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

In re:

LEFEVER MATTSON, a California  
corporation, *et al.*,<sup>1</sup>

Debtors.

In re:

KS MATTSON PARTNERS, LP,

Debtor.

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

(Jointly Administered)

Chapter 11

**DEBTORS' MOTION FOR ORDER  
FURTHER EXTENDING THE TIME  
TO FILE NOTICES OF REMOVAL  
OF RELATED PROCEEDINGS**

**Date:** December 17, 2025

**Time:** 11:00 a.m.

**Place:** United States Bankruptcy Court  
1300 Clay Street, Courtroom 215  
Oakland, CA 94612

<sup>1</sup> 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 95621. 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://veritaglot>

LeFever Mattson, a California corporation (“LeFever Mattson”), and certain of its affiliates that are debtors and debtors in possession (the “Debtors”)<sup>2</sup> in the above-captioned chapter 11 cases (the “Chapter 11 Cases”), hereby submit this motion (the “Motion”) pursuant to Rules 9006(b) and 9027 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 9006-1 of the Bankruptcy Local Rules for the Northern District of California (the “Bankruptcy Local Rules”) for entry of an order, in substantially the form attached hereto as **Exhibit A**, for an extension of time, pursuant to Clause (A) of Bankruptcy Rule 9027(a)(2), for the Debtors to file notices of removal of the civil actions and proceedings (the “Removal Deadline”) to which the Debtors are parties (collectively, the “Civil Actions”) through and including April 30, 2026, without prejudice to the Debtors’ right to seek additional extensions of such period.

In support of this Motion, the Debtors submit the *Declaration of Bradley D. Sharp in Support of Debtors’ Motion for Order Further Extending the Time to File Notices of Removal of Related Proceedings* (the “Sharp Declaration”), filed contemporaneously herewith.

## **MEMORANDUM OF POINTS AND AUTHORITIES**

### **I. JURISDICTION AND VENUE**

The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334, the *Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges*, General Order 24 (N.D. Cal.), and Rule 5011-1(a) of the Bankruptcy Local Rules. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

### **II. BACKGROUND**

#### **A. The Chapter 11 Cases**

As described in the *Declaration of Bradley D. Sharp in Support of Chapter 11 Petitions and First Day Motions* (the “First Day Declaration”) [Dkt. No. 5], the Chapter 11 Cases were necessitated by, among other things, Mr. Kenneth Mattson’s purported sales of equity interests in many of the Debtors to hundreds of investors through transactions that were not recorded in the books and records of LeFever Mattson or the appropriate Debtor. Debtor Windscape Apartments,

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<sup>2</sup> Unless otherwise indicated, “Debtors” as used herein excludes KSMP.

1 LLC, filed its chapter 11 petition on August 6, 2024. Fifty-eight Debtors, including LeFever  
2 Mattson, filed their chapter 11 petitions on September 12, 2024. Debtors Pinewood  
3 Condominiums, LP, and Ponderosa Pines, LP, filed their chapter 11 petitions on October 2, 2024.

4 The Debtors continue to operate their businesses and manage their properties as debtors in  
5 possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. The United States  
6 Trustee appointed an official committee of unsecured creditors (the “Committee”) in the Chapter  
7 11 Cases on October 9, 2024 [Dkt. No. 135], amended the appointment on November 25, 2024  
8 [Dkt. No. 368], and amended the appointment again on August 26, 2025 [Dkt. No. 2104]. No  
9 trustee or examiner has been appointed in these Chapter 11 Cases.

10 Since the filing of the Chapter 11 Cases, the Debtors’ new management and professionals  
11 not only have continued the Debtors’ pre-petition business of operating nearly two hundred  
12 commercial and residential rental properties but have also worked tirelessly to investigate the  
13 Debtors’ financial situation and develop a resolution that can provide for a fair and equitable  
14 distribution to creditors, including the hundreds of investors whose financial lives have been  
15 upended.

16 **B. The Previous Extensions of the Removal Deadline**

17 On November 27, 2024, the Debtors filed their first motion to extend the time for the  
18 Debtors to file notices of removal of the civil actions and proceedings through February 28, 2025  
19 (the “First Request”) [Dkt. No. 372], unifying the multiple deadlines created by the 61 jointly  
20 administered Debtors’ filing of voluntary petitions on three separate dates in a two-month span.  
21 On December 9, 2024, the Court granted the First Request without prejudice to the rights of the  
22 Debtors to seek additional extensions [Dkt. No. 445].

