

1 JOSEPH A. EISENBERG P.C. (Bar No. 52346)
2 DAVID M. POITRAS P.C. (Bar No. 141309)
3 THOMAS M. GEHER (Bar No. 130588)
4 CAROLINE R. DJANG (Bar No. 216313)
5 JEFFER, MANGELS, BUTLER & MARMARO LLP
6 1900 Avenue of the Stars, Seventh Floor
7 Los Angeles, California 90067-4308
8 Telephone: (310) 203-8080
9 Facsimile: (310) 203-0567
10 Email: dpoitras@jmbm.com

11 Counsel for Bradley D. Sharp, Chapter 11 Trustee
12 for Namco Capital Group, Inc.

13 UNITED STATES BANKRUPTCY COURT

14 CENTRAL DISTRICT OF CALIFORNIA

15 LOS ANGELES DIVISION

16 In re

17 NAMCO CAPITAL GROUP, INC., a
18 California corporation,

19 Debtor.

CASE NO. 2:08-bk-32333-BR

Chapter 11

**JOINT STATUS REPORT RE: MOTION
FOR RELIEF FROM THE AUTOMATIC
STAY FILED BY SOLEIMAN NAIM AND
FERESHTEH KOHANIM**

Status Conference:

Date: November 17, 2009

Time: 10:00 a.m.

Place: Courtroom 1668
255 E. Temple Street
Los Angeles, CA 90012

JEFFER MANGELS
BUTLER & MARMARO LLP
JMBM

1 **TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY JUDGE,**
2 **AND INTERESTED PARTIES:**

3 Bradley D. Sharp, the duly qualified and acting chapter 11 trustee (the "Trustee") for the
4 bankruptcy estate of Namco Capital Group, Inc. ("Namco" or "Debtor"), on the one hand, and
5 Soleiman Naim ("Naim") and Fereshteh Kohanim ("Kohanim," who, together with Naim are
6 collectively referred to herein as "Movants"), on the other hand, by and through their counsel of
7 record, hereby submit this Joint Status Report pursuant to the Court's directive made at the hearing
8 on the Movants' *Motion for Relief from the Automatic Stay (Real Property)* (the "Motion"), held on
9 August 4, 2009.
10

11
12 **A. BACKGROUND**

13 On June 24, 2009, Movants filed the Motion. Pursuant to the stipulation of the parties,
14 which was approved by the Court on July 8, 2009, the hearing on the Motion was continued from
15 July 15, 2009 to August 4, 2009. The Trustee filed his Opposition (the "Opposition") to the Motion
16 on July 21, 2009, concurrently with Evidentiary Objections. Movants filed their reply to the
17 Opposition on July 28, 2009. The Court held a hearing on the Motion on August 4, 2009.
18 Following the hearing, the Court entered an order on August 14, 2009: (i) granting relief from the
19 automatic stay to the Movants solely to allow Movants to record a notice of default concerning the
20 property at issue in accordance with applicable State law; and (ii) scheduling a status conference on
21 the Motion for November 17, 2009, and ordering the filing of this Joint Status Report absent
22 resolution of the Motion on or before November 10, 2009.
23
24

25 **B. STATUS REPORT**

26 The real property at issue in the Motion is that certain commercial real property located at
27 1929 W. Pico Boulevard, Los Angeles, California 90006 (the "Property"). On October 7, 2009, the
28

Jeffer Mangels
Butler & Marmarou
JMBM

1 Trustee filed an application to employ Lee & Associates, Los Angeles West, Inc. as real estate
2 broker (the "Application") to sell the Property at a list price of \$3.9 million. Lee & Associates has
3 been marketing the Property since early to mid September. While purchase offers have been
4 received, the Trustee has not found any of the offers acceptable. The Trustee hopes to sell the
5 Property with liens attaching to the sale proceeds. As such, the Trustee believes that a sale of the
6 Property would render the Motion moot.
7

8 As asserted in the Trustee's Opposition, the Trustee does not believe that Movants have a
9 valid lien on the Property. The Trustee maintains, as more fully set forth in the Opposition, that the
10 transfer of the Note and Deed of Trust (if any) on the Property to Movants is avoidable either as a
11 fraudulent transfer or as a preferential transfer. Movants dispute the Trustee's contentions.
12

13 The parties request that the hearing on the Motion be continued for approximately 90 days in
14 order to allow the sale process to continue.

