

KELLER BENVENUTTI KIM LLP
425 MARKET STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105

1 **KELLER BENVENUTTI KIM LLP**
2 TOBIAS S. KELLER (Cal. Bar No. 151445)
3 (tkeller@kbbkllp.com)
4 DAVID A. TAYLOR (Cal. Bar No. 247433)
5 (dtaylor@kbbkllp.com)
6 THOMAS B. RUPP (Cal. Bar No. 278041)
7 (trupp@kbbkllp.com)
8 425 Market Street, 26th Floor
9 San Francisco, California 94105
10 Telephone: (415) 496-6723
11 Facsimile: (650) 636-9251

12 *Proposed Attorneys for the Debtors and*
13 *Debtors in Possession*

14 **UNITED STATES BANKRUPTCY COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SANTA ROSA DIVISION**

17 In re:
18 LEFEVER MATTSON, a California
19 corporation, *et al.*,¹
20
21 Debtors.

22 Lead Case No. 24-10545 (CN)

23 (Jointly Administered)

24 Chapter 11

25 **MOTION OF DEBTORS FOR JOINT**
26 **ADMINISTRATION AND RELATED**
27 **RELIEF REGARDING PINWOOD**
28 **CONDIMINIUMS, LP AND**
PONDEROSA PINES, LP

Date: TBD

Time: TBD

Place: United States Bankruptcy Court
1300 Clay Street, Courtroom 215
Oakland, CA 94612

¹ The last four digits of LeFever Mattson's tax identification number are 7537. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>. The address for service on the Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621.



1 LeFever Mattson, a California corporation (“LeFever Mattson”), and 58 of its affiliates that
 2 are debtors and debtors in possession (the “Jointly-Administered Debtors”) in the above-captioned
 3 chapter 11 cases (the “Jointly-Administered Chapter 11 Cases”), together with Pinewood
 4 Condominiums, LP and Ponderosa Pines, LP—affiliates of LeFever Mattson who filed voluntary
 5 petitions for relief on October 2, 2024 (the “October 2 Debtors” and, collectively with the Jointly-
 6 Administered Debtors, the “Debtors”)—hereby move (the “Motion”) this Court for an entry of an
 7 order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), (i) directing,
 8 pursuant to sections 105(a) and 342(c)(1) of title 11 of the United States Code (the “Bankruptcy
 9 Code”) and Rules 1005, 1015(b), and 2002(n) of the Federal Rules of Bankruptcy Procedure (the
 10 “Bankruptcy Rules”), that the chapter 11 cases of the October 2 Debtors² be jointly administered
 11 and consolidated, for procedural purposes only, with the Jointly-Administered Chapter 11 Cases;
 12 (ii) authorizing the Claims Agent (defined below) to consolidate the mailing matrices of the
 13 October 2 Debtors with the consolidated matrix of the Jointly-Administered Debtors and maintain
 14 one consolidated mailing matrix in these chapter 11 cases for all Debtors; and (iii) extending the
 15 initial 14-day period for the October 2 Debtors to file their schedules of assets and liabilities,
 16 statements of financial affairs, and lists of equity security holders (collectively, the “October 2
 17 Debtors Schedules and Statements”) by 12 days, to allow them a total of 26 days after the filing of
 18 their voluntary petitions to file their Schedules and Statements (the “October 2 Debtors Schedules
 19 and Statements Deadline”), without prejudice to the October 2 Debtors’ right to request additional
 20 time if necessary, pursuant to sections 105(a) and 521(a) of the Bankruptcy Code and Rule 1007(c)
 21 of the Bankruptcy Rules; and (iv) appointing Bradley D. Sharp as the individual with primary
 22 responsibility for the duties and obligations of the October 2 Debtors during their chapter 11 cases
 23 (the “Responsible Individual”) pursuant to Rule 4002-1 of the Bankruptcy Local Rules for the
 24 Northern District of California (the “Bankruptcy Local Rules”).