23 On January 31, 2025, the Debtors filed their second motion to extend time for the Debtors  
24 to file notices of removal through May 30, 2025 (the “Second Request”) [Dkt. No. 705]. On  
25 February 24, 2025, the Court granted the Second Request without prejudice to the rights of the  
26 Debtors to seek additional extensions [Dkt. No. 928].

27 On May 2, 2025, the Debtors filed their third motion to extend time for the Debtors to file  
28 notices of removal through September 5, 2025 (the “Third Request”) [Dkt. No. 1390]. On May

28, 2025, the Court granted the Third Request without prejudice to the rights of the Debtors to seek additional extensions [Dkt. No. 1523].

On August 1, 2025, the Debtors filed their fourth motion to extend time for the Debtors to file notices of removal through December 31, 2025 (the “Fourth Request”) [Dkt. No. 1910]. On August 26, 2025, the Court granted the Fourth Request without prejudice to the rights of the Debtors to seek additional extensions [Dkt. No. 2099].

**C. The Pending Actions and Involuntary Cases Against the Mattson Parties**

The Debtors are parties to several known lawsuits pending in various California state courts and the United States District Court for the Northern District of California, which are listed in the schedules of assets and liabilities and statements of financial affairs for the Debtors [Dkt. Nos. 292–353, and as amended at Dkt. Nos. 2251–2291 and 2293–2305]. In most of these actions, the Debtors are defendants, and the claims against them are stayed pursuant to 11 U.S.C. § 362(a). In one particular action, pending in Sonoma County Superior Court as Case No. 24CV03485 (the “Sonoma County Action”), Debtors LeFever Mattson, Divi Divi Tree, L.P., and Windscape Apartments, LLC, are plaintiffs and Kenneth W. Mattson and KSMP are defendants (the two defendants together, the “Mattson Parties”). As described below, the Debtors’ claims against both of the Mattson Parties in this action are currently stayed pursuant to section 362(a) of the Bankruptcy Code.

On November 22, 2024, Debtor LeFever Mattson filed an involuntary chapter 11 petition against Mr. Mattson in this Court (the “Mattson Involuntary Case”), and Debtors LeFever Mattson and Windtree, LP filed an involuntary chapter 11 petition against KSMP in this Court. The filing of these involuntary petitions caused any claims of the Debtors against the Mattson Parties to be stayed pursuant to section 362(a) of the Bankruptcy Code.

Subsequent to an agreement between KSMP and LeFever Mattson, the Court entered the *Stipulated Order for Relief in an Involuntary Case* on June 9, 2025 [Case No. 24-10715, Dkt. No. 131] (the “KSMP Order for Relief”). KSMP is a chapter 11 debtor in possession, and its case is jointly administered, for procedural purposes only, with those of the Debtors, pursuant to the *Stipulated Bridge Order in Connection with the Motion to Substantively Consolidate the*

1 *Bankruptcy Estates of LeFever Mattson and KS Mattson Partners, LP*, entered on July 29, 2025  
2 [Dkt. 1887]. KSMP has retained an independent responsible individual, Ms. Robbin Itkin, and  
3 Mr. Mattson is no longer directing or operating KSMP. Due to the entry of the KSMP Order for  
4 Relief, the stay pursuant to section 362(a) of the Bankruptcy Code of any claims against KSMP  
5 remains in place.

6 In the Mattson Involuntary Case, on July 10, 2025, Mr. Mattson and LeFever Mattson  
7 entered into the *Stipulation Regarding Consent of Kenneth W. Mattson to Entry of Order for Relief*  
8 [Case No. 24-10714, Dkt. No. 114] (the “Mattson Stipulation”). The Court entered an order  
9 approving the Mattson Stipulation on July 14, 2025 [Case No. 24-10714, Dkt. No. 118]. An order  
10 for relief was entered on September 5, 2025 [Case No. 24-10714, Dkt. No. 127]. An order  
11 converting the case to chapter 7 was entered on September 22, 2025 [Case No. 24-10714, Dkt. No.  
12 147]. The stay pursuant to section 362(a) of the Bankruptcy Code of any claims against Mr.  
13 Mattson remains in place.

