

July 16, 2012

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA



0004339933

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 14 TOWN OF MAMMOTH LAKES, CALIFORNIA

15 IN THE UNITED STATES BANKRUPTCY COURT
 16 FOR THE EASTERN DISTRICT OF CALIFORNIA
 17 SACRAMENTO DIVISION

18 IN RE:
 19 TOWN OF MAMMOTH LAKES,
 20 CALIFORNIA,
 21 DEBTOR.

Case No. 2012-32463
 DC No. FJ-2
 Chapter 9

**ORDER APPROVING THE TOWN'S
 NOTICE PROCEDURES**

Date: July 12, 2012
 Time: 1:30 p.m.
 Place: Robert Matsui U.S. Courthouse
 Dept. B, Courtroom 32
 501 I Street, Sacramento, CA 95814

RECEIVED

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CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

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1 The Court, having considered the Town's Expedited Motion for an Order Approving
2 Notice Procedures (the "Motion") [Dkt. No. 16] and the record in the case at the hearing on the
3 Motion, finds that: (a) notice of the Motion and the hearing thereon were adequate and proper
4 under the circumstances; (b) the relief sought in the Motion is reasonable, necessary, and in the
5 best interests of the Town and parties in interest; and (c) good cause appearing therefore
6

7 IT IS HEREBY ORDERED that:

8 1. The Motion is GRANTED, except as modified herein.

9 2. For all matters and proceedings for which title 11 of the United States Code, the
10 Federal Rules of Bankruptcy Procedure, or the Local Rules of this Court authorize the Court to
11 designate or limit the parties entitled to notice, notice shall be sufficient if served only upon any
12 party against whom direct relief is sought by motion, application or otherwise, and the parties on
13 the special service list designated below (collectively, the "Special Notice Parties"). Special
14 Notice Parties who are authorized users of the Court's CM/ECF system will be served via the
15 CM/ECF system; all others must be served by U.S. Mail or overnight delivery unless such party
16 has requested service via email.
17

18 3. The Special Notice Parties shall include all parties listed on the special service list
19 (the "Special Service List") attached to this Order as **Exhibit 1**, including: (1) the Office of the
20 United States Trustee; (2) the Town's Manager; (3) the Town's Attorney; (4) the Town's Chapter
21 9 Counsel; (5) counsel for any committee appointed under section 1102 of the Bankruptcy Code
22 (as made applicable in this case by section 901), or, absent and prior to the appointment of any
23 such committee, to each of the creditors included on the list of creditors holding the twenty
24 largest unsecured claims filed by the Town; (6) the Town's employee associations and unions; (7)
25 Union Bank; (8) Citizens Business Bank; (9) Mammoth Lakes Land Acquisition; (10) California
26 Public Employees' Retirement System; (11) the California Joint Powers Insurance Authority; and
27
28

1 (12) parties in interest who file with the Court and properly serve on the Town's chapter 9
2 counsel a request for inclusion on the Special Service List.

3
4 4. Any party in interest wishing to be included on the Special Service List shall file a
5 notice of such request with the Court on the docket of the case (by CM/ECF for those who are
6 authorized users or, for those who are not authorized CM/ECF users, by submitting a paper copy,
7 by mail or in person, to the Clerk of the Court, at the following address: The Clerk of the United
8 States Bankruptcy Court for the Eastern District of California, Sacramento Division, 501 I Street,
9 Sacramento, California 95814) and serve a written copy of such request to the Town's bankruptcy
10 counsel at the following address: Zack Clement, Fulbright & Jaworski L.L.P., 1301 McKinney,
11 Suite 5100, Houston, TX 77010, zclement@fulbright.com.

12
13 5. Service and notice shall be made on the Special Notice Parties in accordance with
14 Paragraph 2. Service and notice shall be sufficient only if served upon the Special Notice Parties
15 in accordance with Paragraph 2. The serving party shall file with the Court an affidavit or
16 certificate of service and an attached list of parties receiving notice within three (3) business days
17 of service. The affidavit or certificate of service can state that all parties on the Special Service
18 List were served in lieu of individually identifying each party on the Special Service List.

