2:13-cv-12168-NGE-MAR Doc # 30 Filed 05/27/14 Pg 1 of 6 Pg ID 309

## UNITED STATES OF AMERICA DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

Malibu Media, LLC, Plaintiff;

v.

Case No. 2:13-cv-12168-NGE-MAR Honorable Nancy Edmunds

Vincente Sanchez, Defendant.

Paul J. Nicolette, Esq. Attorney for Plaintiff 36880 Woodward Ave, Suite 100 Bloomfield Hills, Michigan 48304 (248) 203-7800 John F. Early, Jr. (P47052)

P.O. Box 519 Linden, Michigan 48451 (248) 894-4694

## **NOTICE OF BANKRUPTCY**

Please take notice that Defendant Vincente Sanchez has filed for bankruptcy (Exhibit I).

**Respectfully Submitted** 

Dated: May 27, 2014

/s/John F. Early, Jr. John F. Early, Jr. (P47052)

P.O. Box 519 Linden, Michigan 48451 (248) 894-4694 johnfearly@lawyer.com <u>/s/Vincente Sanchez</u> Defendant in Pro-Per 2560 Thomas Street Flint, Michigan 48504 vsanch24@gmail.com.

# **CERTIFICATE OF SERVICE**

I certify that on May 27, 2014, I electronically filed the forgoing paper with the Clerk of the Court for the Eastern District of Michigan using the ECF system, which will send notification of the filing to Paul J. Nicoletti, Esq. attorney for the Plaintiff.

I certify that on May 27, 2014, I also served the Defendant, Vincente Sanchez the foregoing Motion by first class mail addressed to 2560 Thomas Street Flint, Michigan 48504 and electronically by email addressed to <u>vsanch24@gmail.com</u>.

May 27, 2014

/s/John F. Early, Jr. John F. Early, Jr. (P47052) P.O. Box 519 Linden, Michigan 48451 (248) 894-4694 JohnFEarly@lawyer.com 

# EXHIBIT I

#### 2:13-cv-12168-NGE-MAR Doc # 30 Filed 05/27/14 Pg 4 of 6 Pg ID 312

#### **B9A** (Official Form 9A) (Chapter 7 Individual or Joint Debtor No Asset Case) (12/12)

Case Number 14–30899–dof

#### UNITED STATES BANKRUPTCY COURT **Eastern District of Michigan**

#### Notice of

#### Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 3/28/14.

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.

#### Creditors -- Do not file this notice in connection with any proof of claim you submit to the court. 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): Vincente Sanchez 2560 Thomas

Flint, MI 48504

Date: May 1, 2014

14-30899-dof	Social Security / Individual Taxpayer ID / Employer Tax ID / Other nos: xxx-xx-0392
John A. Zintsmaster G–6258 W. Pierson Road	Bankruptcy Trustee (name and address): Michael A Mason 516 West Court
Flushing, MI 48433 Telephone number: (810) 733–6960	Flint, MI 48503 Telephone number: 810–234–4941

#### **Meeting of Creditors**

Time: 10:00 AM

Location: 600 Church Street, Room G-19, Federal Building, Flint, MI 48502

#### Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

The presumption of abuse does not arise.

## **Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines: Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 6/30/14

# **Deadline to Object to Exemptions:** Thirty (30) days after the *conclusion* of the meeting of creditors.

#### **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 and the debtor's property. 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.

# Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

#### **Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

226 West Second Street	<b>For the Court:</b> Clerk of the Bankruptcy Court: Katherine B. Gullo
Hours Open: Monday – Friday 08:30 AM – 4:00 PM	Date: 3/28/14

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EXPLANATIONS **B9A (Official Form 9A) (12/12)** Filing of Chapter 7 A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court Bankruptcy Case by or against the debtor(s) listed on the front side, and an order for relief has been entered. Legal Advice The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case. Creditors Generally Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include May Not Take Certain contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 Actions days or not exist at all, although the debtor can request the court to extend or impose a stay. Presumption of Abuse If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances. Meeting of Creditors A meeting of creditors is scheduled for the date, time and location listed on the front side. The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors. Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court. Do Not File a Proof of There does not appear to be any property available to the trustee to pay creditors. You therefore should not file a Claim at This Time proof of claim at this time. If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. Do not include this notice with any filing you make with the court. Discharge of Debts The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint — or a motion if you assert the discharge should be denied under  $\frac{727}{a}(8)$  or (a)(9) in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline. The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy Exempt Property clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side. Bankruptcy Clerk's Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed Office on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. Creditor with a Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this Foreign Address case. Refer to Other Side for Important Deadlines and Notices The Court will dismiss this case without a hearing if the debtor(s) do not timely file all required documents and if no request for a hearing on dismissal is filed within 21 days after the petition is filed. The Clerk will give notice of the hearing on dismissal only to the party requesting the hearing, the debtor and the trustee.

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United States Bankruptcy Court Eastern District of Michigan

In re: Vincente Sanchez Debtor

#### Case No. 14-30899-dof Chapter 7

#### **CERTIFICATE OF NOTICE**

Date Rcvd: Mar 28, 2014 District/off: 0645-4 User: admin Page 1 of 1 Form ID: b9a Total Noticed: 8 Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 30, 2014. db +Vincente Sanchez, 2560 Thomas, Flint, MI 48504-7724 22761553 +John F. Early Attorney, PO Box 519, Linden, MI 48451-0519 +Malibu Media LLC c/o, Paul J. Nicoletti attorney, 36880 Woodward Ave, Suite 100, 22761554 Bloomfield Hills, MI 48304-0920 22761555 +Us Dept Of Ed/Glelsi, Po Box 7860, Madison, WI 53707-7860 Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. E-mail/Text: jbzints@gmail.com Mar 28 2014 22:31:25 John A. Zintsmaster, aty G-6258 W. Pierson Road, Flushing, MI 48433 +EDI: QMAMASON.COM Mar 28 2014 22:33:00 Michael A Mason, 516 West Court, tr Flint, MI 48503-5025 +EDI: DISCOVER.COM Mar 28 2014 22:28:00 22761552 Discover Fin Sycs Llc. Po Box 15316. Wilmington, DE 19850-5316 +EDI: WFFC.COM Mar 28 2014 22:28:00 Wfds/Wds, Po Box 1697, Winterville, NC 28590-1697 22761556 TOTAL: 4 \*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\* NONE. TOTAL: 0 Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 30, 2014

Signature: /s/Joseph Speetjens

#### **CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 28, 2014 at the address(es) listed below: NONE. TOTAL: 0