I. CHUCK C. CHOI, hereby declare as follows:

1. I am counsel for the Debtor and have personal knowledge of the facts forth below.

I made this declaration in support of the Debtor's *Ex Parte Motion to Shorten Time Under Local Rule 7.1(f)* (the "Motion"). Terms used herein and not otherwise defined shall have the meanings given them in the Motion.

1 2. The facts set forth in the Motion are true and correct to the best of my knowledge,
2 information and belief.

3 3. Prior to filing the Motions, I have had extensive discussions with Curtis B.
4 Ching regarding both Motions and believe that the terms of the KCL engagement letter is
5 acceptable to the UST. Mr. Ching requested that the Debtor schedule the Employment
6 Application for hearing with the Financing Motion as they are interrelated
7

8 4. The Official Committee of Unsecured Creditors and the UST do not oppose the
9 proposed shortening of time.

10 I declare under penalty of perjury under the laws of the State of Hawaii and the United
11 States that the foregoing is true and correct.
12

13 Dated: Honolulu Hawaii, January 16, 2025

14 /s/ Chuck C. Choi
15 CHUCK C. CHOI
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