

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

In the Matter of: MAPLE-  
 WHITWORTH, INC.,

*Debtor*

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MICHAEL N. SOFRIS, aka Sofris  
 APC,

*Appellant,*

v.

MAPLE-WHITWORTH, INC.; UNITED  
 STATES TRUSTEE; LARRY  
 WEINSTOCK; MICA BINTU-BROWN;  
 and EMANUEL PEREZ,

*Appellees.*

No. 07-56537

BAP No.  
 CC-06-01098-KNB  
 Central District of  
 California,  
 Los Angeles  
 OPINION

Appeal from the Ninth Circuit  
 Bankruptcy Appellate Panel  
 Klein, Nielsen, and Brandt, Bankruptcy Judges, Presiding

Argued and Submitted  
 December 9, 2008—Pasadena, California

Filed March 11, 2009

Before: John T. Noonan and Barry G. Silverman,  
 Circuit Judges, and Suzanne B. Conlon,\* District Judge.

Opinion by Judge Conlon

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\*The Honorable Suzanne B. Conlon, United States District Judge for  
 the Northern District of Illinois, sitting by designation.

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**COUNSEL**

Michael N. Sofris, Michael N. Sofris APC, Beverly Hills, California, for the appellant Michael N. Sofris, aka Sofris APC.

Jerry Kaplan; David Scott Kadin, Kaplan, Kenegos & Kadin, Beverly Hills, California, for the appellee Maple-Whitworth, Inc.

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**OPINION**

CONLON, District Judge:

This court's February 10, 2009 opinion recounts that Sofris, joined by others in the Mayman-Nathan faction, filed an involuntary Chapter 7 petition against Maple-Whitworth under 11 U.S.C. § 303(a)-(b). *Michael N. Sofris, aka Sofris APC v. Maple-Whitworth, Inc. (In re Maple-Whitworth, Inc.)*, \_\_\_ F.3d \_\_\_, No. 07-56537, 2009 WL 310902, at \*1 (9th Cir. Feb. 10, 2009). This statement adopts the Bankruptcy Appellate Panel's characterization of the involuntary petition as a Chapter 7 petition. *Michael N. Sofris, APC v. Maple-Whitworth, Inc. (In re Maple-Whitworth, Inc.)*, 375 B.R. 558, 563 (B.A.P. 9th Cir. 2007). Sofris filed a notice of errata stating that the involuntary petition was a Chapter 11 petition. No objection to the notice of errata has been filed. The record confirms that the involuntary petition sought relief under

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Chapter 11. The February 10, 2009 opinion is corrected to reflect that the involuntary petition invoked Chapter 11, not Chapter 7.