19
20 6. The Town will update the Special Service List to include those persons or parties
21 who have made a written request to be included among the Special Notice Parties: (i) every seven
22 (7) days during the first thirty (30) calendar days of this case; (ii) monthly thereafter throughout
23 the pendency of this case. The Town will file with the Court a notice of each updated Special
24 Service List.

25
26 7. All authorized users of the Court's CM/ECF system must use CM/ECF system for
27 all filings with the Court. Counsel for any Special Notice Parties, if counsel is added or other
28 counsel is substituted in their place, may report this substitution by both filing with the Court and

1 serving on the Town's chapter 9 counsel a request for special notice. Counsel making such
2 request shall receive future service through the CM/ECF system if an authorized CM/ECF user.

3
4 8. To the extent that the foregoing is inapplicable, any party filing or causing the
5 filing of a motion, complaint, response, objection, notice, application, request, or other paper in
6 this bankruptcy case, shall be deemed to have consented to receive effective notice at the address
7 appearing on such paper, and notice sent to that address shall be deemed to have been brought to
8 the attention of such party; provided, that any authorized CM/ECF system user will be deemed
9 served by that system notwithstanding the balance of this Paragraph 8.

10
11 9. Other than as set forth above, and unless otherwise required by Bankruptcy Rule
12 7004(h) or order of the Court, all notices in this case shall be provided by first class mail.

13
14 10. Unless otherwise ordered by the Court, the limitation on notice approved herein
15 shall not apply to those matters or proceedings referred to in Bankruptcy Rule 2002(a)(5) and (7),
16 (b), and (f), as applicable. Such matters or proceedings shall be noticed in accordance with the
17 Bankruptcy Rules.

18
19 11. The limitation on notice approved herein shall not apply to service of process in
20 any adversary proceeding or complaint, summonses or subpoenas filed in this case. Such matters
21 or proceedings shall be noticed in accordance with the Bankruptcy Rules.

22
23 12. The manner of notice required by section 923 of the Bankruptcy Code shall be set
24 forth by separate order.

25
26 13. The Town is hereby authorized and empowered to establish and maintain a
27 publicly available internet-accessed webpage (the "Town's Bankruptcy Webpage") through the
28 Town's current website at: <http://www.ci.mammoth-lakes.ca.us/>. The Town's Bankruptcy
Webpage shall provide, without limitation, general information concerning the chapter 9 case and


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a link to the Court’s Public Access to Court Electronic Records (“PACER”) webpage through which every pleading filed in this case may be accessed.

14. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of and/or interpretation of this Order.

15. This Order shall be served on the List of Creditors filed by the City pursuant to section 924 of the Bankruptcy Code.

Dated: July 16, 2012


Thomas C. Holman
United States Bankruptcy Judge

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EXHIBIT 1
DC No. FJ-2
Special Service List

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SPECIAL SERVICE LIST

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Assistant United States Trustee
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Gina Ratto, Deputy Counsel
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c/o Robert S. McWhorter
c/o Angela J. Clifford
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Fax: 916-442-0382
rmcwhorter@nossaman.com
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American Federation of State, County and
Municipal Employees
AFSCME District Council 57
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General Employees Association (GEA)
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Local 3291 District Council 57 AFSCME
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Las Vegas, NV 89120

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Dieter Dammeier –
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Michael McGill –
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¹ The General Employees Association, Management Employee Association, and Public Works Employees Association can be served at the Town of Mammoth Lakes mailing address or P.O. Box.

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(MLPOA)
Rick Moberly, Vice President
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Mammoth Lakes, CA 93546
760-934-2011

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Newport Beach, CA 92660
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mbarker@pars.org

Mammoth Lakes Police Officers Association
(MLPOA)
Paul Robles, President
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Citizens Business Bank
Holders of 2004 COPS MLHC Project
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California JPIA
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(775) 359-8840

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Union Bank of California NA
Trustee for Holders of Series 2000 COPS
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and Senior Counsel
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Los Angeles, CA 90071

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PARS Post-Retirement Health Care Plan
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Department of Transportation
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