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6 Attorneys for Creditor
PACIFIC WESTERN BANK
7

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **[SANTA ANA DIVISION]**

11 In re:

12 JAMES C. GIANULIAS,

13 Debtor.
14
15

Case No. 8:08-bk-13150-RK

Chapter 7

**NOTICE OF APPEARANCE BY
CREDITOR PACIFIC WESTERN BANK;
REQUEST FOR SPECIAL NOTICE; AND
REQUEST FOR INCLUSION ON
MASTER MAILING LIST**

[No hearing required]

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19 **TO THE CLERK OF THE UNITED STATES BANKRUPTCY COURT,**
20 **DEBTOR, PETITIONING CREDITORS, AND TO OTHER PARTIES IN**
21 **INTEREST:**

22 **PLEASE TAKE NOTICE** that the undersigned, on behalf of PACIFIC
23 WESTERN BANK, in connection with the above-entitled Debtor ("Debtor"), hereby
24 requests, pursuant to Rules 2002 and 9007 of the Federal Rules of Bankruptcy Procedure,
25 that all notices given or required to be given, and all papers served in the above-entitled
26 bankruptcy cases, be delivered to and served upon the following counsel for, or
27 representative of, PACIFIC WESTERN BANK:

28 //

1 Larry G. Ivanjack, Esq.
2 David K. Eldan, Esq.
3 Parker, Milliken, Clark, O'Hara & Samuelian
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5 Los Angeles, CA 90071-2440
6 Telephone: (213) 683-6500
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8 Email: deldan@pmcos.com

9 **PLEASE TAKE FURTHER NOTICE** that PACIFIC WESTERN BANK
10 requests that its counsel be added to the Master Mailing List in this case.

11 **PLEASE TAKE FURTHER NOTICE** that the foregoing request not only
12 includes the notices and papers referred to in the Bankruptcy Rules specified above, but
13 also, without limitation, pursuant to Rule 3017 of the Federal Rules of Bankruptcy
14 Procedure, all orders and notices of all applications, motions, petitions, plans (proposed,
15 amended, or otherwise) pleadings, requests, or complaints, whether formal or informal,
16 whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone,
17 telegraph, telex or otherwise, and including without limitation all papers, writings,
18 memoranda or declarations filed in connection therewith, which may affect or seek to
19 affect in any way the Debtor or property or proceeds thereof in which the Debtor may
20 claim an interest, including without limitation any adversary proceedings filed in
21 connection with this case.

22 Neither this Request for Special Notice nor any subsequent appearance, pleading,
23 claim, proof of claim, document, suit, motion, pleading nor any other writing or conduct,
24 shall constitute a waiver of PACIFIC WESTERN BANK's:

25 1. Right to have any and all final orders in any and all non-core matters entered
26 only after de novo review by United States District Court Judge;

27 2. Right to trial by jury in any proceeding as to any and all matters so triable
28 herein, whether or not the same be designated legal or private rights, or in any case,
controversy or proceeding related hereto, notwithstanding the designation vel non of such
matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such

1 jury trial right is pursuant to statute or the United States Constitution;

2 3. Right to have the reference of this matter withdrawn by the United States
3 District Court in any matter or proceeding subject to mandatory or discretionary
4 withdrawal; and

5 4. Other rights, claims, actions, defenses, setoffs, recoupments or other matters
6 to which this party is entitled under any agreements or at law or in equity or under the
7 United States Constitution.

8 All of the above rights are expressly reserved and preserved unto this party
9 without exception and with no purpose of confessing or conceding jurisdiction in any way
10 by this filing or by any other participation in these matters.

11
12 DATED: June 17, 2008

PARKER, MILLIKEN, CLARK, O'HARA &
SAMUELIAN
A Professional Corporation

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15 By: /s/ David K. Eldan

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17 DAVID K. ELDAN
Attorneys for Creditor
18 PACIFIC WESTERN BANK
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1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the
3 age of 18 and not a party to the within bankruptcy case or adversary proceeding. My
4 business address is 555 South Flower Street, 30th Floor, Los Angeles, California 90071.

5 On June 17, 2008, I served the foregoing document described as MOTION on all
6 interested parties:

7 **SEE ATTACHED SERVICE LIST**

- 8 ☒ (TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING
9 (“NEF”) RE CM/ECF SYSTEM): Pursuant to controlling General Order(s) and
10 Local Bankruptcy Rule(s) (“LBR”) the foregoing document will be served by the
11 Court via NEF and hyperlink to the document. On June 17, 2008, I checked the
12 CM/ECF docket for this bankruptcy case or adversary proceeding and determined
13 that the following persons on the ATTACHED SERVICE LIST are on the
14 Electronic Mail Notice to receive NEF transmission at the email address(es)
15 indicated on the ATTACHED SERVICE LIST.
- 16 ☒ (BY MAIL) By placing a true copy in envelope(s) addressed as referenced on the
17 ATTACHED SERVICE LIST. The envelope(s) were then sealed and deposited for
18 collection and mailing in accordance with my employer’s normal procedures. I am
19 readily familiar with the firm’s practice for collection and processing
20 correspondence for mailing. Under that practice it would be deposited with the U.S.
21 Postal Service, with all postage prepaid, at Los Angeles, California, on the same day
22 in the ordinary course of business.
- 23 ☐ (BY FACSIMILE OR EMAIL) Pursuant to Fed. R. Civ. Proc. 5 and/or controlling
24 LBR, on _____, 2008, I served the following person(s) and/or entity(ies) on
25 the ATTACHED SERVICE LIST, who consented in writing to such service method,
26 by facsimile transmission by use of facsimile machine telephone number (213) 683-
27 6669 prior to 5:00 p.m. and/or by email as indicated on the ATTACHED SERVICE
28 LIST. The transmission was reported as complete and without error on a printed
report issued by said facsimile machine upon completion of the transmission.
- ☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of
this court at whose direction the service was made. I further declare under penalty of
perjury under the laws of the United States of America that the foregoing is true and
correct.

Executed on June 17, 2008, at Los Angeles, California.

/s/ Marilyn D. Alvarado
Marilyn D. Alvarado

SERVICE LIST

**NOTICE OF ELECTRONIC FILING
("NEF") RE CM/ECF SYSTEM):**

U.S. MAIL:

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INVOLUNTARY DEBTOR

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**PETITIONING CREDITOR'S
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**COUNSEL FOR INVOLUNTARY
DEBTOR**

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OFFICE OF THE U.S. TRUSTEE

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411 W. Fourth St., Ste. 9041
Santa Ana, CA 92701-4593
ustpregion16.sa.ecf@usdoj.gov

**PETITIONING CREDITOR'S
COUNSEL**

Counsel for MW Housing Partners, III
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Seattle, WA 98101

REQUEST FOR SPECIAL NOTICE:

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