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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.

OPPOSITION TO EX PARTE APPLICATION TO SHORTEN TIME

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

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

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

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

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

> "A partner is dissociated from a partnership upon the occurrence of any of the following events: ...
>
> (6) The partner's act or failure to act in any of the following instances:
>
> (A) By becoming a debtor in bankruptcy."
>
> (Cal. Corp. Code §16601(6)(a)).

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

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

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

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

Dated: October 25, 2025

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