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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

In re DIABLO GRANDE COMMUNITY FACILITIES DISTRICT NO. 1, Debtor.	Case No. 25-26635-A-9 DCN BWS-004 **MOTION FOR ORDER:** **(1) FIXING DECEMBER 4, 2026, AS THE BAR DATE FOR ALL CLAIMS;** **(2) APPROVING FORM OF NOTICE OF BAR DATE;** **(3) REQUIRING DEBTOR TO PROVIDE NOTICE OF BAR DATE TO CREDITORS AND PARTIES IN INTEREST BY NO LATER THAN NOVEMBER 6, 2026** Date: October 13, 2026 Time: 9:30 a.m. Dept.: Dept. A Ctrm. 11 2500 Tulare Street Fresno, CA

Diablo Grande Community Facilities District No. 1 (the "**Debtor**"), the debtor in the above-captioned case, respectfully moves the Court for entry of an order, a copy of which is attached hereto as Exhibit 1: (1) fixing December 4, 2026, as the date by which proofs of claim against the Debtor must be filed in order to be considered timely ("**Bar Date**"); (2) approving the form of Notice, a copy of which is attached hereto as Exhibit 2; and (3) requiring Diablo Grande CFD No. 1 to complete service of the Notice, which combines the Notice of Order For Relief , and

the Notice of Bar Date (the "**Notice**"), in the manner required by 11 U.S.C. § 923, by no later than November 6, 2026 ("**Motion**").

1. Pursuant to Rule 3003(c) of the Federal Rule of Bankruptcy Procedure ("Bankruptcy Rules"), the Court is required to fix the time within which proofs of claim may be filed against Diablo Grande CFD No. 1. Pursuant to Bankruptcy Rule 2002(a)(7), creditors and parties-in-interest must be given at least 21 days' notice by mail of the time fixed for filing proofs of claim. In compliance with the Bankruptcy Code and Bankruptcy Rules, the Debtor submits that requiring the service and publication of the Notice to be completed by November 6, 2026, and fixing December 4, 2026, as the Bar Date will both provide adequate time for any claimant to file their claims and promote an expeditious resolution of the case.

2. The Bankruptcy Case was commenced by the filing of the Debtor's Bankruptcy Petition on November 25, 2025 (the "**Petition**") [Dkt. 1], after the Debtor's governing authority, the Board of the Western Hills Water District (the "**Board**"), declared a fiscal emergency of the Debtor [Dkt. 4]. Declaration of Joseph P. Buchman In Support of Motion filed concurrently (the "Buchman Decl."), ¶ 2.

3. The Debtor is a community facilities district established by the Board of Directors of the Western Hills Water District on September 24, 2000, pursuant to the Mello-Roos Act (Cal. Gov't. Code §§ 53311-53368.3) (Resolution No. 2000-06). As such, the CFD is a municipality as defined in section 101(40) of the Bankruptcy Code. Buchman Decl. ¶ 3.

4. The hearing on the Motion is set for October 13, 2026, at 9:30 a.m. It is anticipated that by the time of that hearing, the Court will have entered the Order For Relief in this Chapter 9 case. Bankruptcy Code section 923 requires that a notice of an order for relief under Chapter 9 be given, and that this notice also be published at least once a week for three successive weeks in at least one newspaper of general circulation published with the district in which the case is commenced, and in such other newspaper having a general circulation among bond dealers and bondholders as the court designates. Buchman Decl. ¶ 4.

5. The Motion requests that the Court permit the Debtor to combine the notice of the claims bar date with the notice of order for relief. A copy of the proposed order is attached to the

Motion as Exhibit 1. A copy of the proposed combined Notice is attached to the Motion as Exhibit 2. The method of service and publication would be the same as the Debtor used to serve and publish the Notice of Commencement of Chapter 9 Case (see, Dkt. 28, 29, 30, 31, 32, and 33). This method of service meets the requirements of Bankruptcy Rule 2002(a)(7) as a copy will be mailed to all known creditors, including bondholders, and will be published as well. Publication of notice is not a requirement under Bankruptcy Rule 2002(a)(7). Buchman Decl. ¶ 5.

6. The Debtor believes the only claims against the bankruptcy estate are those of the County of Stanislaus, California, the Diablo Grande Residential Association ("HOA") and the holders of the Special Tax Bonds ("Bonds") identified as follows: Western Hills Water District Diablo Grande Community Facilities District No. 1 Special Tax Refunding Bonds Series 2014 (CA)(Base CUSIP® Nos. 958324DG7, 958324DH5, 958324DJ1, 958324DM4, 958324DR3, and 958324DX0) and Western Hills Water District Diablo Grande Community Facilities District No. 1 Special Tax Refunding Bonds Series 2015 (CA)(Base CUSIP® Nos. 958324DY8, 958324DZ5, 958324EC5, 958324ED3, and 958324EE1) ("Bonds") issued by the Western Hills Water District. Buchman Decl. ¶ 6.

7. The Debtor will mail (or cause to be mailed) the Notice to the creditors listed in the Debtor's schedules and to the registered holders of the Bonds in coordination with the Debtor's Noticing and Claims Agent KCC, LLC dba Verita Global. Buchman Decl. ¶ 7.

8. In addition, the Debtor will cause the Notice to be published in The Modesto Bee and The Bond Buyer. The Modesto Bee is a newspaper of general circulation and is published within the County of Stanislaus, California. The Debtor further submits The Bond Buyer is a publication of general circulation among municipal bond dealers and bondholders and meets the requirements of 11 U.S.C. § 923. The combined Notice will be published for three (3) consecutive weeks and such publication shall be completed by no later than November 6, 2026, more than 21 days before the Bar Date. The publication version of the combined Notice will be the same as the mailed version. Buchman Decl. ¶ 8.

For the reasons set forth above, the Debtor respectfully requests entry of an order: (1) fixing December 4, 2026, as the date by which proofs of claim against the Debtor must be

filed in order to be considered timely ("**Bar Date**"); (2) approving the form of Notice, a copy of which is attached hereto as Exhibit 2; and (3) requiring Diablo Grande CFD No. 1 to complete service of the Notice, which combines the Notice of Order For Relief , and the Notice of Bar Date, in the manner required by 11 U.S.C. § 923, by no later than November 6, 2026 and (4) granting such other and further relief as the Court deems appropriate.

The requested Order will be without prejudice to the rights of the Debtor pursuant to Section 904 of the Bankruptcy Code, and nothing herein is intended as or shall be deemed to constitute the Debtor's consent pursuant to Section 904 of the Bankruptcy Code to this Court's interference with (1) any of the political or governmental powers of the Debtor, (2) any of the property or revenues of the Debtor, or (3) the Debtor's use or enjoyment of any income-producing property.

Dated: September 23, 2026

BURKE, WILLIAMS & SORENSEN, LLP

By: /s/ Joseph P. Buchman
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