

FILED & ENTERED

JUL 02 2015

CLERK U.S. BANKRUPTCY COURT
Central District of California
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ORDER NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re

DAVID A. WILSON,

Debtor.

Case No. 2:12-bk-16195-RK

Chapter 7

Adv. No. 2:12-ap-01317-RK

THOMAS I. MCKNEW, IV and LISA A.
MCKNEW, individually and as
Trustees of the MCKNEW FAMILY
TRUST DATED MAY 21, 2004,

Plaintiffs,

vs.

DAVID A. WILSON

Defendant.

**ORDER ON THE JUDGMENT
DEBTOR'S MOTION TO STRIKE
DECLARATIONS OF THOMAS I.
MCKNEW, IV and JAMES A. HINDS, JR.**

Pending before the court is the Motion of Judgment Debtor David A. Wilson to Strike the Declarations of Thomas I. McKnew, IV and James A. Hinds, Jr. (ECF 455). The court determines that oral argument on the motion is not necessary, dispenses with oral argument, takes the motion under submission, vacates the hearing on the motion on July 8, 2015 at 1:30 p.m., and rules as follows.

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1 Those declarations were filed by Judgment Creditors in support of supplemental
2 briefing on April 24 and 29, 2015. At the hearing on the Motion to Compel Answers of
3 Judgment Debtor on March 31, 2015, the court ordered supplemental briefing to be filed
4 by April 24, 2015. Audio Recording of Hearing Held March 31, 2015 at 4:01 p.m. The
5 declaration of Thomas I. McKnew, IV was filed on April 29, 2015, and is therefore
6 untimely. In addition, having read the Declaration of James A. Hinds, the court
7 determines that the declaration should be stricken because it goes beyond the scope of
8 the supplemental briefing authorized by the court and because it was not material to the
9 court's separately entered order on the Motion to Compel Answers of Judgment Debtor of
10 this date. For the reasons stated here and in the moving papers, the Motion to Strike is
11 GRANTED. The hearing on the motion on July 8, 2015 is taken off calendar. No
12 appearances are required on July 8, 2015.

13 IT IS SO ORDERED.

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23 Date: July 2, 2015



Robert Kwan
United States Bankruptcy Judge