



**NOT FOR PUBLICATION**  
**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**LOS ANGELES DIVISION**

In re:

**NOTESETTLORS LLC,**

Debtor.

Case No. 2:16-bk-25932-RK

Chapter 7

**ORDER GRANTING IN PART AND  
DENYING IN PART DEBTOR'S MOTION  
TO EXTEND TIME TO FILE CASE  
OPENING DOCUMENTS, AND  
EXTENDING DEADLINE TO JANUARY  
9, 2017 WITH NO FURTHER  
EXTENSION**

**[No hearing required]**

Having reviewed and considered the motion of Debtor Notesettlors, LLC ("Debtor") to extend time to file case opening documents ("Motion"), ECF 6, filed on December 16, 2016, the court will grant the motion in part, deny the motion in part and extend the deadline only to January 9, 2017. The reasons for the court's ruling are as follows.

Under Local Bankruptcy Rule 1007-1(b), a motion for an extension of time to file schedules and statements must, among other things, be supported by a declaration under penalty of perjury establishing a sufficient explanation for the requested extension of time. Under Federal Rule of Bankruptcy Procedure 1007(c), a motion for an extension of time to file schedules and statements may be granted only on motion for cause shown.

1 Through the Motion, Debtor requests an extension of time to file its statement of  
2 financial affairs and remaining schedules for the following reason: "Becuase [sic] of the  
3 holidays and time of year it is difficult to get all the data necessary in a timely manner."  
4 This excuse does not constitute a sufficient explanation under Local Bankruptcy Rule  
5 1007-1(b), nor does it constitute cause under Federal Rule of Bankruptcy Procedure  
6 1007(c). Debtor's petition was filed on December 5, 2016, ECF 1, and the court is not  
7 aware of any holidays around this time that would prevent Debtor from collecting the  
8 information necessary to complete its schedules and statement of financial affairs.  
9 Debtor does not explain why it could not retrieve the information before the bankruptcy  
10 petition was filed, such as all of October and November (save Thanksgiving) and there  
11 are no court holidays until December 26, 2017 (Christmas observed).

12 While the court is inclined to deny Debtor's request for extension now because its  
13 excuse does not justify it not submitting its schedules and statement of financial affairs  
14 now or before when they were due at the filing of the case on December 5, 2016, the  
15 court will grant leave until January 9, 2017 for Debtor to file its documents by a licensed  
16 attorney at law admitted to practice in this court. Debtor is a limited liability company  
17 which may not file a bankruptcy petition or otherwise appear without counsel in any case  
18 in this court under Local Bankruptcy Rule 9011-2(a). Debtor's bankruptcy petition and  
19 motion to extend time to file case opening documents were filed by Debtor appearing  
20 without counsel in violation of this rule because Debtor is a limited liability company and  
21 is not represented by counsel.

22 . If Debtor does not file its schedules and statement of financial affairs by January  
23 9, 2017 by a licensed attorney admitted to practice in this case, the case will be  
24 dismissed for violation of Local Bankruptcy Rule 9011-2(a) and for failure to timely file  
25 case opening documents under Federal Rule of Bankruptcy Procedure 1007(c) and Local  
26 Bankruptcy Rule 1017-2(a). If Debtor wants bankruptcy relief, Debtor can always file  
27 another bankruptcy case when it is ready to comply with the court's rules, such as being  
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1 represented by counsel and having its case opening documents ready, since the  
2 dismissal in this case would be without a bar on refiling.

3 IT IS HEREBY ORDERED that:

- 4 1. Debtor's Motion is granted in part and denied in part.
- 5 2. Debtor may have until January 9, 2017 to file its case opening documents and  
6 must file by counsel all of its case opening documents, including schedules and  
7 statement of financial affairs, in this case no later than January 9, 2017. **No**  
8 **further extensions of time will be granted.**
- 9 3. If Debtor fails to file all of its case opening documents by counsel on or before  
10 January 9, 2017, this case will be ordered immediately dismissed.

11 **IT IS SO ORDERED.**

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23 Date: December 19, 2016



24 Robert Kwan  
25 United States Bankruptcy Judge  
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