25 The facts and circumstances supporting this Motion are set forth in the *Declaration of*
 26 *Bradley D. Sharp in Support of Motion of Debtors for Joint Administration and Related Relief*

27 _____
 28 ² *In re Pinewood Condominiums, LP*, Case No. 24-10598
In re Ponderosa Pines, LP, Case No. 24-10599

KELLER BENVENUTTI KIM LLP
 425 MARKET STREET, 26TH FLOOR
 SAN FRANCISCO, CALIFORNIA 94105

1 *Regarding Pinewood Condominiums, LP and Ponderosa Pines, LP* (the “Sharp Declaration”),
2 filed contemporaneously herewith and incorporated by reference herein. Capitalized terms used
3 but not defined herein have the meanings given to them in the Sharp Declaration.

4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 **I. JURISDICTION AND VENUE**

6 This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334,
7 the *Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges*, General Order 24
8 (N.D. Cal.), and Rule 5011-1(a) of the Bankruptcy Local Rules. This is a core proceeding pursuant
9 to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

10 **II. BACKGROUND**

11 On August 6, 2024, Debtor Windscape Apartments, LLC, filed a voluntary petition for
12 relief under chapter 11 of the Bankruptcy Code. On September 12, 2024, Debtor LeFever Mattson
13 and 57 of its affiliates filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code.
14 On October 2, 2024, the October 2 Debtors filed voluntary petitions for relief under chapter 11 of
15 the Bankruptcy Code. The October 2 Debtors are two of the 50 limited partnerships that LeFever
16 Mattson controls (collectively, the “LPs”). The LPs, along with eight limited liability companies
17 (collectively, the “LLCs”) and two corporations controlled by LeFever Mattson, are Debtors.

18 The Debtors continue to operate their businesses and manage their properties as debtors in
19 possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. On October 9, 2024,
20 the United States Trustee appointed an official committee of unsecured creditors in the Jointly-
21 Administered Cases [Dkt. No. 135].

22 **III. JOINT ADMINISTRATION**

23 **A. The October 2 Debtors**

24 The October 2 Debtors are affiliates of LeFever Mattson and the other Jointly-
25 Administered Debtors. (LeFever Mattson is the general partner of both October 2 Debtors and the
26 parent entity of all the Debtors.) Accordingly, consolidating the chapter 11 cases of the October 2
27 Debtors for joint administration under the same caption as the Jointly-Administered Debtors, and
28

1 maintaining one file and one docket for all of them under the case of LeFever Mattson, is
2 appropriate.

3 **B. Relief Requested**

4 Through this Motion, the Debtors seek entry of an order, in substantially the form attached
5 hereto as Exhibit A, directing that the chapter 11 cases of the October 2 Debtors be jointly
6 administered with those of the Jointly-Administered Debtors. The Debtors respectfully request
7 that the Office of the Clerk of the Bankruptcy Court (the “Clerk’s Office”) and the Court maintain
8 one file and one docket for the chapter 11 cases of all the Debtors under the case of LeFever
9 Mattson, and that those cases be administered under the current caption of the Jointly-
10 Administered Debtors.

11 The Debtors also request that a docket entry be made in the chapter 11 case of each of the
12 October 2 Debtors, substantially as follows, to reflect the joint administration:

13 An order has been entered in this case in accordance with Rule 1015(b) of the
14 Federal Rules of Bankruptcy Procedure directing the procedural consolidation and
15 joint administration of LeFever Mattson and its affiliate debtors. All further
16 pleadings and other papers shall be filed in, and all further docket entries shall be
17 made in, the docket of LeFever Matton, Case No. 24-10545, and such docket
18 should be consulted for all matters affecting this chapter 11 case.

19 **C. Authority for Relief Requested**

20 Bankruptcy Rule 1015(b) provides, in relevant part, that “[i]f a joint petition or two or more
21 petitions are pending in the same court by or against . . . a partnership and one or more of its general
22 partners . . . the court may order a joint administration of the estates.” Fed. R. Bankr. P. 1015(b).
23 Accordingly, this Court is authorized pursuant to Bankruptcy Rule 1015(b) to grant the relief
24 requested. An order of joint administration relates to the routine administration of a case and may
25 be entered by the Court in its sole discretion on an *ex parte* basis.

