

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

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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
Ctroom: 13, Fifth Floor
Location: 2500 Tulare Street
Fresno, CA
Judge: Honorable Rene Lastreto

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

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

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

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

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
499 W. Shaw Ave., Ste. 116
Fresno, California 93704

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

7
8 Opposition shall be accompanied by evidence establishing its factual allegations. A
9 responding party who has no opposition to the granting of the motion may serve and file a statement
10 to that effect, specifically designating the motion in question. Without good cause, no party shall
11 be heard in opposition to a motion at oral argument if written opposition to the motion has not been
12 timely filed. Failure of the responding party to timely file written opposition may be deemed a waiver
13 of any opposition to the granting of the motion or may result in the imposition of sanctions.

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

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

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

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

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

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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 & 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

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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

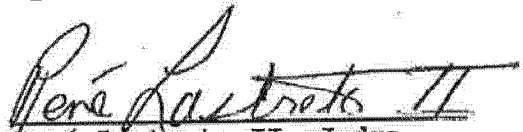
REQUEST FOR CONTINUED HEARING

LP0000356

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

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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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Ctrm: 13, Fifth Floor
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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	
---	--

CERT OF SERVICE

LP0000358

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, LLC
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 Corporatio
916 S 14th St
Harrisburg PA 17104-3425

Syncb 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.

LP0000360

(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

