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**UNITED STATES BANKRUPTCY COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SANTA ROSA DIVISION**

| | |
|---|---|
| In re:<br><br>LEFEVER MATTSON,<br><br>Consolidated Debtor. | Case No. 24-10545 (HLB)<br><br>(Substantively Consolidated)<br><br>Chapter 11<br><br>***EX PARTE* APPLICATION FOR ENTRY OF INTERIM ORDER EXTENDING DEADLINE FOR TRUSTEE OF THE LFM PLAN RECOVERY TRUST TO RESOLVE PROOFS OF INTEREST AND OBJECT TO CLAIMS PENDING NEXT AVAILABLE HEARING DATE**<br><br>[No hearing requested] |

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Michael I. Goldberg (the "Trustee"),[1] solely in his capacity as Trustee of the LFM Plan Recovery Trust, formed pursuant to the *Third Amended Chapter 11 Plan of Liquidation, as Modified* [Dkt. No. 4151] (the "Plan") in the above-captioned chapter 11 case (the "Chapter 11 Case") of consolidated debtor LeFever Mattson (the "Consolidated Debtor"),[2] hereby applies (the "Application") for an interim order (the "Interim Order"), pursuant to section 105 of title 11 of the United States Code (the "Bankruptcy Code"), and Rule 9006(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), extending the deadline established under the Plan for the Trustee to resolve Investor Claims and object to Non-Investor Claims from November 10, 2026, through and including the date of the hearing on the *Motion for Entry of an Order Extending Deadline for Trustee of the LFM Plan Recovery Trust to Resolve Proofs of Interest and Object to Claims* [Docket No. 4594] (the "Extension Motion").[3] In support of the Application, the Trustee submits the Declaration of Dara L. Silveira. A proposed form of Interim Order is attached hereto as **Exhibit A**.

## MEMORANDUM OF POINTS AND AUTHORITIES

### I. PRELIMINARY STATEMENT

The deadline laid out by the Plan for the Trustee to resolve the Investor Claims and object to Non-Investor Claims (the "Current Objection Deadline") is set to expire on November 10, 2026. The Extension Motion seeks, pursuant to section 8.2 of the Plan, sections 105(a) and 1142 of the Bankruptcy Code, and Bankruptcy Rule 9006(b), to extend the Current Objection Deadline by one

[1] On May 14, 2026 (the "Effective Date"), the Plan, confirmed by the Court on April 23, 2026 [Dkt. No. 4225] (the "Confirmation Order"), became effective. *See* Dkt. No. 4335. As of the Effective Date, the Trustee retains all rights to institute, commence, file, pursue, prosecute, enforce, abandon, settle, compromise, release, waive, dismiss, or withdraw, as appropriate, any and all Causes of Action[.]" Confirmation Order, ¶ 13.

[2] On March 6, 2026, the Court entered the *Order Substantively Consolidating Debtors and KSMP Investment Entities and Granting Related Relief* [Dkt. No. 3914] (the "Substantive Consolidation Order"), which substantively consolidated the estates of LeFever Mattson, a California corporation and its affiliated debtors (the "LFM Debtors"), KS Mattson Partners, LP ("KSMP," and together with the LFM Debtors, the "Debtors") and three KSMP-affiliated entities (Perris Freeway Plaza, LP, Specialty Properties Partners, LP, and Treehouse Investments, LP), forming the "Consolidated Debtor."

[3] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Extension Motion.

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hundred eighty (180) days, through and including May 10, 2027, without prejudice to the Trustee's right to seek additional extensions thereof. When the Trustee's counsel began drafting the Extension Motion several weeks ago, the Court had a calendar on November 5, 2026 (the "November 5 Calendar"). Subsequently, however, the Court closed the November 5 Calendar to new matters and vacated other hearings the Trustee had noticed for that date. *See* Docket No. 4590; Oct. 13, 2026 Docket Text Order. As a result, it was a mistake to set the Extension Motion for the now-closed November 5 Calendar. Yet the Court's next available calendar is November 12, 2026, or two days after the Current Objection Deadline. Contemporaneously herewith, the Trustee has re-noticed the Extension Motion for that calendar. Docket No. 4597. The Trustee seeks the Interim Order in lieu of making a request for shortened time for the hearing on the Extension Motion pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the Northern District of California.

