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☐ *Individual appearing without attorney*
☒ *Attorney for:* Debtor City of San Bernardino, California

FOR COURT USE ONLY

FILED
AUG 10 2012
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
Deputy Clerk

ENTERED
AUG 10 2012
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re:
City of San Bernardino, California

Debtor(s).

CASE NO.: 6:12-bk-28006 MJ

CHAPTER: 9

ORDER:
☒ **GRANTING APPLICATION AND SETTING HEARING ON SHORTENED NOTICE**

☐ **DENYING APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE**

[LBR 9075-1(b)]

1. Movant filed the following motion together with supporting declarations and (if any) supporting documents:

   a. *Title of motion:* MOTION FOR ORDER APPOINTING RUST OMNI, A DIVISION OF RUST CONSULTING, INC., AS CLAIMS, NOTICING AND BALLOTING AGENT PURSUANT TO 28 U.S.C. § 156(c) AND RULE 2002 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE

   b. *Date of filing of motion:* August 9, 2012

2. Pursuant to LBR 9075-1(b), movant also filed an Application for Order Setting Hearing on Shortened Notice ("Application") together with supporting declaration(s):

   a. *Date of filing of Application:* August 9, 2012

3. Based upon the court's review of the application, **IT IS ORDERED THAT:**

a. ☐ **The Application is denied.** The motion may be brought on regular notice pursuant to LBRs.

b. ☒ **The Application is granted, and IT IS FURTHER ORDERED THAT:**

(1) ☒ A hearing on the motion will take place as follows:

Hearing Date: August 17, 2012 **Time:** 10:00 AM **Courtroom:** 301	**Place:** ☐ **255 East Temple Street, Los Angeles, CA 90012** ☐ **21041 Burbank Boulevard, Woodland Hills, CA 91367** ☒ **3420 Twelfth Street, Riverside, CA 92501** ☐ **411 West Fourth Street, Santa Ana, CA 92701** ☐ **1415 State Street, Santa Barbara, CA 93101**

(2) ☐ No later than the deadlines given, **telephonic notice** of the hearing must be provided to all persons/entities listed:

a. *Deadlines:* Date: Time:	b. *Persons/entities to be provided with telephonic notice:* ☐ See attached page c. *Telephonic notice is also required upon the* United States trustee

(3) ☒ No later than the deadlines given, **written notice of the hearing** and a **copy of this order** must be served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

a. ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☒ Facsimile* ☒ Email*

b. *Deadlines:* Date: August 10, 2012 Time: 5:00 p.m.	c. *Persons/entities to be served with written notice and a copy of this order:* All persons that have filed with the Court as of August 10, 2012 either a request for special notice or a request for courtesy notice of electronic filings. ☐ See attached page d. *Service is also required upon:* -- United States trustee *(electronic service is not permitted)* -- Judge's Copy personally delivered to chambers (*see Court Manual for address*)

(4) ☒ No later than the deadlines given, a copy of the motion, declarations, and supporting documents (if any), must be served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

a. ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☒ Facsimile* ☒ Email*

b. *Deadlines:*	c. *Persons/entities to be served with motion, declarations, supporting documents:*
Date: August 10, 2012 Time: 5:00 p.m.	All persons that have filed with the Court as of August 10, 2012 a request for special notice. ☐ See attached page d. *Service is also required upon*: -- United States trustee *(no electronic service permitted)* -- Judge's Copy personally delivered to chambers (*see Court Manual for address*)

(5) ☒ Regarding **opposition to the motion**

☐ opposition to the motion may be made **orally** at the hearing

☒ no later than the deadlines given, **written opposition to the motion** must be filed with the court and served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

a. ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☒ Facsimile* ☒ Email*

b. *Deadlines:*	c. *Persons/entities to be served with written opposition to the motion:*
Date: August 15, 2012 Time: 5:00 p.m.	-- movant's attorney (or movant, if movant is not represented by an attorney) d. *Service is also required upon*: -- United States trustee (*electronic service is not permitted*) -- Judge's Copy personally delivered to chambers (*see Court Manual for address*)

(6) ☒ Regarding a **reply to an opposition:**

☐ a reply to opposition may be made **orally** at the hearing.

