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8 **Attorney for Plaintiff**
9 **J & J Sports Productions, Inc.**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 **J & J SPORTS PRODUCTIONS, INC.,**

14 **Plaintiff,**

15 **vs.**

16 **OSCAR A. AVILES, et al.,**

17 **Defendants.**

18 **Case No. 5:10-cv-04213-JF**

19 **NOTICE OF BANKRUPTCY**
20 **OF DEFENDANT OSCAR A. AVILES;**
21 **AND ORDER (Proposed)**

22 **TO THE CLERK OF THE COURT:**

23 Please take notice that Plaintiff is informed and believes that Oscar A. Aviles filed a
24 Voluntary Petition seeking protection from creditors in bankruptcy pursuant to the United
25 States Bankruptcy Code, in Case No. BK 10-61104-CN, of the U.S. Bankruptcy Court,
26 Northern District of California, San Jose Division. (Please find a true and correct copy of
27 the October 26, 2010, Notice of Bankruptcy Case Filing from the Clerk of the U.S.
28 Bankruptcy Court of the Northern District of California attached hereto and made part
hereof as Plaintiff's Exhibit 1.)

ORDER (Proposed)

The above-entitled action is hereby stayed as to Defendant Oscar A. Aviles *only*, pending disposition of Plaintiff's claims against Defendant in bankruptcy.

IT IS SO ORDERED:



Date: 12/1/10

**Honorable Jeremy Fogel
United States District Court
Northern District of California**

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Exhibit 1

UNITED STATES BANKRUPTCY COURT
Northern District of California (San Jose)

Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines

The debtor(s) listed below filed a chapter 13 bankruptcy case on 10/26/10.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Oscar Adalberto Aviles
aka Oscar A. Aviles
1714 Darwin St.
Seaside, CA 93955

Paula Nelis Aviles
aka Paula Nelis Mendoza
1714 Darwin St.
Seaside, CA 93955

Case Number:
10-61104

Social Security/Individual Taxpayer ID/Employer Tax ID/Other Nos.:
603-16-0183
625-48-1852

Attorney for Debtor(s) (name and address):

Christopher Allotts
Law Offices of Christopher Allotts
60 West Alisal Street, #10
Salinas, CA 93901
Telephone number: (831)753-2200

Bankruptcy Trustee (name and address):

Devin Derham-Burk
P.O. Box 50013
San Jose, CA 95150-0013
Telephone number: (408) 354-8151

Meeting of Creditors

Date: **December 8, 2010**

Time: **11:45 AM**

Location: **The Quadrangle #214, 1000 S Main St., Salinas, CA 93901**

Important Notice to Individual Debtors: The United States Trustee requires all debtors who are individuals to provide government-issued photo identification and proof of social security number to the trustee at the meeting of creditors.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): **3/8/11**

For a governmental unit (except as otherwise provided in Fed. R. Bankr. P. 3002 (c)(1)): **4/25/11**

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Claims" on the reverse side.

Deadline to File a Complaint to Determine Dischargeability of Certain Debts: 2/7/11

The case is subject to dismissal, without further notice, upon failure of the debtor to commence making payments **called for in the plan**, not later than 30 days after the date of the filing of the plan or the order for relief, whichever is earlier. At the confirmation hearing the court may dismiss or convert the case or continue the hearing without prior notice upon a determination the debtor(s) is unable to present a feasible plan. Written objections to confirmation must be filed with the court at or before the Meeting of Creditors and served upon the trustee, Debtor(s), and Debtors' Attorney.

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Filing of Plan, Hearing on Confirmation of Plan

If the debtor has already filed a proper Chapter 13 Plan, the Plan or a summary of the plan is enclosed. If the debtor has not yet filed a proper Chapter 13 Plan, the Plan or summary will be sent separately. The hearing on confirmation will be held:

Date: **12/15/10**

Time: **02:00 PM**

Location: **U.S. Courthouse and Federal Bldg., 280 S 1st Street, Courtroom 3070 3rd Fl., San Jose, CA 95113**

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, the debtor's property, and certain codebtors. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Address of the Bankruptcy Clerk's Office:

280 South First Street
Room 3035
San Jose, CA 95113

For the Court:

Clerk of the Bankruptcy Court:
Gloria L. Franklin

