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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.

I, John D. Fiero, declare as follows:

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

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

3. No prior time modifications have been made.

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

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

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

/s/ John D. Fiero
John D. Fiero

PACHULSKI STANG ZIEHL & JONES LLP
ATTORNEYS AT LAW
SAN FRANCISCO, CALIFORNIA

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

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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Phone: 707-545-8700 Fax: 707-542-3371 Email: tomkelly@sonic.net www.redwoodbankruptcy.com

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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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