

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Brian L. Davidoff (SBN 102654) / Greenberg Glusker Fields Claman & Machtinger LLP 1900 Avenue of the Stars, Suite 2100 Los Angeles, CA 90067-4590 TELEPHONE NO.: 310.553.3610 FAX NO. (Optional): 310.553.0687 E-MAIL ADDRESS (Optional): bdavidoff@ggfirm.com / lwerderitch@ggfirm.com ATTORNEY FOR (Name): Howard Grobstein as Liquidating Trustee of L. Scott Apparel		FOR COURT USE ONLY <div style="border: 2px solid blue; padding: 10px; text-align: center;"> FILED & ENTERED AUG 08 2016 CLERK U.S. BANKRUPTCY COURT Central District of California BY bakchell DEPUTY CLERK </div>	
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA STREET ADDRESS: 255 E. Temple St. - Roybal Federal Building MAILING ADDRESS: 255 E. Temple St. - Roybal Federal Building CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Los Angeles Division			
PLAINTIFF: Howard Grobstein as Liquidating Trustee of L. Scott Apparel, Inc. DEFENDANT: Lowell S. Sharron, et al.			
<input checked="" type="checkbox"/> RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT AFTER HEARING (NOT FOR PUBLICATION) <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT AFTER HEARING		CASE NUMBER: 2:13-bk-26021-RK Chapter 11 Adv. No. 2:15-ap-01122-RK Date: July 14, 2016 Time: 1:30 p.m. Place: Courtroom 1675	

CHANGES MADE BY COURT

1. a. The application of plaintiff (name): **Howard Grobstein as Liquidating Trustee of the L. Scott Apparel, Inc. Bankruptcy Liquidating Trust**

for ☒ a right to attach order and order for issuance of writ of attachment
☐ an order for issuance of additional writ of attachment

against the property of defendant (name): **Lowell S. Sharron**

came on for hearing as follows:

(1) Judge (name): **Honorable Robert N. Kwan**

(2) Hearing date: **July 14, 2016**

Time: **1:30 p.m.**

☐ Dept.:

☐ Div.:

☒ Rm.:

1675

b. The following persons were present at the hearing:

(1) ☐ Plaintiff (name):

(3) ☒ Plaintiff's attorney (name): **Brian L. Davidoff**

(2) ☐ Defendant (name):

(4) ☒ Defendant's attorney (name): **Lloyd Mann**

FINDINGS**2. THE COURT FINDS**

a. Defendant (specify name): **Lowell S. Sharron** is a ☒ natural person ☐ partnership
☐ unincorporated association ☐ corporation ☐ other (specify):

b. The claim upon which the application is based is one upon which an attachment may be issued.

c. Plaintiff has established the probable validity of the claim upon which the attachment is based.

d. The attachment is not sought for a purpose other than the recovery on the claim upon which the attachment is based.

e. The amount to be secured by the attachment is greater than zero.

f. ☐ Defendant failed to prove that all the property described in plaintiff's application is exempt from attachment.

g. ☐ The following property of defendant, described in plaintiff's application

(1) ☐ is exempt from attachment (specify):

(2) ☐ is not exempt from attachment (specify):

h. ☐ The following property, not described in plaintiff's application, claimed by defendant to be exempt

(1) ☐ is exempt from attachment (specify):

(2) ☐ is not exempt from attachment (specify):

i. ☒ An undertaking in the amount of: **\$10,000.00** is required before a writ shall issue, and plaintiff

☐ has ☒ has not filed an undertaking in that amount.

j. A Right to Attach Order was issued on (date):

pursuant to

☒ Code of Civil Procedure section 484.090 (on hearing)

☐ Code of Civil Procedure section 485.220 (ex parte)

k. ☐ other (specify):

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Howard Grobstein as Liquidating Trustee v. Lowell Sharron et al.

CASE NUMBER:
2:13-bk-26021-RK
Adv. No. 2:15-ap-01122-RK

ORDER**3. THE COURT ORDERS**

- a. Plaintiff has a right to attach property of defendant (*name*): Lowell S. Sharron
in the amount of: \$112,194.53, plus prejudgment interest at the rate of 10% per annum from 06/19/2013.
- b. ☐ The property described in items 2g(1) and 2h(1) of the findings is exempt and shall not be attached.
- c. The clerk shall issue ☒ a writ of attachment ☐ an additional writ of attachment in the amount stated in item 3a
☐ forthwith ☒ upon the filing of an undertaking in the amount of: \$ 10,000.00
- (1) ☐ for any property of a defendant who is **not** a natural person for which a method of levy is provided.
- (2) ☒ for the property of a defendant who is a natural person that is subject to attachment under Code of Civil Procedure section 487.010 described as follows (*specify*):
- (1) Interests in real property except leasehold estates with unexpired terms of less than one year, including the real property located at 1075 Ravoli Dr., Pacific Palisades, CA 90272;
- (2) Accounts receivable, chattel paper, and general intangibles arising out of the conduct by defendant of a trade, business, or profession, except any such individual claim with a principal balance of less than one hundred fifty dollars (\$150);
- (3) Equipment;
- (4) Final money judgments arising out of the conduct by the defendant of a trade, business or profession;
- (5) Money on the premises where a trade, business, or profession is conducted by the defendant and, except for the first one thousand dollars (\$1,000), money located elsewhere than on such premises and deposit accounts, but, if the defendant has more than one deposit account or has at least one deposit account and money located elsewhere than on the premises where a trade, business, or profession is conducted by the defendant, the court, upon application of the plaintiff, may order that the writ of attachment be levied so that an aggregate amount of one thousand dollars (\$1,000) in the form of such money and in such accounts remains free of levy;
- (6) Negotiable documents of title;
- (7) Instruments, including but not limited to stock, membership or ownership interest in any entity; and
- (8) Securities, including but not limited to stock, membership or ownership interest in any entity.
- (3) ☐ for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of sale of such property, described as follows (*specify*):
- (4) ☐ for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number is (*specify*):
- d. ☐ Defendant shall transfer to the levying officer possession of
- (1) ☐ any documentary evidence in defendant's possession of title to any property described in item 3c;
- (2) ☐ any documentary evidence in defendant's possession of debt owed to defendant described in item 3c;
- (3) ☐ the following property in defendant's possession (*specify*):

NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.

e. ☒ Other (*specify*): See additional findings and rulings in separate statement of decision.

f. Total number of boxes checked in item 3: 4

Date: August 8, 2016



Robert Kwan
United States Bankruptcy Judge

