

1 **TOTAL PAGES: 6**

2 RUSSELL W. REYNOLDS #138075  
3 COLEMAN & HOROWITT, LLP  
4 Attorneys at Law  
5 499 West Shaw, Suite 116  
6 Fresno, California 93704  
7 Telephone: (559) 248-4820  
8 Facsimile: (559) 248-4830  
9 E-Mail: rreynolds@ch-law.com

10 Attorneys for Peter L. Fear, Chapter 7 Successor Trustee

11 **IN THE UNITED STATES BANKRUPTCY COURT**

12 **EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION**

13 In re:

14 MARIO ALBERTO GUERRA,

15 Debtor.

Case No. 17-11365-B-7  
Chapter 7

DC No.: RWR-5

Date: July 3, 2019

Time: 9:30 a.m.

Dept: B

Ctrm: 13, Fifth Floor

Location: 2500 Tulare Street  
Fresno, CA

Judge: Honorable Rene Lastreto

16 **NOTICE OF ENTRY OF ORDER GRANTING REQUEST FOR CONTINUANCE OF**  
17 **HEARING ON TRUSTEE'S MOTION TO EMPLOY SPECIAL COUNSEL**

18  
19 **TO: THE DEBTOR, MARIO ALBERTO GUERRA AND HIS ATTORNEY OF**  
20 **RECORD, JERRY LOWE; AND ALL INTERESTED PARTIES:**

21 PLEASE TAKE NOTICE that on June 10, 2019, at Docket 83, the Court entered an Order  
22 Granting Request for Continuance of Hearing on Trustee's Motion to Employ Special Counsel. A  
23 true and correct copy of the Order is attached hereto as Exhibit "A."

24 The hearing, originally scheduled for June 12, 2019 at 9:30 a.m. has been continued to July  
25 3, 2019 at 9:30 a.m. in Department B, Courtroom 13 of the United States Bankruptcy Court located  
26 at 2500 Tulare Street, Fresno, California.  
27  
28

1 Opposition, if any, to the granting of the motion shall be in writing and shall be served and  
2 filed with the Clerk of the Court, on the undersigned, and the Chapter 7 Trustees and any other party  
3 requesting special notice by the responding party at least fourteen (14) calendar days preceding the  
4 date or continued date of the hearing. Opposition, if any, shall be served upon the following:

5 Russell W. Reynolds  
6 Attorneys for Peter L. Fear  
7 499 W. Shaw Ave., Ste. 116  
8 Fresno, California 93704

Peter L. Fear  
Chapter 7 Trustee  
P.O. Box 28490  
Fresno, California 93729

9 Opposition shall be accompanied by evidence establishing its factual allegations. A  
10 responding party who has no opposition to the granting of the motion may serve and file a statement  
11 to that effect, specifically designating the motion in question. Without good cause, no party shall  
12 be heard in opposition to a motion at oral argument if written opposition to the motion has not been  
13 timely filed. Failure of the responding party to timely file written opposition may be deemed a waiver  
14 of any opposition to the granting of the motion or may result in the imposition of sanctions.

15 UNLESS WRITTEN OPPOSITION AND SUPPORTING EVIDENCE IS FILED WITH  
16 THE CLERK AND SERVED ON THE MOVING PARTY, THE COURT MAY RESOLVE THE  
17 MATTER WITHOUT ORAL ARGUMENT.

18 The motion will be based on the Notice of Motion (Doc 68), the Motion (Doc 67),  
19 Declaration of David Moeck (Doc 69), Declaration of Peter L. Fear (Doc 70) and accompanying  
20 exhibits, served and filed on May 10, 2019, and on all of the records and documents filed in the  
21 above-entitled matter and on such oral and documentary evidence as may be presented at the hearing  
22 on the motion.

23 PLEASE TAKE NOTICE that you are able to review any tentative ruling or pre-hearing  
24 dispositions by checking the court's website at [www.caeb.uscourts.gov](http://www.caeb.uscourts.gov) after 4:00 p.m. the day before  
25 the hearing. Parties appearing telephonically must view the pre-hearing dispositions prior to the  
26 hearing.

