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EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

Docket #4585 Date Filed: 10/02/2026

Signed and Filed: October 2, 2026



HANNAH L. BLUMENSTIEL
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:	) Case No. 24-10545 HLB
	)
LEFEVER MATTSON,	) Chapter 11
	)
Debtor.	)
	)

ORDER GRANTING IN PART MOTION FOR RECONSIDERATION AND VACATING HEARING

This case is scheduled to come before the court on October 8, 2026, for a hearing on Plan Recovery Trustee Michael Goldberg's Motion for (I) Reconsideration of the Order Regarding Discovery Dispute (Dkt. 4559) and (II) Entry of an Order Setting a Status Conference on the Saifi Claim.[1]

The Motion requests relief from the court's Order Regarding Discovery Dispute, issued September 8, 2026,[2] and asks the court to set a status conference. The court issued the Sept. 8 Order after reviewing correspondence received from Goldberg's counsel on or about August 24, 2026 (the "Aug. 24 Letter").

[1] Dkt. 4568 (the "Motion").

[2] Dkt. 4559 (the "Sept. 8 Order").

The Aug. 24 Letter requested the court's assistance in resolving a discovery dispute that had allegedly arisen between Goldberg and claimant Siroos Saifi, and ultimately, an order compelling Mr. Saifi to supplement his production of material in response to requests for production of documents propounded by Mr. Goldberg on or about July 7, 2026 (the "Requests").[3] According to the Aug. 24 Letter, Mr. Saifi admitted during August 20, 2026, deposition that he had not produced all material within his possession or control that was responsive to the Requests. Following the deposition, Mr. Goldberg's counsel asked Mr. Saifi's counsel to meet and confer regarding a supplemental production, but received no response. Mr. Saifi also did not respond to the Aug. 24 Letter, despite the court providing him with an opportunity to do so.

Over the weekend of September 5-7, 2026, the court painstakingly parsed through the enormous record of this case, in an effort to understand the procedural posture of the dispute between the parties. The court determined that the Aug. 24 Letter was untimely and issued the Sept. 8 Order, which denied the relief sought by Mr. Goldberg.

Despite its best efforts, the court inadvertently overlooked an order issued on August 13, 2026.[4] The Aug. 13 Order extended the deadline for requesting the court's

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[3] Goldberg's counsel submitted the Aug. 24 Letter pursuant to Para. D of the presiding judge's Practices & Procedures, which explains the court's informal process for resolving discovery disputes. Para. D expressly states that correspondence like the Aug. 24 Letter should not exceed 5 pages, and should not include exhibits absent leave of court. The Aug. 24 Letter included 138 pages, most of which consisted of exhibits.

[4] Dkt. 4530 (the "Aug. 13 Order").

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assistance with a discovery dispute, which rendered the Aug. 24 Letter timely. The court regrets and apologizes for its error.

The court has reviewed the Motion, its voluminous supporting declaration,[5] the relevant Notice of Hearing,[6] and the relevant Certificate of Service.[7] The NOH contains language referring to the pleading set for hearing as the "Omnibus Objection" rather than the Motion. The court will overlook this error because the title of the NOH clearly references the Motion, so the NOH, while somewhat confusing, is not so vague that it requires revision.

The C/S refers to the wrong exhibits as service lists for the Motion, supporting declaration, and NOH. But after locating the correct service lists, the court was able confirm that the Motion, supporting declaration, and NOH were properly served, and that Mr. Saifi and his counsel have received adequate notice of his opportunity to object to the relief sought.

Pursuant to B.L.R. 9014-1(c)(2), objections to the Motion were due no later than October 1, 2026. None have been filed.

Accordingly, the court **ORDERS** as follows:

1. To the extent the Motion seeks relief from the Sept. 8 Order, it is hereby **GRANTED**, and the Sept. 8 Order is hereby **VACATED**.

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[5] Dkt. 4569.

[6] Dkt. 4570 (the "NOH").

[7] Dkt. 4575 (the "C/S").

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2. No later than **November 6, 2026**, or some other date upon which Mr. Saifi and Mr. Goldberg might agree, Mr. Saifi shall produce **ALL** nonprivileged and as-yet-unproduced material in his possession or control that is responsive to the Requests. Mr. Saifi shall thereafter, on a date mutually acceptable to Mr. Saifi and Mr. Goldberg but no later than 90 days after completion of the supplemental production required by this order, appear for a continued deposition.

3. The court expects timely compliance with this order. Any unexcused noncompliance with this order by Mr. Saifi will result in entry of an order sustaining the pending Objection[8] to Mr. Saifi's claim.[9]

4. If Mr. Saifi does not timely comply with this order, Mr. Goldberg's counsel shall file a declaration attesting to Mr. Saifi's unexcused noncompliance, and shall upload an order sustaining the Objection, which the court will enter without further notice or hearing.

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[8] Dkt. 3081 (the "Objection"), as supported by the Declaration of Bradley D. Sharp (Dkt. 3082).

[9] Fed. R. Civ. Proc. 37(b)(2)(A)/Fed. R. Bankr. Proc. 7037, which apply to the contested matter initiated by the Objection pursuant to Fed. R. Bankr. Proc. 9014(c).

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5. To the extent the Motion asks the court to set a status conference on the Objection, the Motion is hereby **DENIED**. Assuming Mr. Saifi timely complies with this Order and discovery on the Objection closes, Mr. Goldberg's counsel may file a dispositive motion or may file an ex parte request for status conference, which the court will consider in due course.

****END OF ORDER****

Court Service List

Siroos Saifi
c/o Yasha Rahimzadeh
By email: yrlaw@attorneynorcal.com

Siroos Saifi
c/o Yasha Rahimzadeh
500 Capitol Mall
Suite 2350
Sacramento, CA 95814

Notice Recipients

District/Off: 0971−1	User: admin	Date Created: 10/2/2026
Case: 24−10545	Form ID: pdfeoc	Total: 2

Recipients submitted to the BNC (Bankruptcy Noticing Center):

cr	Siroos Saifi	500 Capitol Mall	500 Capitol Mall, Suite 2350	Sacramento, CA 95814 UNITED STATES
	Siroos Saifi	c/o Yasha Rahimzadeh	500 Capitol Mall Suite 2350	Sacramento, CA 95814

TOTAL: 2