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**NOT FOR PUBLICATION**

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

In re:

EUGEN VALENTIN DIETL,

Debtor.

Case No.: 2:17-bk-15007-RK

Chapter 11

**ORDER DENYING DEBTOR'S  
OBJECTIONS TO CLAIMS**

Date: December 13, 2017

Time: 11:00 a.m.

Courtroom: 1675

This bankruptcy case came on for hearing before this court on December 13, 2017 on the Objections to Claims ("Objections") filed by Eugen Valentin Dietl ("Debtor"), Electronic Case Filing ("ECF") Numbers 122, 125, 128, 131, 134, 137, 140, 143, 146, 149, and 152, filed on November 9, 2017. Debtor who is self-represented appeared for himself. Other appearances were made as noted on the record. Having reviewed the objections and heard from Debtor and the responding parties, the court determines that the Objections are procedurally defective and that they should be denied for the following reasons.

In each of his written objections to claim, Debtor failed to include: (1) a copy of the proof of claim; (2) a proof of service of the objection; and (3) any evidence in support of the objection as required by Local Bankruptcy Rules 3007-1(c)(1) and (2) and

(3) and 9013-1(c)(3)(A) and (i). Local Bankruptcy Rule 3007-1(c)(1) requires that an objection to claim be supported by admissible evidence sufficient to overcome the evidentiary effect of a properly documented proof of claim, and the evidence must demonstrate that the proof of claim should be disallowed, reduced, subordinated, re-classified, or otherwise modified. Local Bankruptcy Rule 3007-1(c)(1). A copy of the complete proof of claim, including attachments or exhibits, must be attached to the objection to claim, together with the objector's declaration stating that the copy of the claim attached is a true and complete copy of the proof of claim on file with the court, or, if applicable, of the informal claim to which objection is made. Local Bankruptcy Rule 3007-1(c)(2). In addition, Local Bankruptcy Rules 9013-1(c)(3)(A) and (i) require that factual contentions involved in a motion must be supported by declarations and other written evidence and that such evidence be attached to the motion. None of these requirements were met. Accordingly, the court denies the Objections without prejudice for insufficient notice, proof of service and lack of evidence.

As to Debtor's objections to the alleged proof of claims of Richard O'Keefe, Margaret Dietl Schneiderman, Elizabeth Maria Dietl, and Peggy Myers Jarvel, Debtor's objections are procedurally improper because no proof of claim has been filed yet for any of these parties in this case, and thus, there were no claims for Debtor to object to. Thus, as to these alleged claims, the court denies the objections without prejudice in case any of these parties later file a proof of claim.

IT IS SO ORDERED.

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Date: January 23, 2018



Robert Kwan  
United States Bankruptcy Judge