SEP 29 2011

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY egarcia DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re:) Case No. MI 11-mp-00148-PC
VIOLATION OF GENERAL ORDER 06-03 AND LBR 5005-4)
	 ORDER ON ORDER TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED AGAINST DANIEL A MARTORELLA
	Date: September 26, 2011 Time: 11:00 a.m. Place: U.S. Bankruptcy Court Courtroom # 1539 255 East Temple Street Los Angeles, CA 90012

On the above captioned date and time, the court considered its Order to Show Cause Why Sanctions Should Not Be Imposed Against Daniel A. Martorella, State Bar No. 128700, For Failing To Comply With General Order 06-03 and Local Bankruptcy Rule 5005-4 ("OSC") dated August 1, 2011. Appearances were stated on the record. Based upon findings of fact and conclusions of law stated on the record pursuant to F.R.Civ.P. 52(a)(1), as incorporated into FRBP 7052 and applied to contested matters by FRBP 9014(c), it is

ORDERED that Daniel A. Martorella, State Bar No. 128700 ("Martorella") is suspended from practice before the United States Bankruptcy Court for the Central District of California pending the issuance to Martorella of a live ECF log-in and password in compliance with LBR 5005-4; and it is further

ORDERED that Martorella must file an <u>ex parte</u> application for reinstatement, supported by a declaration establishing compliance with the terms of this order, to terminate this suspension and to resume practicing before the United States Bankruptcy Court for the Central District of California. A proposed order granting reinstatement must be lodged with the court upon the filing of the application for reinstatement.

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DATED: September 29, 2011

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United States Bankruptcy Judge

NOTE TO USERS OF THIS FORM: 1 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document. 2 2) The title of the judgment or order and all service information must be filled in by the party lodging the order. 3) Category I. below: The United States trustee and case trustee (if any) will always be in this category. 4) Category II. below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or 3 attorney) who filed an opposition to the requested relief. DO NOT list an address if person/entity is listed in category I. 4 5 NOTICE OF ENTERED ORDER AND SERVICE LIST 6 Notice is given by the court that a judgment or order entitled (specify) ORDER ON ORDER TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED AGAINST DANIEL A. MARTORELLA was 7 entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below: 8 9 I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following 10 person(s) by the court via NEF and hyperlink to the judgment or order. As of 9-28-2011, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding 11 to receive NEF transmission at the email address(es) indicated below. 12 United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov 13 ☐ Service information continued 14 on attached page 15 II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States Mail, first class, postage prepaid, to the following person(s) and/or 16 entity(ies) at the address(es) indicated below: 17 Daniel A. Martorella 1524 S. Calle Marcus 18 Palm Springs, CA 92264 19 Daniel A. Martorella 121 S. Palm Canyon Dr. Ste 225 20 Palm Springs, CA 92262 21 ☐ Service information continued 22 on attached page 23 24 III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete 25 copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es). 26 facsimile transmission number(s), and/or email address(es) indicated below: 27 ☐ Service information continued on attached page 28