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Attorney for Live Oak Investments LP
 and its general partner William Andrew

UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF CALIFORNIA, SANTA ROSA DIVISION

In re:

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

Debtors.

Case No. 24-10545 (CN) (Lead Case)

Chapter 11

(Jointly Administered)

OPPOSITION TO EX PARTE APPLICATION

Judge: Hon. Charles Novack
 Court: 1300 Clay Street
 Courtroom 215
 Oakland, California
 94612

Via teleconference

Date filed: September 12, 2024

¹ The last four digits of LeFever Mattson's tax identification number are 7537. 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>. The address for service on the Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621.



1 **OPPOSITION TO EX PARTE APPLICATION TO SHORTEN TIME**

2 William Andrew as the general partner of the Debtor-in-possession Live Oak Investments
3 LP (hereinafter “Debtor”) presents this opposition to the ex parte application to shorten time
4 presented by the Official Committee of Unsecured Creditors (hereinafter “Committee”) regarding
5 some form of stay violation motion against Debtor.

6 As set forth in the prior pleadings by Debtor, a meeting of the partnership was held on
7 October 9, 2025 during which the partnership voted to remove LeFeverMattson Inc. as the general
8 partner of Debtor, to appoint Mr. Andrew as general partner and president, to remove Keller
9 Benvenuti Kim LLP as counsel for Debtor, and to retain the Law Offices of Thomas P. Kelly III
10 P.C. as counsel for Debtor.

11 The argument for shortening time on the present motion is stated as follows: “The
12 Committee believes that the removal of LFM and appointment of William Andrew as the general
13 partner of Live Oak violated the automatic stay” (Application 3:27-28).

14 First, a “belief” that a stay violation occurred does not meet any definition of ‘exigent
15 circumstances’ the counsel for Debtor can locate. There is no levied bank account, repossessed
16 property, foreclosure, or other imminent event identified by the Committee. They just want it on
17 shortened time, but present no actual reason why there is an emergency other than they oppose the
18 actions of Debtor’s counsel.

19 Second, as to the underlying allegation of a stay violation, it does not exist. By operation of
20 law, LFM was disassociated from Debtor upon the filing of LFM’s bankruptcy petition on
21 September 12, 2024 in case number 24-10545. This occurs specifically under California’s
22 Corporation Code §16601 which provides in part as follows:

23 “A partner is dissociated from a partnership upon the occurrence of any of the following
24 events: ...

25 (6) The partner’s act or failure to act in any of the following instances:

26 (A) By becoming a debtor in bankruptcy.”

27 (Cal. Corp. Code §16601(6)(a)).

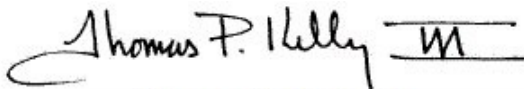
28 By operation of law, LFM has not been a partner of Live Oak since the date of its petition.

1 In addition, the allegation of a stay violation is premised on the existence of some form of
2 economic interest or management interest allegedly taken by the vote of the partnership of Debtor.
3 LFM participated in the vote during which it was removed as general partner, thereby fully
4 exercising its management interest as a partner of the Debtor.

5 Finally, the property LFM was managing on behalf of Debtor, and for which LFM was
6 collecting fees which was the Southwood Apartments, was sold prior to the filing of the petitions
7 for both Debtor and LFM. There was no economic or management interest held by LFM at the time
8 of the petition. There cannot be as there was no property for LFM to manage, and hence the basic
9 premise of the alleged stay violation fails.

10 LFM was disassociated from Debtor the day it filed a bankruptcy petition under §16601.
11 And whatever management or economic interests it held were already liquidated prior to the filing
12 of that petition. For all of these reasons the Court should deny the ex parte application to shorten
13 time as no proper basis is stated, and it reduces the time Debtor's counsel has to respond, thereby
14 representing substantial prejudice to the interests of Debtor.

15 Dated: October 25, 2025

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18 Thomas P. Kelly III
19 Attorney at Law
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