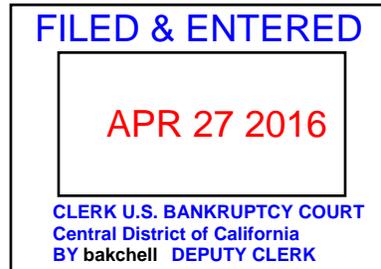


Leonard M. Shulman – Bar No. 126349
Lynda T. Bui – Bar No. 201002
Rika M. Kido – Bar No. 273780
SHULMAN HODGES & BASTIAN LLP
100 Spectrum Center Drive, Suite 600
Irvine, California 92618
Telephone: (949) 340-3400
Facsimile: (949) 340-3000
Email: lshulman@shbllp.com; lbui@shbllp.com;
rkido@shbllp.com

Counsel for David M. Goodrich,
Chapter 7 Trustee



NOT FOR PUBLIC RELEASE CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION

In re
XIN GAO,

Debtor.

) Case No. 2:13-bk-31045-RK

) Chapter 7

) **ORDER GRANTING CHAPTER 7**
) **TRUSTEE’S MOTION FOR TURNOVER**
) **OF REAL PROPERTY OF THE ESTATE,**
) **EXCEPT AS TO REQUEST FOR ORDER**
) **DIRECTING U.S. MARSHAL OR LOS**
) **ANGELES COUNTY SHERIFF TO EVICT**
) **OCCUPANTS WITHOUT FIRST**
) **APPLYING FOR WRIT OF EXECUTION**
) **OR ASSISTANCE**

) **Continued Hearing**

) Date: April 26, 2016

) Time: 3:00 p.m.

) Place: Courtroom 1675

) Edward R. Roybal Federal Building

) United States Bankruptcy Court

) 255 E. Temple Street

) Los Angeles, CA 90012

On April 26, 2016 at 3:00 p.m., the Court held a continued hearing on the Chapter 7 Trustee’s Motion for Order Approving Turnover of Real Property of the Estate (“Turnover Motion”), Docket No. 54, filed by David M. Goodrich, solely in his capacity as Chapter 7 trustee

1 (“Trustee”) for the bankruptcy estate of Xin Gao (“Debtor”).

2 The Trustee appeared through his counsel, Rika M. Kido of Shulman Hodges & Bastian
3 LLP. All other parties appeared as reflected in the Court’s record.

4 Having given due consideration to the Turnover Motion, the pleadings and other
5 evidence submitted in support of the Turnover Motion, the record and proceedings in the
6 Debtor’s bankruptcy case, the arguments of counsel at the hearing, and for other good cause
7 shown, the Court hereby

8 **ORDERS AS FOLLOWS:**

9 1. The Turnover Motion is granted on the conditions set forth herein;

10 2. The Debtor must immediately turnover the real property located at 295 South San
11 Gabriel Drive, Pasadena, California 91107 (“Property”) to the Trustee, including all keys, garage
12 openers, or similar items related to the Property;

13 3. The Trustee is authorized to take possession and control of the Property by
14 changing all locks, if necessary;

15 4. If the Debtor and all occupants at the Property fail to vacate the Property within
16 14 calendar days from entry of this order, the Trustee may apply for a writ of execution or
17 assistance providing that the U.S. Marshal or the Sheriff of Los Angeles County to evict the
18 Debtor and/or any and all other occupants in possession of the Property pursuant to Rules 7070
19 and 9014 of the Federal Rules of Bankruptcy Procedure and Rule 70 of the Federal Rules of
20 Civil Procedure; and/or Trustee may institute civil contempt proceedings to enforce this order
21 pursuant to Local Bankruptcy Rule 9020-1 and/or utilize other available remedies under state or
22 federal law as recognized and encouraged under Local Bankruptcy Rule 7069-1; and

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5. The court denies without prejudice the Trustee's motion to the extent that he requests relief to enforce this order for turnover through eviction of Debtor and all occupants who fail to vacate the Property within 14 calendar days of entry of this order without first applying for a writ of execution or assistance to authorize the U.S. Marshal or Sheriff of Los Angeles County, California, to evict Debtor and/or any and all occupants in possession of the Property without prejudice.

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Date: April 27, 2016



Robert Kwan
United States Bankruptcy Judge