☒ no later than the deadlines given, a **written reply to an opposition** must be filed with the court and served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

a. ☒ Personal Delivery ☒ Overnight Mail ☐ First Class Mail ☒ Facsimile* ☒ Email*

b. *Deadlines:*	c. *Persons/entities to be served with written reply to opposition:*
Date: August 16, 2012 Time: 5:00 p.m.	-- All persons/entities who filed a written opposition d. *Service is also required upon*: -- United States trustee *(electronic service is not permitted)* -- Judge's Copy personally delivered to chambers (*see Court Manual for address*)

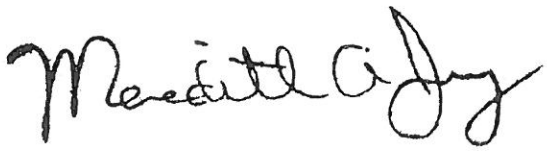
(7) ☐ Other requirements:

(8) ☒ No later than the deadlines given, movant must file a **Declaration of Notice and Service** establishing that telephonic notice, written notice, and service of the motion and this order was completed as set forth above, and a **Judge's Copy** of the Declaration of Notice and Service must be personally delivered to the Judge's chambers:

☒ at least 2 days before the Hearing.
☐ no later than: Date: Time:

* Service by electronic means (facsimile or email) requires compliance with FRCP 5(b)(2)(E).

Date: August 10, 2012



UNITED STATES BANKRUPTCY JUDGE
Meredith A. Jury

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 100 Wilshire Blvd., Suite 440, Santa Monica, California 90401

A true and correct copy of the foregoing document described Order Granting Application and Setting Hearing on Shortened Notice will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and LBR(s), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____ I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

NOTE: - *Proposed orders are not docketed. Therefore, do not list any addresses in Category I.*

II. SERVED BY UNITED STATES MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served)**:**
On _____ I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on August 9, 2012 I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

Honorable Meredith A. Jury (Personal Delivery)
U.S. Bankruptcy Court
3420 Twelfth Street, Suite 325
Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

August 9, 2012	Christine Pesis	/s/ Christine Pesis
Date	*Type Name*	*Signature*

NOTE TO USERS OF THIS FORM:

1) Attach this form to the last page of a proposed order or judgment. Do not file as a separate document.
2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
3) **Category I.** below: The United States trustee and case trustee (if any) will always be in this category.
4) **Category II.** below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. DO NOT list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) Order Granting Application and Setting Hearing on Shortened Notice
was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Order(s) and LBR(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of August 9, 2012, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.

- Jerrold Abeles abeles.jerry@arentfox.com
- Joseph M Adams jadams@lawjma.com
- Andrew K Alper aalper@frandzel.com, efiling@frandzel.com;ekidder@frandzel.com
- Thomas V Askounis taskounis@askounisdarcy.com
- Anthony Bisconti tbisconti@bmkattorneys.com
- J Scott Bovitz bovitz@bovitz-spitzer.com
- Jeffrey W Broker jbroker@brokerlaw.biz
- Deana M Brown dbrown@milbank.com
- Michael J Bujold Michael.J.Bujold@usdoj.gov
- Alex Darcy adarcy@askounisdarcy.com
- Susan S Davis sdavis@coxcastle.com
- Paul R. Glassman pglassman@sycr.com
- Everett L Green everett.l.green@usdoj.gov
- James A Hayes jhayes@cwlawyers.com
- M Jonathan Hayes jhayes@hayesbklaw.com, roksana@hayesbklaw.com;carolyn@hayesbklaw.com;elizabeth@hayesbklaw.com
- Bonnie M Holcomb bonnie.holcomb@doj.ca.gov
- Whitman L Holt wholt@ktbslaw.com
- Steven J Katzman SKatzman@bmkattorneys.com
- Gregory A Martin gmartin@winston.com
- Scott H Olson solson@seyfarth.com
- Dean G Rallis drallis@sulmeyerlaw.com
- Kenneth N Russak krussak@frandzel.com, efiling@frandzel.com;dmoore@frandzel.com
- Gregory M Salvato gsalvato@salvatolawoffices.com, calendar@salvatolawoffices.com
- Benjamin Seigel bseigel@buchalter.com, IFS_filing@buchalter.com
- United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov
- Anne A Uyeda auyeda@bmkattorneys.com
- Annie Verdries verdries@lbbslaw.com
- Brian D Wesley brian.wesley@doj.ca.gov

☐ Service information continued on attached page

II. SERVED BY THE COURT VIA UNITED STATES MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

☐ Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: No later than the deadline specified in paragraph 3.b.(3) of this order, the party lodging the order must serve a complete copy bearing an "Entered" stamp on the persons/entities identified in paragraph 3.b.(3) using the service method(s) required by paragraph 3.b.(3).