14 **D. The Need to Further Extend the Removal Deadline**

15 The Debtors are continuing to evaluate whether it would benefit their estates to remove  
16 any of the Civil Actions. To date, however, the Debtors have not determined which, if any, of the  
17 Civil Actions they may seek to remove. In particular, the automatic stays of the Mattson Parties  
18 have essentially halted the Sonoma County Action, and it would not be an efficient use of any  
19 estate’s resources to litigate removal at this time. Given that the Debtors and their professionals  
20 have been actively engaged in operating their businesses, marketing their real property,  
21 investigating the financial transactions leading to the Chapter 11 Cases, and formulating a plan  
22 that will be acceptable to their creditors and other parties in interest, the Debtors require additional  
23 time to consider whether to file notices of removal of any of the Civil Actions.

24 Therefore, the Debtors believe that it is prudent to seek a further extension of the time  
25 prescribed under Bankruptcy Rule 9027(a) through and including April 30, 2026, to protect their  
26 right to remove those Civil Actions if they deem it to be appropriate.

1       **III.     RELIEF REQUESTED**

2           The Debtors request, pursuant to 28 U.S.C. § 1452 and Bankruptcy Rules 9006(b) and  
3 9027, the entry of an order (i) extending the deadline by which the Debtors may file notices of  
4 removal for any action under Clause (A) of Bankruptcy Rule 9027(a)(2) through and including  
5 April 30, 2026, and (ii) granting related relief.

6       **IV.     AUTHORITY FOR RELIEF REQUESTED**

7           Section 1452 of title 28 of the United States Code provides for the removal of actions  
8 related to bankruptcy cases and provides that “[a] party may remove any claim or cause of action  
9 in a civil action . . . to the district court for the district where such civil action is pending, if such  
10 district court has jurisdiction of such claim or cause of action under section 1334 of this title.”  
11 28 U.S.C. § 1452(a).

12           Bankruptcy Rule 9027 sets forth the time periods for filing notices to remove claims or  
13 causes of action and provides, in pertinent part:

14                   If the claim or cause of action in a civil action is pending when a  
15 case under the Code is commenced, a notice of removal may be filed  
16 only within the longest of (A) 90 days after the order for relief in the  
17 case under the Code, (B) 30 days after entry of an order terminating  
a stay, if the claim or cause of action in a civil action has been stayed  
under § 362 of the Code, or (C) 30 days after a trustee qualifies in a  
chapter 11 reorganization case but not later than 180 days after the  
order for relief.

18           Fed. R. Bankr. P. 9027(a)(2). Under Bankruptcy Rule 9006, where the request to enlarge time is  
19 “made before the expiration of the period originally prescribed[,]” the Court may enlarge the  
20 removal period “for cause shown . . . at any time in its discretion . . . .” Fed. R. Bankr. P.  
21 9006(b)(1).

22           It is well-settled that this Court is authorized to extend, for cause, the removal period under  
23 28 U.S.C. § 1452 and Bankruptcy Rule 9027. *See Pacor, Inc. v. Higgins*, 743 F.2d 984, 996 n.17  
24 (3d Cir. 1984), *overruled on other grounds by Things Remembered, Inc. v. Petrarca*, 516 U.S. 124  
25 (1995) (noting that under the Bankruptcy Rules “it is clear that the court may grant” an extension  
26 of the time limit for removal); *see also Hugh M. Caperton v. A.T. Massey Coal Co., Inc.*, 251 B.R.  
27 322, 325 (S.D. W. Va. 2000) (explaining that Bankruptcy Rule 9006 provides authority to enlarge  
28

time periods for removing actions under Bankruptcy Rule 9027); *Raff v. Gordon*, 58 B.R. 988, 990 (E.D. Pa. 1986) (finding that an expansion of time to file notices of removal is authorized under the Bankruptcy Rules); *In re World Fin. Servs. Ctr., Inc.*, 81 B.R. 33, 39 (Bankr. S.D. Cal. 1987) (providing that the United States Supreme Court intended to give bankruptcy judges the power to enlarge the filing periods under Bankruptcy Rule 9027(a) pursuant to Bankruptcy Rule 9006(b)).

The extension sought will afford the Debtors a reasonable amount of time to determine whether to remove any pending Civil Actions and will help to ensure that the Debtors do not forfeit valuable rights under 28 U.S.C. § 1452. An extension would have minimal, if any, effect on the schedule for the Chapter 11 Cases. An extension will also not prejudice the rights of the Debtors' adversaries because any party to an action that is removed may seek to have the action remanded to state court pursuant to 28 U.S.C. § 1452(b).

