

1 Michael G. Kasolas, Trustee
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6 **UNITED STATES BANKRUPTCY COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **OAKLAND DIVISION**

9 IN RE:

Chapter 7

10 FOX ORTEGA ENTERPRISES INC

Case No. 16-40050 WJL

11 **NOTICE OF TRUSTEE'S REQUEST**
12 **FOR AUTHORITY TO PAY**
13 **ADMINISTRATIVE EXPENSE CLAIMS**
14 **OF THE FRANCHISE TAX BOARD**

Debtor(s)

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16 **TO: ALL CREDITORS, THE UNITED STATES TRUSTEE AND OTHER PARTIES**
17 **IN INTEREST:**

18 **PLEASE TAKE NOTICE THAT** Michael G. Kasolas, trustee, ("Trustee") of the
19 above-captioned bankruptcy estate seeks authority from the Bankruptcy Court to pay the
20 Franchise Tax Board ("FTB") the sum of \$800.00 for the 2017 tax year due on or before April
21 18, 2017 on account of administrative expenses owed to the FTB, and until the case is closed.

22 The Trustee seeks bankruptcy authority to pay these administrative expenses in
23 accordance with the Ninth Circuit decision entitled *In re Cloobek*, 788 F13d 1243 (9th
24 Cir.2015). *Cloobek* requires a trustee, pursuant to Bankruptcy Code Section 503 to provide
25 notice to creditors before paying administrative taxes incurred by the bankruptcy estate.

26 **PLEASE TAKE FURTHER NOTICE** that this matter is governed by Bankruptcy
27 Local Rule 9014-1(b)(3), which provides that:

28 Any objection to the requested relief, or a request for hearing on the matter, must be filed
and served upon the initiating (undersigned) party within twenty-one (21) days of mailing the
notice;

Any objection or a request for a hearing must be accompanied by any declarations or
memoranda of law any requesting party wishes to present in support of its position;

If there is no timely objection to the requested relief or a request for hearing, the court
may enter an order granting the relief by default;

1 The initiating party will give at least seven (7) days written notice of the hearing to the
2 objecting or requesting party, and to any trustee or committee appointed in the case.

3 Any objection or request for hearing should be served on the undersigned and filed with
4 the Clerk of the United States Bankruptcy Court, Northern District of California, Oakland
5 Division, 1300 Clay St Rm 300, Oakland California 94612.

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7 DATED: March 21, 2017

8 /s/ Michael G. Kasolas
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10 Michael G. Kasolas, Trustee
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