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**FILED**

SEP 22 2011

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY YMA DEPUTY CLERK

8 Attorneys for Appellant  
9 TRE HOLDINGS, LLC

10 **United States Bankruptcy Court**  
11 **Eastern District of California – Sacramento Division**

12 In re:  
13 TRE HOLDINGS, LLC,  
14  
15 Debtor.

Case No. 11-20672-E-13L  
D.C. No. WJS-7  
USDC Case No. 2:11-CV-01403-JAM  
BAP Case No. EC-11-1241

(BK) in re: TRE Holdings, LLC

Doc. 12

16 **ORDER ON**  
17 **Stipulation to Dismissal of**  
18 **Appeal Before Docketing**

19 Dept: E / Courtroom 33  
20 Judge: Hon. Ronald H. Sargis

21 To the Honorable Court and All Interested Parties:  
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2 Pursuant to F.R.B.P. 8001(c)(1), the parties in the above-referenced  
3 bankruptcy appeal — i.e., Appellant Tre Holdings, LLC; and Appellee Pro Value  
4 Properties, Inc. — which appeal is now pending in the U.S. District Court, case #  
5 2:11-CV-01403-JAM, but which has not yet been docketed in the District Court  
6 (i.e., record on appeal filed with District Court clerk; see F.R.B.P. 8007(b)),  
7  
8 hereby stipulate and agree through their respective counsel of record that the  
9 appeal be dismissed, with prejudice, and that each party bear their own costs and  
10 attorney's fees incurred in connection with this appeal.  
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12

13 **Stipulated and Agreed:**  
14

15 Dated: September 8, 2011

Law Offices of Walter J. Sawicki

16  
17  
18 By: 

19 Walter J. Sawicki  
20 Attorneys for Appellant,  
21 Tre Holdings, LLC

22 Dated: September 20, 2011

Law Office of Barry H. Spitzer

23  
24 By: 

25 Barry H. Spitzer  
26 Attorneys for Appellee,  
27 Pro Value Properties, Inc.  
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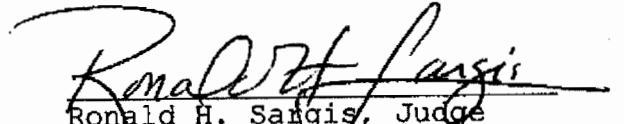
**ORDER ON STIPULATION**

Based upon the stipulation of the parties attached to this Order, and good cause appearing,

IT IS ORDERED that the bankruptcy appeal now pending in the U.S. District Court, case # 2:11-CV-01403-JAM, be dismissed with prejudice, with each of the parties to bear their own costs and attorney's fees incurred in connection with the appeal.

Dated: September 22, 2011

By the Court

  
Ronald H. Sargis, Judge  
United States Bankruptcy Court