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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re:

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

Debtors.

Lead Case No. 24-10545 (CN)

(Jointly Administered)

Chapter 11

**EX PARTE APPLICATION FOR
 ORDER APPROVING OMNIBUS
 HEARING PROCEDURES**

[No Hearing Requested]

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.



LeFever Mattson, a California corporation (“LeFever Mattson”), and certain of its affiliates that are debtors and debtors in possession (collectively, the “Debtors”) in the above-captioned chapter 11 cases (the “Chapter 11 Cases”), hereby submit this ex parte application (the “Application”), pursuant to section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 1015(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), for entry of an order substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), approving and implementing certain hearing procedures (collectively, the “Omnibus Hearing Procedures”).

MEMORANDUM OF POINTS AND AUTHORITIES

I. JURISDICTION AND VENUE

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

II. GENERAL BACKGROUND

Debtor Windscape Apartments, LLC, filed its chapter 11 petition on August 6, 2024. Fifty-eight Debtors, including LeFever Mattson, filed their chapter 11 petitions on September 12, 2024. Debtors Pinewood Condominiums, LP, and Ponderosa Pines, LP, filed their chapter 11 petitions on October 2, 2024. Additional information regarding the circumstances leading to the commencement of the Chapter 11 Cases and background information regarding the Debtors’ businesses is set forth in the *Declaration of Bradley D. Sharp in Support of Chapter 11 Petitions and First Day Motions*. Dkt. No. 5.

The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. The United States Trustee appointed an official committee of unsecured creditors (the “Committee”) on October 9, 2024 [Dkt. No. 135], and amended its appointment on November 25, 2024 [Dkt. No. 368]. No trustee or examiner has been appointed in the Chapter 11 Cases. The

Chapter 11 Cases are being jointly administered under Case No. 24-10545 for procedural purposes only pursuant to Bankruptcy Rule 1015(b).

III. RELIEF REQUESTED

The Debtors request approval of the Omnibus Hearing Procedures set forth below.

A. Omnibus Hearings

1. The Court will select, in consultation with the Debtors, certain dates (each, an “Omnibus Hearing Date”) for periodic hearings (each, an “Omnibus Hearing”) at which only motions and other requests for relief in the Chapter 11 Cases may be heard.

2. All motions and other requests for relief in the Chapter 11 Cases and any related adversary proceedings that are required to be set for a hearing, whether filed by the Debtors or any other party in interest, must be set for an Omnibus Hearing Date. The Court shall set initial scheduling conferences in related adversary proceedings for an Omnibus Hearing Date. Notwithstanding the foregoing, following coordination with the Court, a hearing on a motion or other request for relief filed by a non-Debtor may thereafter be rescheduled by stipulation with the Debtors for a date other than an Omnibus Hearing Date. Nothing contained herein shall foreclose any party in interest from seeking a hearing on shortened time pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the Northern District of California.

3. If a document filed by a non-Debtor purports to set a hearing date inconsistent with these Omnibus Hearing Procedures, the Court shall direct the moving party to re-notice the hearing for the first available Omnibus Hearing Date after the applicable notice period has expired. All applicable deadlines to oppose or reply to the document shall flow from the new Omnibus Hearing Date.

4. Kurtzman Carson Consultants, LLC dba Verita Global (“Verita”), the Debtors’ claims and noticing agent, shall post the Omnibus Hearing Dates on the website it maintains regarding the Chapter 11 Cases, <https://www.veritaglobal.net/LM> (the “Case Website”). Interested parties may contact Verita for information concerning all scheduled Omnibus Hearings.

B. Omnibus Hearing Agendas

5. By approximately 12:00 p.m. (Prevailing Pacific Time) on the court day before a scheduled Omnibus Hearing, the Debtors shall file an agenda (the “Agenda”) setting forth each matter to be heard at the Omnibus Hearing. The Debtors will deliver a copy of the Agenda to Chambers by email and will serve the Agenda by Notice of Electronic Filing on (i) any parties that have filed documents relating to matters scheduled to be heard at the Omnibus Hearing; (ii) the U.S. Trustee; (iii) counsel for the Committee; and (iv) those persons who have formally appeared in these Chapter 11 Cases and requested service pursuant to Bankruptcy Rule 2002, *provided, however*, that the filing of an Agenda shall not be required when the Debtors have less than forty-eight (48) hours’ notice of a hearing.

6. The contents of an Agenda shall be limited to matters of substance and shall not include administrative filings such as notices of appearance and certificates of service.

7. If any documents are filed after the Debtors file an Agenda, the Debtors shall not be required to file an amended or corrected Agenda.

IV. BASIS FOR RELIEF REQUESTED

Approval of the Omnibus Hearing Procedures is within the Court’s discretion under the Bankruptcy Code and the Bankruptcy Rules and will ensure that the Chapter 11 Cases continue to be administered efficiently and economically. Bankruptcy Rule 1015(c) provides that when, as here, two or more cases are being jointly administered, the Court may enter orders “as may tend to avoid unnecessary costs and delay.” Fed. R. Bankr. P. 1015(c). Section 105(a) of the Bankruptcy Code permits a court to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a).

