

**ENTERED**  
**SEP 27 2016**  
CLERK U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY: Deputy Clerk

**FILED**  
**SEP 27 2016**  
CLERK U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY: Deputy Clerk

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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re the Disciplinary Proceeding of:

MOTAZ M. GERGES

Case No.: 2:16-mp-00104-vk

**ORDER BY CONSENT BARRING  
MOTAZ M. GERGES FROM PRACTICE  
BEFORE THIS COURT**

On April 29, 2016, the Honorable Sheri Bluebond, Chief United States Bankruptcy Judge, transmitted her Statement of Cause regarding attorney Motaz M. Gerges ("Gerges") to the Clerk of Court, thereby commencing this Disciplinary Proceeding pursuant to Fourth Amended General Order 96-05.

The Statement of Cause recommends that Gerges be barred from practice before this Court for a period of not less than five years and that, before being readmitted to practice before this Court, he be required (1) to complete not less than 40 hours of training in substantive bankruptcy law and not less than 10 hours of training in legal ethics and (2) to pay amounts due under any existing sanction or turnover order (the "Recommended Disciplinary Action"). On May 18, 2016, the Honorable Thomas B. Donovan, United States Bankruptcy Judge filed his Supplemental Statement of Cause concurring with the Recommended Disciplinary Action.

1 On May 19, 2016, the Clerk of Court served on Gerges: (i) the Statement of Cause, (ii) the  
2 Supplemental Statement of Cause, and (iii) the Notice of Assignment of Assignment of Hearing  
3 Panel; Fourth Amended General Order 96-05; Statement of Cause (the "Notice"). The Notice  
4 advised Gerges of his right to file a recusal motion as to any of the judges assigned to this  
5 Disciplinary Matter no later than 14 days after the service of the Notice. No such objection was  
6 filed, timely or otherwise.

7 On June 27, 2016, the Clerk of Court served Gerges with a Notice of Disciplinary  
8 Proceeding (the "Second Notice"), advising Gerges that a hearing would be held on the Statement  
9 of Cause and Supplemental Statement of Cause on August 16, 2016, in Courtroom 301, 21041  
10 Burbank Boulevard, Woodland Hills, CA 91367. The Second Notice advised Gerges, among other  
11 things, of his right to legal representation at the hearing, his opportunity to file a written response  
12 and evidence refuting or mitigating the proposed disciplinary action, and the deadline for filing  
13 such response and evidence.

14 On August 16, 2016, the undersigned United States Bankruptcy Judges, comprising the  
15 disciplinary panel selected to preside in this matter, conducted a hearing. Gerges appeared through  
16 his counsel, Carolin Shining, of the Shining Law Firm. Gerges was also present at the hearing. At  
17 the hearing, counsel for Gerges informed the Court that Gerges consented to the Recommended  
18 Disciplinary Action. Based on that stipulation, and after providing Gerges and his counsel with an  
19 opportunity to review and object to the form of this order, the Court hereby **ORDERS** as follows:

20 1. Motaz M. Gerges is barred from practice before this Court for a period of not less than  
21 five years. In accordance with the foregoing, the Clerk of the Court shall immediately suspend  
22 Gerges' CM/ECF privileges with the Court.

23 2. After five years following the date of entry of this order, Gerges may apply to the Chief  
24 Judge for readmission to this Court; provided, however, that before being readmitted to practice  
25 before this Court, Gerges shall be required to complete not less than 40 hours of training in  
26 substantive bankruptcy law and not less than 10 hours of training in legal ethics.

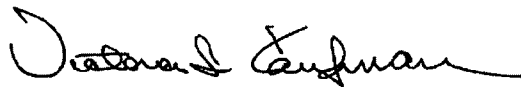
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1 3. Gerges shall, no later than 14 days after entry of this Order, pay any amounts due under  
2 any sanction order or turnover order of this Court. Failure to do so may subject Gerges to  
3 additional disciplinary action.

4 4. Gerges shall, no later than 30 days after entry of this Order: (i) advise his clients that are  
5 debtors in open cases before this Court that they will need to locate qualified substitute counsel and  
6 (ii) assist his clients in filing appropriate notices of substitution of counsel. Such open cases  
7 include *In re Betnahrin Tomeh*, Case No. 1:12-bk-11000-MB and *In re Zbigniew Roman*  
8 *Boguslawski*, Case No. 1:14-bk-14977-MT.

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12 Dated: 9/27/2016



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Victoria S. Kaufman  
United States Bankruptcy Judge

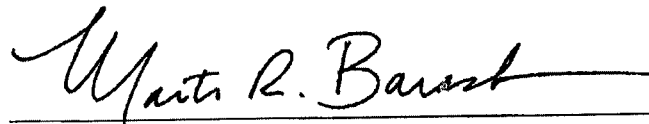
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Deborah J. Saltzman  
United States Bankruptcy Judge

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23 Dated: 9/27/2016



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Martin R. Barash  
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 By Consent Barring Motaz M. Gerges from Practice Before This Court

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*) 09/27/2016, 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:

Ron Maroko ron.maroko@usdoj.gov

United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) \_\_\_\_\_, 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 will be completed no later than 24 hours after the document is filed.

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*) 09/27/2016, 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 will be completed no later than 24 hours after the document is filed.

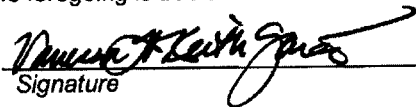
Motaz M. Gerges  
Law Offices of Motaz M. Gerges  
14320 Ventura Blvd. #463  
Sherman Oaks, CA 91423

Carolyn Shining  
14622 Ventura Blvd. #718  
Sherman Oaks, CA 91403

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.

09/27/2016 Vanessa Keith Garcia  
*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.