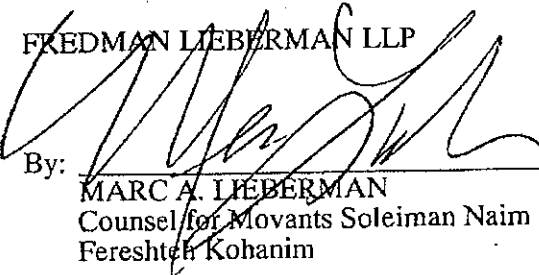
15 DATED: November 9, 2009

JEFFER, MANGELS, BUTLER & MARMARO LLP

17 By: /s/ David M. Poitras
18 JOSEPH A. EISENBERG P.C.
19 DAVID M. POITRAS P.C.
20 THOMAS M. GEHER
21 CAROLINE R. DJANG
22 Counsel for Bradley D. Sharp,
23 Chapter 11 Trustee for Namco Capital Group, Inc.

24 DATED: November 9, 2009

FREDMAN LIEBERMAN LLP

25 By: 
26 MARC A. LIEBERMAN
27 Counsel for Movants Soleiman Naim and
28 Fereshteh Kohanim

JMBM
Jeffery Mangels
Butler & Marmarou

In re: NAMCO CAPITAL GROUP, INC., a California corporation, Debtor.	CHAPTER 11 CASE NUMBER 2:08-BK-32333-BR
---	--

NOTE: When using this form to indicate service of a proposed order, DO NOT list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on the CM/ECF docket.

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:

1900 Avenue of the Stars, 7th Floor, Los Angeles, CA 90067

The foregoing document described as **JOINT STATUS REPORT RE: MOTION FOR RELIEF FROM THE AUTOMATIC STAY FILED BY SOLEIMAN NAIM AND FERESHTEH KOHANIM** 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 November 10, 2009, 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 November 10, 2009, 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 OVERNIGHT

The Honorable Barry Russell
U.S. Bankruptcy Court
Roybal Federal Building
255 East Temple St., Suite 1660
Los Angeles, CA 90012-3332

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 _____, 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.*

Service information continued on attached page

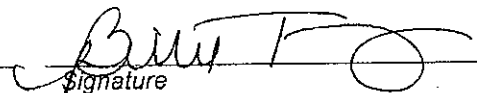
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