27 To appear at the hearing by telephone, contact Court Call Conference Service at (866) 582-  
28 6878. *See also* CourtCall.com. The telephone appearance must be arranged twenty-four (24) hours

1 in advance. A Court Call fee applies. Individuals using Court Call are cautioned they do so at their  
2 own risk. The hearing will not be rescheduled due to a missed connection.

3 Requests for further information or for copies of the motion and supporting papers should  
4 be directed to the undersigned.

5  
6 Respectfully submitted,

7  
8 COLEMAN & HOROWITT, LLP

9  
10  
11 Dated: June 10, 2019,

12 By: /s/ Russell W. Reynolds  
13 RUSSELL W. REYNOLDS  
14 Attorneys for Peter L. Fear, Chapter 7 Trustee  
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# **EXHIBIT “A”**

**TOTAL PAGES: 2**

RUSSELL W. REYNOLDS #138075

COLEMAN &amp; HOROWITT, LLP

Attorneys at Law

499 West Shaw, Suite 116

Fresno, California 93704

Telephone: (559) 248-4820

Facsimile: (559) 248-4830

E-Mail: rreynolds@ch-law.com

Attorneys for Peter L. Fear, Chapter 7 Successor Trustee

## IN THE UNITED STATES BANKRUPTCY COURT

## EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

In re:

MARIO ALBERTO GUERRA,

Debtor.

Case No. 17-11365-B-7

Chapter 7

DC No.: RWR-5

Date: July 3, 2019

Time: 9:30 a.m.

Dept: B

Ctzm: 13, Fifth Floor

Location: 2500 Tulare Street

Fresno, CA

Judge: Honorable Rene Lastreto

**ORDER GRANTING REQUEST FOR CONTINUANCE OF HEARING ON TRUSTEE'S  
MOTION TO EMPLOY SPECIAL COUNSEL**

Based upon the Request to Continue the Hearing on Trustee's Motion to Employ Special Counsel, and good cause appearing, IT IS ORDERED AS FOLLOWS:

1. The Request to Continue Hearing on Trustee's Motion to Employ Special Counsel is granted;

2. The hearing originally set for June 12, 2019 at 9:30 a.m. is continued to July 3, 2019 at 9:30 a.m.;

3. Opposition, if any, shall be in writing and shall be served and filed with the Clerk of the Court, the Chapter 7 Trustee, counsel for the Chapter 7 Trustee, and any other party requesting

RECEIVED

June 07, 2019

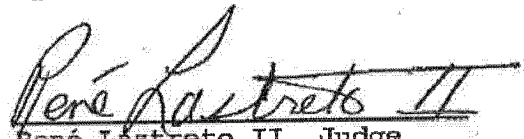
CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
0006521840

REQUEST FOR CONTINUED HEARING

1 special notice by the responding party at least fourteen (14) calendar days preceding the date or  
2 continued date of the hearing. The opposition shall be accompanied by evidence establishing its  
3 factual allegations. A responding party who has no opposition to the granting of the motion may  
4 serve and file a statement to that effect, specifically designating the motion in question. Without  
5 good cause, no party shall be heard in opposition to the motion at oral argument if written opposition  
6 to the motion has not been timely filed. Failure of the responding party to timely file written  
7 opposition may be deemed a waiver of any opposition to the granting of the motion or may result  
8 in the imposition of sanctions.

9  
10 Dated: Jun 10, 2019

By the Court

11   
12 René Lastreto II, Judge  
13 United States Bankruptcy Court  
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**TOTAL PAGES: 4**  
RUSSELL W. REYNOLDS #138075  
COLEMAN & HOROWITT, LLP  
Attorneys at Law  
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Fresno, California 93704  
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Facsimile: (559) 248-4830  
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EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

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Fresno, CA

Judge: Honorable Rene Lastreto II

**CERTIFICATE OF SERVICE**

I declare that I am a citizen of the United States and a resident of the County of Fresno. I am over the age of eighteen (18) years and not a party to the within action. My business address is 499 West Shaw, Suite 116, Fresno, California 93704.