The Debtors further request that the order approving this Motion be without prejudice to any position the Debtors may take regarding whether section 362 of the Bankruptcy Code applies to stay any given Civil Action pending against the Debtors or the Mattson Parties. For the reasons stated above, the Debtors submit that cause exists to grant the relief requested and that the relief requested herein is appropriate and in the best interests of their estates, creditors, and all other parties' interests.

#### V. RESERVATION OF RIGHTS

Nothing contained herein is intended to be or shall be construed as (i) an admission as to the validity of any claim against the Debtors, (ii) a waiver of the Debtors' or any appropriate party in interest's rights to dispute any claim, or (iii) an approval or assumption of any agreement, contract, program, policy, or lease under section 365 of the Bankruptcy Code.

#### VI. NOTICE

Notice of this Motion will be provided to (i) the United States Trustee; (ii) the Committee; (iii) Serene Investment Management, LLC, the DIP Lender; and (iv) those persons who have formally appeared in these Chapter 11 Cases and requested service pursuant to Bankruptcy Rule 2002. Based on the circumstances surrounding this Motion and the nature of the relief requested herein, the Debtors respectfully submit that no further notice is required.



1           **WHEREFORE**, the Debtors respectfully request that the Court enter an order,  
2 substantially in the form attached hereto as **Exhibit A**, and such other and further relief as the  
3 Court may deem just and appropriate.

4  
5 Dated: November 26, 2025

**KELLER BENVENUTTI KIM LLP**

6  
7 By: /s/ Thomas B. Rupp

8 Thomas B. Rupp

9 *Attorneys for Debtors and Debtors in*  
10 *Possession*



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**Exhibit A**  
**(Proposed Order)**

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**UNITED STATES BANKRUPTCY COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SANTA ROSA DIVISION**

In re:

LEFEVER MATTSON, a California  
corporation, *et al.*,<sup>1</sup>

Debtors.

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

(Jointly Administered)

Chapter 11

**[PROPOSED] ORDER FURTHER  
EXTENDING THE TIME TO FILE  
NOTICES OF REMOVAL OF  
RELATED PROCEEDINGS**

In re:

KS MATTSON PARTNERS, LP,

Debtor.

**Date:** December 17, 2025

**Time:** 11:00 a.m.

**Place:** United States Bankruptcy Court  
1300 Clay Street, Courtroom 215  
Oakland, CA 94612

<sup>1</sup> 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 95621. 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>.

Upon the Motion, dated as of November 26, 2025 (the “Motion”),<sup>2</sup> of the above-captioned debtors and debtors in possession (the “Debtors”) in the Chapter 11 Cases, pursuant to Rules 9006(b) and 9027 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 9006-1 of the Bankruptcy Local Rules for the Northern District of California (the “Bankruptcy Local Rules”) for an extension of time for the Debtors to file notices of removal of the Civil Actions to April 30, 2026; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, the *Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges*, General Order 24 (N.D. Cal.), and Rule 5011-1(a) of the Bankruptcy Local Rules; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found and determined that notice of the Motion as provided to the parties listed therein is reasonable and sufficient, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion and the Sharp Declaration; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, creditors, and all parties in interest; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause having been shown;

**IT IS HEREBY ORDERED THAT:**

1. The Motion is granted.
2. The last day for the Debtors to file notices of removal for any civil actions and proceedings under Clause (A) of Bankruptcy Rule 9027(a)(2) is extended through and including April 30, 2026.
3. The Debtors are authorized to take all steps necessary or appropriate to carry out this Order.

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<sup>2</sup> Capitalized terms not otherwise herein defined shall have the meanings given to such terms in the Motion.

1           4.       This Order shall be without prejudice to any position the Debtors may take  
2 regarding whether section 362 of the Bankruptcy Code applies to stay any litigation pending  
3 against the Debtors or the Mattson Parties and without prejudice to the Debtors' ability to seek  
4 further extensions to file notices of removal under Bankruptcy Rule 9027(a).

5           5.       Notwithstanding the entry of this Order, nothing herein shall create, nor is it  
6 intended to create, any rights in favor of or enhance the status of any claim held by any party.

7           6.       This Court shall retain jurisdiction to hear and determine all matters arising from  
8 or related to the implementation, interpretation, or enforcement of this Order.

9                               \*\* END OF ORDER \*\*