26 Directing joint administration of the cases of the October 2 Debtors with the Jointly-
27 Administered Debtors will have several benefits, including (a) permitting the Clerk of the Court
28 to utilize a single general docket for all of the Debtors’ cases and combine notices to creditors of
the Debtors’ respective estates and other parties in interest; (b) avoiding the need for duplicative
notices, motions and applications, thereby saving the Debtors’ estates time and expense;

1 (c) enabling parties in interest to have a single point of reference for all matters relevant to these
 2 Debtors; (d) significantly reducing the volume of pleadings that otherwise would be filed with the
 3 Clerk of this Court; (e) rendering the completion of various administrative tasks less costly; and
 4 (f) minimizing the number of unnecessary delays associated with the administration of separate
 5 chapter 11 cases.

6 Additionally, because this is not a motion for the substantive consolidation of the Debtors'
 7 estates, the rights of parties in interest will not be prejudiced or otherwise affected in any way by
 8 the entry of an order directing that the Jointly-Administered Chapter 11 Cases include the cases of
 9 the October 2 Debtors.

10 Pursuant to section 342(c)(1) of the Bankruptcy Code, “[i]f notice is required to be given
 11 by the debtor to a creditor . . . such notice shall contain the name, address, and last 4 digits of the
 12 taxpayer identification number of the debtor.” The caption in the Jointly-Administered Cases
 13 either contains or provides a link to the required information and, therefore, satisfies the terms of
 14 section 342(c) of the Bankruptcy Code.

15 For the reasons set forth above, the Debtors respectfully submit that the relief requested
 16 herein is in the best interests of the Debtors, their estates, creditors, and other parties in interest,
 17 and, therefore, should be granted.

18 **IV. CONSOLIDATED CREDITOR MATRIX**

19 **A. Verita as Claims Agent**

20 The Court has authorized and approved the appointment of Kurtzman Carson Consultants,
 21 LLC, dba Verita Global (together with its affiliates and subcontractors, “Verita”) as the claims and
 22 noticing agent (the “Claims Agent”) for the Jointly-Administered Debtors. Given that the October
 23 2 Debtors are affiliates of the Jointly-Administered Debtors, it is appropriate for Verita to serve as
 24 the Claims Agent for the October 2 Debtors as well, to streamline the administration process and
 25 maintain consistency across all affiliated entities.

26 Both October 2 Debtors have filed a *List of Creditors Who Have the 20 Largest Unsecured*
 27 *Claims and Are Not Insiders* in their respective chapter 11 cases [Case No. 24-10598, Dkt. No. 2;
 28 Case No. 24-10599, Dkt. No. 2]. The Court has issued a *Notice of Chapter 11 Bankruptcy Case*

1 for each of the October 2 Debtors [Case No. 24-10598, Dkt. No. 10; Case No. 24-10599, Dkt.
2 No. 12], and that notice has already been served on each October 2 Debtors' respective mailing
3 matrix [Case No. 24-10598, Dkt. No. 3; Case No. 24-10599, Dkt. No. 3].

4 **B. Relief Requested**

5 By this Motion, the Debtors seek entry of an Order, substantially in the form attached
6 hereto as **Exhibit A**, (i) authorizing the October 2 Debtors to engage Verita in consolidating the
7 mailing matrices filed in the October 2 Debtors' chapter 11 cases into the master mailing list of
8 the Jointly-Administered Debtors (the "**Master Creditor Matrix**"), in lieu of maintaining a separate
9 mailing matrix for each of the October 2 Debtors.

10 **C. Authority for Relief Requested**

11 Bankruptcy Code section 521(a)(1)(A) requires a debtor to file a list of creditors. The
12 Debtors submit that consolidating the mailing matrices of the October 2 Debtors with the Master
13 Creditor Matrix is warranted. Requiring the October 2 Debtors to maintain and update matrices
14 separate from the Master Creditor Matrix would be unnecessarily burdensome and would result in
15 duplicate mailings. Adding the October 2 Debtors to the consolidated Master Creditor Matrix is
16 in the best interests of the estates and will not prejudice the October 2 Debtors' creditors.

