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**FILED & ENTERED**

**NOV 16 2012**

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

**CHANGES MADE BY COURT**

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

In re

SCOTT NINER,

Debtor

DANIEL BORSOTTI,

Plaintiff

Vs.

SCOTT NINER, et al

Defendant(s)

Chapter 7

Case No. 2:11-bk-18734 TD  
Adv. No. 2:11-ap-02293 TD

**ORDER DISMISSING ADVERSARY  
PROCEEDING WITH PREJUDICE**

Date: November 01, 2012  
Time: 11:00 A.M.  
Ctrm: 1345 Roybal Bldg.

The Court issued an order directing Plaintiff to explain in writing why the above-captioned adversary proceeding should not be dismissed with prejudice and set a hearing for the above date and time. The Honorable Thomas B. Donovan presided over the hearing. Plaintiff appeared in Pro Per. Defendant Scott Niner appeared through his counsel of record, King & Associates, by Warren L. Brown.

1 The Court's Findings of Fact and Conclusions of Law are  
2 contained in the Court record and were discussed at length at the  
3 hearing.

4 The Court having considered all pleadings and papers on file  
5 herein, as well as argument of the parties, and good cause  
6 appearing, IT IS HEREBY ORDERED that the above-captioned adversary  
7 proceeding is dismissed with prejudice.

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23 DATED: November 16, 2012

  
United States Bankruptcy Judge

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28 **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:  
315 W. Arden Ave., Suite 28, Glendale, CA 91203-1150

A true and correct copy of the foregoing document entitled (*specify*): ORDER DISMISSING ADVERSARY PROCEEDING WITH PREJUDICE  
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*) \_ 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:

☐ Service information continued on  
attached page

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

On (*date*) 11/04/12, 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.

Daniel Borsotti, 27508 Sycamore Creek Dr., Valencia, CA 91354

☐ 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*) \_\_\_\_\_, 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.

☐ 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.

11/04/12

Warren L. Brown

/s/ Warren L. Brown

Date

Printed Name

Signature

## NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*): ORDER DISMISSING ADVERSARY PROCEEDING WITH PREJUDICE  
was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner stated below:

1  
2 **1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)** – Pursuant to controlling  
3 General Orders and LBRs, the foregoing document was served on the following persons by the court via  
4 NEF and hyperlink to the judgment or order. As of (date) 11-12-12, the following persons  
5 are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive  
6 NEF transmission at the email addresses stated below.

7 James T King ecfnotices@kingobk.com

8 Warren L. Brown wbbk@msn.com

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

10 ☐ Service information continued on  
11 attached page

12 **2. SERVED BY THE COURT VIA UNITED STATES MAIL:** A copy of this notice and a true copy of this  
13 judgment or order was sent by United States mail, first class, postage prepaid, to the following persons  
14 and/or entities at the addresses indicated below:

15 ☐ Service information continued on  
16 attached page

17 **3. TO BE SERVED BY THE LODGING PARTY:** Within 72 hours after receipt of a copy of this judgment  
18 or order which bears an “Entered” stamp, the party lodging the judgment or order will serve a complete  
19 copy bearing an “Entered” stamp by United States mail, overnight mail, facsimile transmission or email and  
20 file a proof of service of the entered order on the following persons and/or entities at the addresses,  
21 facsimile transmission numbers, and/or email addresses stated below:

22 Daniel Borsotti, 27508 Sycamore Creek Dr., Valencia, CA 91354

23 ☐ Service information continued on attached page  
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