

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE SOUTHERN DISTRICT OF TEXAS
 HOUSTON DIVISION

IN RE:	§	
ABC DENTISTRY, P.A., et al.	§	CASE NO: 16-34221
	§	
ABC DENTISTRY OLD SPANISH TRAIL, P.L.L.C.	§	CASE NO: 16-34222
	§	
ABC DENTISTRY WEST OREM, P.L.L.C.	§	CASE NO: 16-34225
	§	Jointly Administered
Debtor(s)	§	
	§	CHAPTER 11

**DEFENDANTS BREWER & PRITCHARD, P.C.’S, J. MARK BREWER’S, AND
 A. BLAIRE HICKMAN’S AMENDED NOTICE OF REMOVAL**

Brewer & Pritchard, P.C., J. Mark Brewer and A. Blaire Hickman (collectively “Defendants”), who are all the defendants, file this Amended Notice of Removal of Case No. 2018-36793; *Saeed Rohifard v Brewer & Pritchard, P.C., et al*, from the 151st District Court of Harris County, Texas¹ (“Removed Action”) to this Court pursuant to 28 U.S.C. §1452(a), Federal Rule of Bankruptcy Procedure 9027, and Local Rule of Bankruptcy Procedures 9027-1.

1. The petition being removed was filed June 1, 2018, and the first defendant to be served received service of process on June 26, 2018. This amended notice of removal is being filed less than 30 days thereafter and thus is timely.
2. The Court has jurisdiction over one or more of the causes of action in the Removed Action pursuant to its “arising under” or “arising in” jurisdiction under 28 U.S.C. §157(b) and accordingly, this Court has the authority to hear and determine the Removed Action.

¹ True and correct copies are attached hereto as **Exhibits A and B**.

3. Facts entitling Defendants to remove to this Court. The petition being removed was filed by Saeed Rohifard (known to this Court as Saeed Rohi) in the 151st Judicial District Court of Harris County, Texas, against his former counsel. Although the petition does not mention the existence of this bankruptcy or the Final Order entered by this Court on November 7, 2017, it constitutes a collateral attack on that Final Order for the division of proceeds of \$4,000,000 between Rohi, his then counsel, and the state of Texas.
4. The causes of action in the Removed Action are core proceedings. The Removed Action would not exist but for the bankruptcy and this Court's November 7, 2017 Final Order. If there was any objection to the Court's November 7, 2017 Final Order, including but not limited to the award of attorneys fees to Rohi's then counsel, the time for making such objection was during the Chapter 11 bankruptcy proceeding as any objections or claims arose under that bankruptcy proceeding.
5. In accordance with Federal Rule of Bankruptcy Procedure 9027(a)(1) and Local Rule of Bankruptcy Procedure 9027-1, the following is a list of all names and addresses of the parties, parties on whom service of process has been accomplished and the name, address and telephone number of the counsel for every party:
 - a. Saeed Rohifard, aka Saeed Rohi (plaintiff)
c/o The Kassab Law Firm
1214 Elgin Street
Houston, TX 77004

Counsel:
Lance Christopher Kassab, David Eric Kassab and
Kimber Watson Eniola
The Kassab Law Firm
1214 Elgin Street
Houston, TX 77004
713-522-7400

- b. Brewer & Pritchard, A Professional Corporation (defendant)
Service of process has not been accomplished
800 Bering, Suite 201
Houston, TX 77057

Counsel:

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- c. J. Mark Brewer (defendant)
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- d. A. Blaire Hickman (defendant)
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6. In accordance with Federal Rule of Bankruptcy Procedure 9027(a)(1) and Local Rule of Bankruptcy Procedure 9027-1, the following are attached as exhibits:

Exhibit A: Docket Sheet in the State Court Action
Exhibit B: Plaintiff's Original Petition in the 151st Judicial District Court, Harris County, Texas with summons served on A. Blaire Hickman

7. In accordance with Local Rule of Bankruptcy Procedure 9027-2, all removing parties, which are all the defendants, consent to the entry of final orders or judgment by the bankruptcy judge if it is determined that the bankruptcy judge, absent consent of the parties,

cannot enter final orders or judgment consistent with Article III of the United States Constitution.

Respectfully submitted,

1. BREWER & PRITCHARD,
A PROFESSIONAL CORPORATION

/s/ J. Mark Brewer

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2. J. MARK BREWER, INDIVIDUALLY

/s/ Kenneth A. Zimmern

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3. A. BLAIRE HICKMAN, INDIVIDUALLY

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CERTIFICATE OF SERVICE

I certify that on July 18, 2018, the foregoing document was filed electronically with the Court and served on counsel as follows:

Via E-File

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