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

In re:
BASIC CAR RENTAL, INC.,

Debtor.

KIRAN PATEL,

Plaintiff,

vs.
BASIC CAR RENTAL, INC.,

Defendant.

Case No. 2:14-bk-15773-RK
Chapter 7
Adv No. 2:14-ap-01449-RK

**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

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

25 Having reviewed and considered the complaint in this adversary proceeding and
26 the moving papers and for the reasons stated on the record, it is hereby ordered that this
27 case is dismissed without prejudice based on the federal jurisdictional limitation of lack of
28 case or controversy in that the complaint objects to the discharge of a debtor, which is a

1 corporation ineligible for a discharge in a Chapter 7 bankruptcy case because it is not an
2 individual pursuant to 11 U.S.C. § 727(a)(1), and that the motion for default judgment is
3 denied as moot. Fed. R. Bankr. P. 7012; Fed. R. Civ. P. 12(b)(1); *see also*, U.S.
4 Constitution, Article III, § 2; 1 Schwarzer, Tashima and Wagstaffe, *California Practice*
5 *Guide: Federal Civil Procedure Before Trial*, ¶ 2:4101 at 2E-1 (2014).

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

11 IT IS SO ORDERED.

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23 Date: October 30, 2014



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25 Robert Kwan
United States Bankruptcy Judge
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