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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re: BASIC CAR RENTAL, INC., Debtor.	Case No. 2:14-bk-15773-RK Chapter 7 Adv No. 2:14-ap-01448-RK
KIRAN PATEL, Plaintiff, vs. BASIC CAR RENTAL, INC., Defendant.	ORDER DISMISSING CASE, DENYING MOTION FOR DEFAULT JUDGMENT AS MOOT AND DISCHARGING ORDER TO SHOW CAUSE DATE: October 28, 2014 TIME: 2:30 p.m. PLACE: Courtroom 1675 255 East Temple Street Los Angeles, CA 90012

A hearing on the Motion for Default Judgment filed by Plaintiff Kiran Patel was conducted before the undersigned United States Bankruptcy Judge on October 28, 2014. Lorne Lilienthal of the law firm of Regan & Associates appeared on behalf of Plaintiff. No appearance was made on behalf of Defendant.

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1 Having reviewed and considered the complaint in this adversary proceeding and
2 the moving papers and for the reasons stated on the record, it is hereby ordered that this
3 case is dismissed without prejudice based on the federal jurisdictional limitation of lack of
4 case or controversy in that the complaint sought to determine the dischargeability of a
5 debt owed by a debtor, which is a corporation ineligible for a discharge in a Chapter 7
6 bankruptcy case because it is not an individual pursuant to 11 U.S.C. § 727(a)(1), and
7 that the motion for default judgment is denied as moot. Fed. R. Bankr. P. 7012; Fed. R.
8 Civ. P. 12(b)(1); *see also*, U.S. Constitution, Article III, § 2; 1 Schwarzer, Tashima and
9 Wagstaffe, *California Practice Guide: Federal Civil Procedure Before Trial*, ¶ 2:4101 at
10 2E-1 (2014).

11 It is further ordered that the court's Order to Show Cause regarding sanctions for
12 failure to appear at a status conference and to file a status report as required by Local
13 Bankruptcy Rule 7016-1 set for November 18, 2014 at 2:30 p.m., in this adversary
14 proceeding is hereby discharged, that the hearing on the order to show cause is vacated
15 and that no appearances are necessary on November 18, 2014.

16 IT IS SO ORDERED.

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23 Date: October 30, 2014



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25 Robert Kwan
26 United States Bankruptcy Judge
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