17 **V. EXTENSION OF DEADLINE TO FILE SCHEDULES OF ASSETS AND**
18 **LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS**

19 **A. The Jointly-Administered Debtors' Deadline of October 28, 2024**

20 The Court granted the Jointly-Administered Debtors' request for an extension to file their
21 schedule of assets and liabilities, statements of financial affairs, and lists of equity security holders,
22 to October 28, 2024, without prejudice to their rights to seek a further extension [Dkt. No. 46]. As
23 described in the Sharp Declaration, the Property Manager handles operations for the LPs and
24 LLCs, including the October 2 Debtors, and it uses a single software program, Yardi Systems, to
25 manage all the Properties owned by the LPs and LLCs. The LPs and LLCs use many of the same
26 vendors and suppliers for the Properties. Accordingly, there is significant creditor overlap among
27 the various LLCs and LPs. Moreover, the October 2 Debtors do not have their own teams available
28 to assist them with the reporting requirements of Section 521 of the Bankruptcy Code. It is

1 therefore appropriate to set the same deadline for the October 2 Debtors Schedules and Statements
2 as for the schedules and statements of the Jointly-Administered Debtors.

3 **B. Relief Requested**

4 The October 2 Debtors request entry of an order extending the October 2 Debtors
5 Schedules and Statements Deadline by 12 days, to October 28, 2024, granting them a total of 26
6 days after the filing of their voluntary petitions to file their Schedules and Statements, without
7 prejudice to the October 2 Debtors' right to request additional time if necessary. The requested
8 extension will align the timing of the October 2 Debtors Schedules and Statements with the
9 schedules and statements of the Jointly-Administered Debtors, and will thereby conserve the
10 resources of all the Debtors.

11 **C. Authority for Relief Requested**

12 Section 521 of the Bankruptcy Code requires a debtor to file its schedules and statements
13 of financial affairs unless the Court orders otherwise. 11 U.S.C. § 521(a)(1)(A)–(B). The
14 schedules and statements must be filed within fourteen (14) days after the petition date unless the
15 Bankruptcy Court grants an extension of time “on motion for cause shown.” Fed. R. Bankr.
16 P. 1007(c). Additionally, section 105(a) of the Bankruptcy Code, which codifies the equitable
17 powers of the Bankruptcy Court, authorizes the Court to “issue any order, process or judgment
18 that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a).
19 Similar relief has been granted in the Northern District of California in a number of cases,
20 including *In re the Roman Catholic Bishop of Santa Rosa*, 23-10113 (CN), Dkt. No. 45 (Order
21 Granting Debtor’s Application to Extend Time to File Schedules and Statement of Financial
22 Affairs) (Bankr. N.D. Cal. 2023); *In re Trinitas Advantaged Agriculture Partners IV, LP, et al.*,
23 24-50210 (DM), Dkt. No. 39 (Order Pursuant to 11 U.S.C. §§ 521(a) and 105(a) and Fed. R. Bankr.
24 P. 1007(c) Extending Time to File Schedules of Assets and Liabilities and Statements of Financial
25 Affairs) (Bankr. N.D. Cal 2024); and *In re Shift Technologies, Inc. et al.*, 23-30687 (HLB), Dkt.
26 No. 24 (Order Granting Debtor’s Motion for Order Extending Time to File Schedules of Assets
27 and Liabilities and Statements of Financial Affairs) (Bankr. N.D. Cal. 2023). In light of the facts
28 and circumstances set forth herein, this Court has and should exercise its authority, consistent with

1 sections 105(a) and 521(a) of the Bankruptcy Code, to extend the time for filing the October 2
 2 Debtors Schedules and Statements and align it with the relief previously granted to the Jointly-
 3 Administered Debtors.

4 **VI. BRADLEY D. SHARP AS RESPONSIBLE INDIVIDUAL**

5 Bradley D. Sharp is the President and Chief Executive Officer of Development Specialists,
 6 Inc. (“DSI”), a leading provider of management consulting and financial advisory services, and
 7 serves as the Chief Restructuring Officer of the Debtors. As of September 20, 2024, Mr. Sharp
 8 was appointed Responsible Individual to the Jointly-Administered Debtors pursuant to Section
 9 4002-1 of the Bankruptcy Local Rules [Dkt. No. 48]. Mr. Sharp is generally familiar with the day-
 10 to-day operations and the affairs, books, and records of all the Debtors, including the October 2
 11 Debtors. Accordingly, the October 2 Debtors believe it in the best interest of their estates to
 12 appoint Mr. Sharp as the Responsible individual in their chapter 11 cases as well.

