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*Counsel to the Official**Committee of Unsecured Creditors***UNITED STATES BANKRUPTCY COURT****NORTHERN DISTRICT OF CALIFORNIA****SANTA ROSA DIVISION**

In re

LEFEVER MATTSON, a California
corporation, *et al.*,Debtors.¹

Case No. 24-10545 CN (Lead Case)

(Jointly Administered)

Chapter 11

In re

KS MATTSON PARTNERS, LP,

Debtor.

**DECLARATION OF JOHN D. FIERO
IN SUPPORT OF *EX PARTE* MOTION
OF THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS PURSUANT
TO B.L.R. 9006-1 FOR AN ORDER
SHORTENING TIME FOR HEARING
ON MOTION TO DECLARE VOID
ACTIONS IN VIOLATION OF THE
AUTOMATIC STAY RELATED TO
LIVE OAK INVESTMENTS, LP**

[NO HEARING REQUESTED]

¹ The last four digits of LeFever Mattson's tax identification number are 7537. The last four digits of the tax identification number for KS Mattson Partners, LP ("**KSMP**") are 5060. KSMP's address for service is c/o Stapleton Group, 514 Via de la Valle, Solana Beach, CA 92075. The address for service on LeFever Mattson and all other Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 9562. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/LM>.



1 I, John D. Fiero, declare as follows:

2 1. I am an attorney at law duly licensed to practice in the State of California and
3 admitted to practice before this Court. I am a member of Pachulski Stang Ziehl & Jones LLP,
4 counsel to the Official Committee of Unsecured Creditors (the "Committee") and make this
5 declaration in support of the Committee's *Ex Parte Motion of the Official Committee of*
6 *Unsecured Creditors Pursuant to B.L.R. 9006-1 for an Order Shortening Time to Declare Void*
7 *Actions in Violation of the Automatic Stay Related to Live Oak Investments, LP* (the "Motion to
8 Shorten Time") pursuant to Local Bankruptcy Rule 9006-1(c). The following is true of my
9 personal knowledge and, if called as a witness, I could and would testify competently thereto.

10 2. The Committee seeks to shorten time herein because the topic of whether or not
11 Live Oak Investments, LP is being run by the appropriate parties requires attention more
12 immediate than that offered by the Court's local rules, which contemplate 28 days' notice of a
13 motion like the one the Committee has filed here. Specifically, Live Oak – acting through its
14 purported new counsel – has filed several pleadings, including its *Objection and Opposition to*
15 *Proposed Settlement with Socotra Capital* [Docket No. 2615] which is set for a hearing on
16 November 5, 2025 at 11:00 a.m. The question of whether such objection is properly before the
17 Court is rooted in whether Live Oak's limited partners have violated the automatic stay of 11
18 U.S.C. section 362(a)(3). Their interrelationship requires both questions to be addressed at once.

19 3. No prior time modifications have been made.

20 4. The proposed hearing and objection deadlines would shorten the ordinary notice
21 period by two weeks.

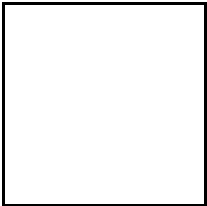
22 5. Attorney Thomas Kelly explained to me in an email on October 21, 2025 that "my
23 client is not willing to stipulate to a hearing on shortened time." *See* Ex. A.

24 I declare under penalty of perjury that the foregoing is true and correct and that this
25 declaration was executed this 24th day of October, 2025 at San Francisco, California.

26
27 /s/ John D. Fiero
John D. Fiero

EXHIBIT A

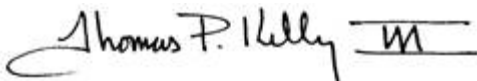
From: Thomas P. Kelly III <tomkelly@sonic.net>
Sent: Tuesday, October 21, 2025 5:02 PM
To: John Fiero <jfiero@pszjlaw.com>
Cc: Brooke E. Wilson <bwilson@pszjlaw.com>; 'David Taylor' <dtaylor@kbkllp.com>
Subject: 24-10545 LFM - no stipulation to shortened time



Mr. Fiero –

Your email does not present any basis for seeking shortened time other than you want it. Regardless, my client is not willing to stipulate to a hearing on shortened time. Further, I intend to present a Rule 11 notice for this motion, so again I will not agree to shortened time.

And so you are aware of the schedule, I am appearing in another case for a deposition pursuant to a subpoena on Friday, October 31. So that date is not available.



Thomas P. Kelly III, Attorney at Law, [Certified by the State Bar of California in Bankruptcy Law](#)
Law Offices of Thomas P. Kelly III P.C., 50 Old Courthouse Square, Suite 609, Santa Rosa, California, 95404-4926

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From: John Fiero [mailto:jfiero@pszjlaw.com]

Sent: Tuesday, October 21, 2025 3:51 PM

To: Thomas P. Kelly <tomkelly@sonic.net>

Cc: Brooke E. Wilson <bwilson@pszjlaw.com>; David Taylor (dtaylor@kbkllp.com) <dtaylor@kbkllp.com>; Richard Wynne <richard.wynne@hoganlovells.com>; Thomas Rupp <trupp@kbkllp.com>; Erin N. Brady <erin.brady@hoganlovells.com>; Jason Rosell <jrosell@pszjlaw.com>; Steven W. Golden <sgolden@pszjlaw.com>; Debra Grassgreen <dgrassgreen@pszjlaw.com>

Subject: Stipulation to hearing on shortened time

Dear Tom:

Without agreeing that your firm is conflict-free and therefore able to serve as new general counsel to Live Oak, I need to follow the local rules and seek your clients' advance consent to a shortened time hearing on the Committee's planned motion to declare the recent effort to replace LFM as the general partner of Live Oak null and void as a stay violation. By copy of this email to counsel for LeFever Mattson and KSMP, I ask them the same question.

The motion will be filed tomorrow morning. I propose a hearing date of Friday, October 31 with an objection deadline of Monday, October 27. Will your clients so stipulate? In your email, please do me the courtesy of advising exactly which clients you are responding for.

Thank you.

-John Fiero

John Fiero

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