## II. 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. Feb. 22, 2016), and Rule 5011-1(a) of the Bankruptcy Local Rules for the United States District Court for the Northern District of California. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

## III. RELIEF REQUESTED

The Trustee seeks entry of an interim order extending the Current Objection Deadline by two days, through and including the date of the hearing on the Extension Motion.

## IV. BASIS FOR RELIEF REQUESTED

The Court may, for cause, extend a deadline established by the Bankruptcy Rules, a notice, or a court order when the extension is made before the applicable period expires. Fed. R. Bankr. P. 9006(b)(1). And the Court may issue any order "necessary or appropriate to carry out the provisions" of the Bankruptcy Code. 11 U.S.C. § 105(a). Taken together, Bankruptcy Rule

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9006(b)(1) and section 105(a) counsel in favor of an two-day interim extension of the Current Objection Deadline until the hearing on the Extension Motion.

Without entry of the Interim Order, the Current Objection Deadline would pass before the Court could hear and decide the Trustee's requested extension, which would impair the rights of Investors and holders of Non-Investor Claims. Moreover, the Trustee would be compelled to divert his limited resources to file new objections to those remaining Non-Investor Claims and remaining Investor Claims to which he has not yet objected. The Interim Order would not adjudicate any Claims, defenses, objections, or other substantive rights; it would only preserve the Trustee's ability to seek appropriate relief while awaiting the hearing on the Extension Motion.

## V. NOTICE

Notice of this Ex Parte Application will be provided to (i) the Office of the United States Trustee for Region 17 and (ii) those persons who have formally appeared in the Chapter 11 Case and requested notice pursuant to Bankruptcy Rule 2002. Based on the nature of the relief requested herein, the Trustee respectfully submits that no further notice is required.

## VI. CONCLUSION

For the reasons set forth above, the Trustee respectfully requests entry of the Interim Order, and such other and further relief as the Court may deem just and proper.

Dated: October 16, 2026

**KELLER BENVENUTTI KIM LLP**
**PACHULSKI STANG ZIEHL & JONES LLP**

By: */s/ Dara L. Silveira*
Dara L. Silveira

*Attorneys for Michael I. Goldberg, as Trustee of the LFM Plan Recovery Trust*

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**Exhibit A**

**(Proposed Order)**

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

| | |
|---|---|
| In re:<br><br>LEFEVER MATTSON,<br><br>Consolidated Debtor. | Case No. 24-10545 (HLB)<br><br>(Substantively Consolidated)<br><br>Chapter 11<br><br>**[PROPOSED] INTERIM ORDER EXTENDING DEADLINE FOR TRUSTEE OF THE LFM PLAN RECOVERY TRUST TO RESOLVE PROOFS OF INTEREST AND OBJECT TO CLAIMS PENDING NEXT AVAILABLE HEARING DATE** |

Upon consideration of the ex parte application filed on October 16, 2026 (the "Application")[1] for entry of an interim order (the "Interim Order"), pursuant to section 105 of the Bankruptcy Code and Bankruptcy Rule 9006(b), extending the Current Objection Deadline established under the Plan for the Trustee to resolve Investor Claims and object to Non-Investor Claims from the November 10, 2026, through and including the next available hearing date on November 12, 2026, or any further date to which such hearing may be continued; the Court having reviewed the Application; and the Court having found that (i) the Court has 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; (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b); and after due deliberation; and good and sufficient cause having been shown;

**IT IS HEREBY ORDERED THAT:**

1. The Application is granted as set forth herein.

2. The Current Objection Deadline is extended from November 10, 2026, to and including November 12, 2026.

3. The Trustee is authorized to take all steps necessary or appropriate to carry out this Interim Order.

4. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

** END OF ORDER **

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

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