13 Mr. Sharp’s contact information is:

14 Bradley D. Sharp
 15 President & CEO
 16 DSI Consulting
 17 333 South Grand Avenue, Suite 4100
 Los Angeles, CA 90071
 Phone: (213) 617-2717

18 **VII. NOTICE**

19 Notice of this Motion will be provided to (i) the United States Trustee; (ii) the members of
 20 the Committee; (iii) the Debtors’ secured lenders; (iv) the parties listed on the October 2 Debtors’
 21 *List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders*; and (v) those
 22 persons who have formally appeared in these Chapter 11 Cases and requested service pursuant to
 23 Bankruptcy Rule 2002. Based on the urgency of the circumstances surrounding this Motion and
 24 the nature of the relief requested herein, the Debtors respectfully submit that no further notice is
 25 required.

26 ///

27 ///

28 ///

1 **WHEREFORE**, the Debtors respectfully request that the Court enter an order,
2 substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein.

3
4 Dated: October 10, 2024

KELLER BENVENUTTI KIM LLP

5
6 By: /s/ Thomas B. Rupp

7 Thomas B. Rupp

8 *Proposed Attorneys for the Debtors and*
9 *Debtors in Possession*

10
11
12 **KELLER BENVENUTTI KIM LLP**
13 425 MARKET STREET, 26TH FLOOR
14 SAN FRANCISCO, CALIFORNIA 94105
15
16
17
18
19
20
21
22
23
24
25
26
27
28

KELLER BENVENUTTI KIM LLP
425 MARKET STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit A
(Proposed Order)

1 **KELLER BENVENUTTI KIM LLP**
2 TOBIAS S. KELLER (Cal. Bar No. 151445)
3 (tkeller@kbnllp.com)
4 DAVID A. TAYLOR (Cal. Bar No. 247433)
5 (dtaylor@kbnllp.com)
6 THOMAS B. RUPP (Cal. Bar No. 278041)
7 (trupp@kbnllp.com)
8 425 Market Street, 26th Floor
9 San Francisco, California 94105
10 Telephone: (415) 496-6723
11 Facsimile: (650) 636-9251

12 *Proposed Attorneys for the Debtors and*
13 *Debtors in Possession*

14 **UNITED STATES BANKRUPTCY COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SANTA ROSA DIVISION**

17 In re:

18 LEFEVER MATTSON, a California
19 corporation, *et al.*,¹

20 Debtors.

21 Lead Case No. 24-10545 (CN)

22 (Jointly Administered)

23 Chapter 11

24 **[PROPOSED] ORDER GRANTING**
25 **MOTION OF DEBTORS FOR JOINT**
26 **ADMINISTRATION AND RELATED**
27 **RELIEF REGARDING PINWOOD**
28 **CONDIMINIUMS, LP AND**
PONDEROSA PINES, LP

Date: TBD

Time: TBD

Place: United States Bankruptcy Court
1300 Clay Street, Courtroom 215
Oakland, CA 94612

¹ The last four digits of LeFever Mattson's tax identification number are 7537. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>. The address for service on the Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621.

1 Upon consideration of the *Motion of Debtors for Joint Administration and Related Relief*
2 *Regarding Pinewood Condominiums, LP and Ponderosa Pines, LP* (the “Motion”),² filed by the
3 above-captioned debtors and debtors in possession (the “Debtors”); the Court having reviewed the
4 Motion and the Sharp Declaration and having considered the statements of counsel and the
5 evidence adduced with respect to the Motion at a hearing before the Court (the “Hearing”); and
6 the Court having found that (i) the Court has jurisdiction to consider the Motion and the relief
7 requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the *Order Referring Bankruptcy*
8 *Cases and Proceedings to Bankruptcy Judges*, General Order 24 and Rule 5011-1(a) of the
9 Bankruptcy Local Rules for the United States District Court for the Northern District of California
10 (the “Bankruptcy Local Rules”); (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408
11 and 1409; (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (iv) notice of the Motion
12 and the Hearing was sufficient under the circumstances; and after due deliberation the Court having
13 determined that the relief requested in the Motion is in the best interests of the Debtors, their
14 estates, and their creditors; and good and sufficient cause having been shown;