Given the number of creditors and interested parties in the Chapter 11 Cases and the many motions and hearings scheduled therein, the Omnibus Hearing Procedures will reduce the administrative and financial burden on the Debtors and their estates by streamlining hearings before the Court; in other words, instead of having to prepare for and attend nearly weekly hearings at which they have to wait for the resolution of other matters pending before the Court, the

Omnibus Hearing Procedures provide that the only matters calendared for any given Omnibus Hearing will arise from the Chapter 11 Cases. Avoiding having to wait for the Court's other matters will reduce the fees charged to the Debtors' estates by the Debtors' and Committee's professionals. The filing of Agendas will reduce the administrative burden on the Court by highlighting to the Court shortly before an Omnibus Hearing the status of matters that are going forward, if any have resolved, and whether revised proposed orders have been submitted.

Based upon the foregoing, the Debtors submit that the relief requested herein is appropriate and in the best interest of the Debtors and their estates. The Debtors have shared a copy of this Application with the Committee and the Office of the United States Trustee, and neither objects to the relief sought herein.

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

Dated: April 22, 2025

KELLER BENVENUTTI KIM LLP

By: /s/ Dara L. Silveira

Dara L. Silveira

Attorneys for the Debtors and Debtors in Possession

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Exhibit A
(Proposed Order)

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**[PROPOSED] ORDER APPROVING
OMNIBUS HEARING PROCEDURES**

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.

Upon the ex parte application dated April 22, 2025 [Dkt. No. •] (the “Application”),¹ of LeFever Mattson, a California corporation (“LeFever Mattson”), and certain of its affiliates that are debtors and debtors in possession (the “Debtors”) in the above-captioned chapter 11 cases (the “Chapter 11 Cases”), pursuant to section 105(a) of title 11 of the United States Code and Rule 1015(c) of the Federal Rules of Bankruptcy Procedure, for an order approving the Omnibus Hearing Procedures, all as more fully set forth in the Application; and this Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the *Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges*, General Order 24 and Rule 5011-1(a) of the Bankruptcy Local Rules for the United States District Court for the Northern District of California; and consideration of the Application and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having reviewed the Application; and this Court having found and determined that the relief sought in the Application is in the best interests of the Debtors, their estates, creditors, shareholders, and all parties in interest; and that the legal and factual bases set forth in the Application establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Application is granted.
2. The Omnibus Hearing Procedures are approved as set forth below.

OMNIBUS HEARINGS

3. The Court will select, in consultation with the Debtors, certain dates (each, an “Omnibus Hearing Date”) for periodic hearings (each, an “Omnibus Hearing”) at which only motions and other requests for relief in the Chapter 11 Cases may be heard.

4. All motions and other requests for relief in the Chapter 11 Cases and any related adversary proceedings that are required to be set for a hearing, whether filed by the Debtors or any other party in interest, must be set for an Omnibus Hearing Date. The Court shall set initial

¹ Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Application.

scheduling conferences in related adversary proceedings for an Omnibus Hearing Date. Notwithstanding the foregoing, following coordination with the Court, a hearing on a motion or other request for relief filed by a non-Debtor may thereafter be rescheduled by stipulation with the Debtors for a date other than an Omnibus Hearing Date. Nothing contained herein shall foreclose any party in interest from seeking a hearing on shortened time pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the Northern District of California.

5. If a document filed by a non-Debtor purports to set a hearing date inconsistent with these Omnibus Hearing Procedures, the Court shall direct the moving party to re-notice the hearing for the first available Omnibus Hearing Date after the applicable notice period has expired. All applicable deadlines to oppose or reply to the document shall flow from the new Omnibus Hearing Date.

6. Kurtzman Carson Consultants, LLC dba Verita Global (“Verita”), the Debtors’ claims and noticing agent, shall post the Omnibus Hearing Dates on the website it maintains regarding the Chapter 11 Cases, <https://www.veritaglobal.net/LM> (the “Case Website”). Interested parties may contact Verita for information concerning all scheduled Omnibus Hearings.

OMNIBUS HEARING AGENDAS

7. By approximately 12:00 p.m. (Prevailing Pacific Time) on the court day before a scheduled Omnibus Hearing, the Debtors shall file an agenda (the “Agenda”) setting forth each matter to be heard at the Omnibus Hearing. The Debtors will deliver a copy of the Agenda to Chambers by email and will serve the Agenda by Notice of Electronic Filing on (i) any parties that have filed documents relating to matters scheduled to be heard at the Omnibus Hearing; (ii) the U.S. Trustee; (iii) counsel for the Committee; and (iv) those persons who have formally appeared in these Chapter 11 Cases and requested service pursuant to Bankruptcy Rule 2002, *provided, however*, that the filing of an Agenda shall not be required when the Debtors have less than forty-eight (48) hours’ notice of a hearing.

8. The contents of an Agenda shall be limited to matters of substance and shall not include administrative filings such as notices of appearance and certificates of service.

1 9. If any documents are filed after the Debtors file an Agenda, the Debtors shall not
2 be required to file an amended or corrected Agenda.

3 **MISCELLANEOUS**

4 10. This Court shall retain jurisdiction to hear and determine all matters arising from
5 or relating to the implementation of this Order.

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7 ** END OF ORDER **
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