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**UNITED STATES BANKRUPTCY COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

**LOS ANGELES DIVISION**

In re:

Robert Reza Rezvani,

Debtor.

John Lebrun

Plaintiff,

v.

Robert Reza Rezvani

Defendant.

CHAPTER 7

Case No.:  2:14-bk-23510-TD
Adv No.:   2:14-ap-01676-TD

**ORDER SETTING HEARING ON MOTION FOR RECONSIDERATION OF DISMISSAL OF ADVERSARY PROCEEDING**

Date:      April 22, 2015
Time:      10:00 a.m.
Place:      255 E. Temple Street
             Courtroom 1345
             Los Angles, CA 90012

The court has received the order entered March 12, 2015, by the Bankruptcy Appellate Panel (BAP) granting a limited remand to this court of Plaintiff John Lebrun's timely January 27, 2015 notice of appeal to the BAP.  This remand was granted, as stated by the BAP, to allow the bankruptcy court "to take whatever action . . . [it] sees fit"

-1-

1  in reconsidering this court's January 15, 2015 order appealed to the BAP.  Therefore,

2  this court now sets this matter for hearing on April 22, 2015, at 10:00 a.m., in courtroom

3  1345, as follows:

4        1.    The court will consider at the above-stated hearing whether to vacate its

5  January 15, 2015 order dismissing the foregoing adversary proceeding, reinstating this

6  adversary proceeding on the court's docket, and setting this matter for a status

7  conference hearing.

8        2.    Any opposition to such reconsideration, as requested in Plaintiff's Motion

9  for Reconsideration filed and served January 15, 2015, shall be filed in writing and

10 served not later than April 8, 2015.

11       3.    Both Plaintiff John Lebrun and his attorney Zakeya Leona Brookins are

12 directed to appear at such hearing in person.

13       4.    Any reply papers shall be filed in writing and served not later than April 15,

14 2015, with copies served directly on Plaintiff.

15       5.    The court will also consider at the hearing whether attorney Brookins

16 should (a) be substituted out of this matter; (b) be directed to return to Plaintiff any

17 retainer or fee received in this matter; (c) have any contingent fee arrangement

18 between Plaintiff and Brookins deemed cancelled and of no further effect; and further,

19 (d) why this court should not refer Brookins' conduct in this matter, as noted in the

20 court's March 11, 2015 order, to the State Bar of California for further investigation and

21 prosecution for Brookins' inexcusable neglect of Plaintiff's interest in this matter.
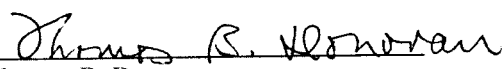
22       6.    Attorney Brookins is directed to serve immediately upon Plaintiff Lebrun at

23 his usual address (e) this order and (f) the order entered previously by this court on

24 March 11, 2015.

25       7.    Attorney Brookins is directed to promptly file proof that she served both

26 orders upon Lebrun.

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1      8.     Judge's Copies of any filed documents must be delivered to chambers in

2  compliance with LBR 5005-2(d) and Court Manual, Appendix F.

3      IT IS SO ORDERED.

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24  Date: March 24, 2015

Thomas B. Donovan
United States Bankruptcy Judge

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# 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:
255 E. Temple Street
Los Angeles, CA 90012

A true and correct copy of the foregoing document entitled (*specify*):  ORDER SETTING HEARING ON MOTION FOR RECONSIDERATION OF DISMISSAL OF ADVERSARY PROCEEDING 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 stated below:

**1.  TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**:  Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*)
___3/24/2015_____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Zakeya Leona Brookins on behalf of Plaintiff John Lebrun
graceparacletelawcenter@gmail.com, brookinstaxlaw@gmail.com

Heide Kurtz (TR)
trustee@hkurtzco.com, ecf.alert+Kurtz@titlexi.com

United States Trustee (LA)
ustpregion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

**2.  SERVED BY UNITED STATES MAIL**:
On (*date*) _3/24/2015_____, I served the following persons and/or entities at the last known addresses 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 addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge <u>will be completed</u> no later than 24 hours after the document is filed.

**Defendant:**
Robert Reza Rezvani
1546 Kiowa Crest Dr.
Diamond Bar, CA 91765

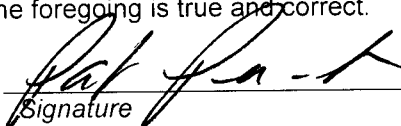☐ Service information continued on attached page

**3.  SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served):  Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, 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, or overnight mail to, the judge <u>will be completed</u> no later than 24 hours after the document is filed.

☐ Service information continued on attached page

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

| 3/24/2015 | Pat Pennington-Jones | |
|---|---|---|
| Date | Printed Name | Signature |

This form is mandatory.  It has been approved for use by the United States Bankruptcy Court for the Central District of California.

*June 2012*

**F 9013-3.1.PROOF.SERVICE**