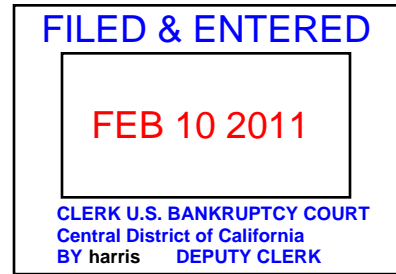


1 **PETER C. ANDERSON**
United States Trustee
2 **ABRAM S. FEUERSTEIN**, SBN 133775
Assistant United States Trustee
3 **EVERETT L. GREEN**, SBN 237936
Trial Attorney
4 **United States Department of Justice**
Office of the United States Trustee
3685 Main Street, Suite 300
5 Riverside, California 92501-2804
Telephone: (951) 276-6990
6 Facsimile: (951) 276-6973
7 Email: Everett.L.Green@usdoj.gov



8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION**

10
11 In re:

12 UST DEVELOPMENT INC.,

13
14 Debtor.

Case No. 6:10-bk-16297-CB

Chapter 11

**ORDER GRANTING MOTION OF THE
UNITED STATES TRUSTEE TO
DISMISS CASE PURSUANT TO 11
U.S.C. § 1112(b) WITH JUDGMENT FOR
UNPAID FEES**

Date: February 8, 2011
Time: 2:00 p.m.
Place: Courtroom 303
United States Bankruptcy Court
3420 Twelfth Street
Riverside, CA 92501

15
16
17
18
19
20
21
22 The Motion of the United States Trustee (the "U. S. Trustee") to dismiss case under 11
23 U.S.C. § 1112(b) (the "Motion") was heard on February 8, 2011, at 2:00 p.m., in Courtroom 303,
24 United States Bankruptcy Court, 3420 Twelfth Street, Riverside, California 92501, before the
25 Honorable Catherine Bauer, United States Bankruptcy Judge. Prior to the scheduled hearing, the
26 Court issued a tentative decision and excused appearances.
27
28

1 Based on the pleadings and papers on file with the Court, the Debtor's failure to file
2 pleadings responsive to the motion, and good cause appearing therefor,

3 **IT IS ORDERED THAT:**

4 1. The Motion is GRANTED;
5
6 2. The Chapter 11 bankruptcy case is DISMISSED;
7
8 3. Judgment is entered in favor of the U. S. Trustee and against the Debtor in the
9 amount of \$1,300 representing unpaid quarterly fees due and owing through the fourth quarter of
10 2010: and

11 4. The Court will retain jurisdiction to hear any motion under 11 U.S.C. § 329 to
12 determine the appropriateness of compensation in the case.

13 Presented by:

14 PETER C. ANDERSON
15 United States Trustee

16 By: /s/ Everett L. Green
17 Everett L. Green
18 Trial Attorney

19 ###

20
21
22
23
24
25
26
27
28



DATED: February 10, 2011

United States Bankruptcy Judge

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: Office of the U. S. Trustee
3685 Main Street, Suite 300
Riverside, CA 92501

A true and correct copy of the foregoing document described **ORDER GRANTING MOTION OF THE UNITED STATES TRUSTEE TO DISMISS CASE PURSUANT TO 11 U.S.C. § 1112(b) WITH JUDGMENT FOR UNPAID FEES** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”) – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) (“LBR”), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____ I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served): On February 9, 2011, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

By U.S. Mail:

Debtors: UST Development Inc., 305 North Sacramento Avenue Ontario, CA 91764	Debtors’ Attorney: Andrew S Bisom Law Offices of Andrew S Bisom 695 Town Center Dr., Suite 700 Costa Mesa, CA 92626
---	---

Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on February 9, 2011, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

Hon.Catherine Bauer, bin outside Courtroom 303, Riverside Division

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

February 9, 2011

Bonita DeGrave

/s/ Bonita DeGrave

Date

Type Name

Signature

NOTE TO USERS OF THIS FORM:

- 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document.
- 2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
- 3) **Category I.** below: The United States Trustee and case trustee (if any) will always be in this category.
- 4) **Category II.** Below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. **DO NOT** list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER GRANTING MOTION OF THE UNITED STATES TRUSTEE TO DISMISS CASE PURSUANT TO 11 U.S.C. § 1112(b) WITH JUDGMENT FOR UNPAID FEES** was entered on the date indicated as “Entered” on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”): – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of February 9, 2011 the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.
Andrew S. Bisom abisom@bisomlaw.com

- Service information continued on attached page

II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by U.S. Mail to the following person(s) and/or entity(ies) at the address(es) indicated below:

Debtors: UST Development Inc., 305 North Sacramento Avenue Ontario, CA 91764

- Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours receipt of a copy of this judgment or order which bears an “Entered” stamp, the party lodging the judgment or order will serve a complete copy bearing an “Entered” stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below:

- Service information continued on attached page