On June 10, 2019, I served the following documents described as:

- NOTICE OF ENTRY OF ORDER GRANTING REQUEST FOR CONTINUANCE OF HEARING ON TRUSTEE'S MOTION TO EMPLOY SPECIAL COUNSEL**

on the interested parties as follows:

David M. Moeck Esq. QUINLAN KERSHAW & FANUCCHI 2125 Merced Street Fresno, CA 93721	
---	--

PLEASE SEE ATTACHED MAIL MATRIX

☒ **BY MAIL** - by placing a true and correct copy in a sealed envelope with postage thereon fully prepaid in the firm's outgoing mail. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with United States Postal Service on that same day in the ordinary course of business.

☐ **BY CALIFORNIA OVERNIGHT** - by placing ☐ a true and correct copy ☐ the original thereof enclosed in a sealed envelope for delivery via California Overnight next day delivery to the addressee noted above.

☐ **BY HAND DELIVERY** - by delivering by hand and leaving a true copy with the person and at the address shown above.

☐ **BY ELECTRONIC TRANSMISSION** - by causing a true copy thereof to be electronically transmitted to the parties indicated above, by using their e-mail address.

☐ **STATE:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on June 10, 2019, at Fresno, California.

/s/ Stacey Johnson  
STACEY JOHNSON

Label Matrix for local noticing  
0972-1  
Case 17-11365  
Eastern District of California  
Fresno  
Mon Jun 10 14:44:39 PDT 2019

Stephen R Cornwell  
7045 N. Fruit Avenue  
Fresno, CA 93711-0761

Golden 1 Credit Union  
Attn Bankruptcy  
8945 Cal Center Dr  
Sacramento CA 95826-3239

Jerry R. Lowe  
2344 Tulare Street Suite 301  
Fresno, CA 93721-2295

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Riley C. Walter  
205 E. River Park Circle, Ste. 410  
Fresno, CA 93720-1572

Afni Inc  
Po Box 3097  
Bloomington IL 61702-3097

Department Stores National Bank  
c/o Quantum3 Group LLC  
PO Box 657  
Kirkland, WA 98083-0657

Mario Alberto Guerra  
395 Gutierrez Street  
Orange Cove, CA 93646-4011

Office of the U.S. Trustee  
United States Courthouse  
2500 Tulare Street, Room 1401  
Fresno, CA 93721-1326

Russell W. Reynolds  
499 W. Shaw Ave., Ste. 116  
Fresno, CA 93704-2516

Thunderbird Collection  
3200 N Hayden Rd Ste 110  
Scottsdale AZ 85251-6766

Michael L. Wilhelm  
205 E. River Park Circle, Suite 410  
Fresno, CA 93720-1572

Cal Leduc; Tori Abby; Miley Abby  
Mandy Jobe; Lukus Leduc; Jay Leduc  
Cornwell & Sample, LLPC  
7045 N Fruit Ave  
Fresno, CA 93711-0761

Peter L. Fear  
PO Box 28490  
Fresno, CA 93729-8490

LVNV Funding LLC  
c/o Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Penn Credit Corporation  
916 S 14th St  
Harrisburg PA 17104-3425

Synco walmart  
Po Box 965024  
Orlando FL 32896-5024

WELLS FARGO BANK, N.A.  
SMALL BUSINESS LENDING DIVISION  
P O BOX 29482  
PHOENIX, AZ 85038-9482

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Portfolio Recovery Associates, LLC  
POB 41067  
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

LP0000340

(u)Tori Abby

(u)Mandy Jobe

(u)Cal LeDuc

(u)Jay LeDuc

(u)Lukus LeDuc

(u)Tori Abby, Guardian ad Litem for Minor Mil

End of Label Matrix	
Mailable recipients	19
Bypassed recipients	6
Total	25