15 **IT IS HEREBY ORDERED THAT:**

- 16 1. The Motion is granted.
- 17 2. The chapter 11 cases of the October 2 Debtors shall be jointly administered and
18 consolidated, for procedural purposes only, with the Jointly-Administered Chapter 11 Cases. The
19 Clerk of the Court shall maintain one file and one docket for the chapter 11 cases of the Debtors,
20 which file and docket shall be the file and docket for Debtor LeFever Mattson (the “Main Case”),
21 Case No. 24-10545 (CN).
- 22 3. The caption of the jointly administered cases shall be the current caption of the
23 Jointly-Administered Chapter 11 Cases.
- 24 4. All pleadings and notices shall be captioned as indicated in the preceding
25 paragraph, and all original docket entries shall be made in the case of LeFever Mattson, in
26

27 _____
28 ² Capitalized terms not otherwise defined herein shall have the meanings given to them in
the Motion.

1 Case No. 24-10545 (CN). The consolidated caption satisfies the requirements of section 342(c)(1)
2 of the Bankruptcy Code and Bankruptcy Rules 1005 and 2002(n) in all respects.

3 5. An entry shall be made on the dockets of the chapter 11 cases of each of the
4 October 2 Debtors, as follows:

5 An order has been entered in this case in accordance with Rule 1015(b) of
6 the Federal Rules of Bankruptcy Procedure directing the procedural
7 consolidation and joint administration of LeFever Mattson and its affiliate
8 debtors. All further pleadings and other papers shall be filed in, and all
9 further docket entries shall be made in, the docket of LeFever Matton, Case
10 No. 24-10545, and such docket should be consulted for all matters
11 affecting this chapter 11 case.

12 6. Unless otherwise ordered by the Court, the Debtors shall file separate schedules of
13 assets and liabilities, statements of financial affairs, and periodic operating reports, and each
14 Debtor will maintain a separate claims register through the Claims Agent. The Debtors' rights to
15 request consolidation of such reports, schedules, statements, or claims registers are preserved.

16 7. The Claims Agent shall consolidate the mailing matrices of the October 2 Debtors
17 with the Master Creditor Matrix of the Debtors.

18 8. The time by which the October 2 Debtors shall file their (a) Schedules of Assets
19 and Liabilities, (b) Statements of Financial Affairs, and (c) List of Equity Security Holders is
20 extended to October 28, 2024, without prejudice to the October 2 Debtors' right to seek further
21 extensions upon showing of cause therefor.

22 9. Bradley D. Sharp is appointed as the Responsible Individual for the October 2
23 Debtors during their chapter 11 cases pursuant to Bankruptcy Local Rule 4002-1.

24 10. Mr. Sharp's contact information is:

25 Bradley D. Sharp
26 President & CEO
27 DSI Consulting
28 333 South Grand Avenue, Suite 4100
Los Angeles, CA 90071
Phone: (213) 617-2717

11. Nothing contained in the Motion or this Order is intended to be or shall be construed
as (i) an admission as to the validity of any claim against the Debtors; (ii) a waiver of the Debtors'
or any appropriate party in interest's rights to dispute the amount of, basis for, or validity of any

1 claim against the Debtors; (iii) a waiver of any claims or causes of action that may exist against
2 any creditor or interest holder; or (iv) an approval, assumption, adoption, or rejection of any
3 agreement, contract, lease, program, or policy between the Debtors and any third party under
4 section 365 of the Bankruptcy Code.

5 12. The Debtors are hereby authorized to take such actions and to execute such
6 documents as may be necessary to implement the relief granted by this Order.

7 13. The Court retains exclusive jurisdiction with respect to all matters arising from or
8 related to the implementation, interpretation, and enforcement of this Order.

9 ** END OF ORDER **

10
11
12 **KELLER BENVENUTTI KIM LLP**
13 425 MARKET STREET, 26TH FLOOR
14 SAN FRANCISCO, CALIFORNIA 94105
15
16
17
18
19
20
21
22
23
24
25
26
27
28