

1 Howard S. Levine, SBN 137009
howard@cypressllp.com
2 Tania M. Moyron, SBN 235736
tania@cypressllp.com
3 CYPRESS, LLP
11111 Santa Monica Blvd., Suite 500
4 Los Angeles, California 90025
Telephone: (424) 901-0123
5 Facsimile: (424) 750-5100



6 Counsel to Domum Locis LLC

7 **UNITED STATES BANKRUPTCY COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA** **CHANGES MADE BY COURT**
9 **(LOS ANGELES DIVISION)**

10 In re:) Case No.: **2:15-bk-15708-RK**
11 MICHAEL JOSEPH KILROY,) Chapter 11
12 Debtor and Debtor in Possession.) **ORDER ON STIPULATION AMONG**
13) **DOMUM LOCIS, LLC, AND DEBTOR**
14) **MICHAEL J. KILROY REGARDING**
15) **PAYMENT OF QUARTERLY FEES**
16) **TO THE OFFICE OF THE UNITED**
17) **STATES TRUSTEE**

CYPRESS, LLP
11111 Santa Monica Boulevard Suite 500
Los Angeles, California 90025
(424) 901-0123

18 The Court, having considered that certain *Stipulation Among Debtor And Michael J.*
19 *Kilroy Regarding Payment Of Quarterly Fees To The Office Of The United States Trustee* (the
20 “Stipulation”), entered into by and among, Domum Locis, LLC, the debtor and debtor in
21 possession in a related chapter 11 case, bearing bankruptcy case number 2:14-bk-23301-RK, and
22 Michael J. Kilroy (“Kilroy”), the above-captioned debtor and debtor in possession,

23 **IT IS HEREBY ORDERED:**

- 24
- 25 1. The Stipulation is DISAPPROVED without prejudice and not made an order of the
26 court.
 - 27 2. In only showing that the stipulating parties have agreed to the proposed transactions
28 described in the Stipulation, they have failed to show that the proposed transactions

1 described in the Stipulation to use property of the bankruptcy estate of debtor Michael
2 J. Kilroy (i.e., for one bankruptcy debtor to pay the United States Trustee quarterly
3 fees of another bankruptcy debtor) are in the ordinary course of business within the
4 meaning of 11 U.S.C. § 363(b)(1). Unless the stipulating parties show that the
5 transactions are in the ordinary course of business, such transactions using estate
6 property not in the ordinary course of business can only be approved after notice and
7 hearing upon a showing of business justification pursuant to 11 U.S.C. § 363(b)(1).
8 *See, e.g., In re Dant & Russell, Inc.*, 853 F.2d 700, 704-705 (9th Cir. 1988); *In re*
9 *Lionel Corp.*, 722 F.2d 1063, 1071 (2nd Cir. 1983).

10 IT IS SO ORDERED.

11
12 ###

CYPRESS, LLP
11111 Santa Monica Boulevard Suite 500
Los Angeles, California 90025
(424) 901-0123

13
14
15
16
17
18
19
20
21
22
23
24 Date: May 22, 2015



Robert Kwan
United States Bankruptcy Judge

25
26
27
28