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Legal Document

California Central Bankruptcy Court
Case No. 6:09-bk-23674
PDCC Development LLC

Document 95



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FILED & ENTERED

MAR 05 2010

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

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

10
11 In re:

12 PDCC Development LLC,

16 Debtor(s).

Case No: 6:09-bk-23674-BB

Chapter: 11

13 **ORDER DISMISSING CHAPTER 11 CASE**

14 Date: March 3, 2010

15 Time: 2:00 PM

Location: Courtroom 303

17 The Court conducted a Scheduling and Case Management Conference in the above chapter 11
18 case at 2:00 p.m. on March 3, 2010 in Courtroom 303 of the above-entitled Court. Elizabeth Lossing
19 appeared on behalf of the Office of the United States Trustee. No one appeared on behalf of the debtor
20 and debtor in possession.
21

22 The Court having advised parties in interest that it reserved the right to dismiss a case at a case
23 management conference in its original June 22, 2009 "Order Setting Scheduling and Case Management
24 Conference"; and the Court having found at the March 3, 2010 status conference that: (1) the debtor in
25 possession had failed to file an updated status report in connection with the March 3 status conference,
26 as ordered by the Court at the December 30, 2009 status conference; (2) the debtor in possession is
27 delinquent in the payment of its quarterly fees to the Office of the United States Trustee; (3) the debtor
28

1 in possession has not been filing its monthly operating reports with the Office of the United States
2 Trustee in a timely manner or at all; and (4) the only evidence of insurance that the debtor in possession
3 has provided the United States Trustee reflects that the debtor in possession's insurance coverage has
4 lapsed, and other good cause appearing therefor,
5

6 **IT IS HEREBY ORDERED** as follows:

7 1. The above chapter 11 case is dismissed.

8 2. Judgment is hereby entered in favor of the United States Trustee and against debtor and
9 debtor in possession PDCC Development LLC in the amount of \$650, representing the quarterly fees
10 due for the fourth quarter of 2009 and the first quarter of 2010. PDCC Development LLC shall pay
11 these amounts not later than 30 days after entry of this order.
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28 DATED: March 5, 2010



United States Bankruptcy Judge

NOTE TO USERS OF THIS FORM:

- 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document.
- 2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
- 3) **Category I.** below: The United States trustee and case trustee (if any) will always be in this category.
- 4) **Category II.** below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. DO NOT list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER DISMISSING CHAPTER 11 CASE** was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of March 5, 2010, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.

- * Melody G Anderson manderson@hemar.com
- * Marc Andrews sandra.g.mcmasters@wellsfargo.com
- * Craig C Chiang cchiang@buchalter.com
- * Everett L Green everett.l.green@usdoj.gov
- * Whitney G Mcdonald wmcdonald@rwglaw.com
- * Richard A Shaffer rick@raslaw.com
- * United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
- * Robert M Yaspan ryaspan@yaspanlaw.com, tmenachian@yaspanlaw.com

II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by U.S. Mail to the following person(s) and/or entity(ies) at the address(es) indicated below:

Robert T Anderson
1950 Market St
Riverside, CA 92501-1720

Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below:

Service information continued on attached page