

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
	§	
Debtor(s)	§	(Chapter 11)
	§	
	§	Jointly Administered
	§	
_____	§	
SAEED ROHIFARD	§	
	§	
Plaintiff,	§	
v.	§	
	§	
BREWER & PRITCHARD, A PROFESSIONAL	§	Adv. Proc. No. _____
CORPORATION, J. MARK BREWER,	§	
AND A. BLAIRE HICKMAN	§	
	§	
Defendants.	§	

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

Brewer & Pritchard, P.C., J. Mark Brewer and A. Blaire Hickman (collectively “Defendants”), who are all the defendants, file this Notice of Removal<sup>1</sup> of Case No. 2018-36793; *Saeed Rohifard v Brewer & Pritchard, P.C., et al*, from the 151<sup>st</sup> District Court of Harris County, Texas<sup>2</sup> (“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.

<sup>1</sup> Defendants’ Notice of Removal and Amended Notice of Removal was previously filed in Bankruptcy Proceeding 16-34221 [Dkt# 397 and 404].

<sup>2</sup> True and correct copies are attached hereto as **Exhibits A and B**.

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.
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 151<sup>st</sup> 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  
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713-522-7400

- b. Brewer & Pritchard, A Professional Corporation (defendant)  
*Service of process has not been accomplished*  
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Counsel:

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- c. J. Mark Brewer (defendant)  
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- d. A. Blaire Hickman (defendant)  
*Service of process was accomplished on June 26, 2018*  
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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 151<sup>st</sup> 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.

July 25, 2018

Respectfully submitted,

1. /s/ Tony L. Draper  
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3. J. MARK BREWER, INDIVIDUALLY

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**CERTIFICATE OF SERVICE**

I certify that on July 25, 2018, the foregoing document was filed electronically with the Court and served on counsel as follows:

**Via ECF and E-Mail**

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David Eric Kassab

Kimber Watson Eniola

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