November 10, 2009

Billie Terry

Date

Type Name


Signature

Jeffer Mangels
Butler & Marmarou
JMBM

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

- Simon Aron saron@wrslawyers.com
- Raymond H Aver ray@averlaw.com
- Robert D Bass rbass@greenbass.com
- Christine E Baur christine.e.baur@bakernet.com, tracey.l.angelopoulos@bakernet.com; anne.w.hamann@bakernet.com; ali.m.m.mojdehi@bakernet.com; jane.b.mackie@bakernet.com
- Michael Jay Berger michael.berger@bankruptcy.com, michael.berger@bankruptcy.com
- Stephen F Biegenzahn efile@sfbllaw.com
- J Scott Bovitz boviz@boviz-spitzer.com
- Gillian N Brown gbrown@pszjlaw.com, gbrown@pszjlaw.com
- Shirley Cho scho@pszjlaw.com
- Russell Clementson russell.clementson@usdoj.gov
- Alicia Clough alicia.clough@kayescholar.com
- Yona Conzevoy yconzevoy@dwclaw.com
- Brian L Davidoff bdauidoff@rutterhobbs.com, calendar@rutterhobbs.com; jreinglass@rutterhobbs.com
- Melissa Davis mdavis@shbllp.com
- Daniel Denny ddenny@gibsondunn.com
- Richard K Diamond rdiamond@dgdgk.com
- Richard K Diamond rlv@dgdgk.com, rdiamond@ecf.epiqsystems.com
- Caroline Djang crd@jmbm.com
- Joseph A Eisenberg jae@jmbm.com
- Michael G Fletcher mfletcher@franzel.com, cfiling@franzel.com; shom@franzel.com
- Alan W Forsley awf@fredmanlieberman.com
- Heather Fowler heather.fowler@lw.com, colleen.rico@lw.com
- Jon H Freis jon@jhflaw.net
- Sanford Frey Sfrey@cmkllp.com
- Vanessa B Fung vfung@sobini.com
- Philip A Gasteier pgasteier@rdwlawcorp.com
- Thomas M Geher tng@jmbm.com
- Barry S Glaser bglaser@swjlaw.com
- Steven Glaser sglaser@wwllp.com
- Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com; mforsythe@goeforlaw.com
- Jeffrey I Golden jgolden@wgllp.com
- David Gould dgould@davidgouldlaw.com
- Steven T Gubner sgubner@ebg-law.com, ecf@ebg-law.com
- M Jonathan Hayes jhayes@polarisnet.net
- Michael J Heyman michael.heyman@klgates.com
- Eric P Israel eisrael@dgdgk.com
- Seymone Javaherian sj@javlaw.com
- Ira Benjamin Katz ikatz@katzlaw.net
- Alexandra Kazhokin akazhokin@buchalter.com, rreeder@buchalter.com; ifs_filing@buchalter.com
- Stuart I Koenig Skoenig@cmkllp.com
- John P Kreis jkreis@atglobal.net
- Jeffrey A Krieger jkrieger@eggfirm.com
- Pamela Labruyere pamelal@sgsslaw.com
- Dare Law dare.law@usdoj.gov
- Jennifer Leland jleland@pwkllp.com
- John T Madden jmadden@wgllp.com
- Harris M Madnick hmadnick@reederlgreen.com
- William Malcolm bill@mcclaw.org
- Elmer D Martin elmermartin@msn.com
- Daniel J McCarthy dmccarthy@hillfarrer.com
- David W. Meadows david@davidwmeadowslaw.com
- Hal M Mersel mark.mersel@bryancave.com
- Elissa Miller emiller@sulmeyerlaw.com
- Ali M Mojdehi ali.m.m.mojdehi@bakernet.com, andrew.mcdermott@bakernet.com; anne.w.hamann@bakernet.com
- Susan I Montgomery susan@simontgomerylaw.com
- Monserrat Morales mmorales@pwkllp.com
- Randall P Mroczynski randym@cookseylaw.com
- Vicente Matias Murrell murrell.vicente@pbge.gov
- R. Todd Neilson rneilson@ecf.epiqsystems.com, vdoran@ecg.com; sgreenan@ecg.com
- David Norouzi david@norouzi.us
- Scott H Noskin snoskin@mirmanbubman.com
- William Novotny william.novotny@mwmf.com
- Walter K Oetzell woetzell@dgdgk.com
- Sam S Oh sam.oh@limruger.com, alisia.dunbar@limruger.com; julie.yu@limruger.com; amy.lee@limruger.com
- Jenny Y Park Garner jpark@sheppardmullin.com
- Penelope Parmes pparmes@rutan.com
- Lawrence Peitzman lpeitzman@pwkllp.com
- Leo D Plotkin lplotkin@lsl-la.com, dsmall@lsl-la.com
- David M Poitras dpoitras@jmbm.com
- Uzzi O Raanan uor@dgdgk.com
- Christopher S Reeder creeder@reederlgreen.com
- Jeremy E Rosenthal jrosenthal@sidley.com
- Gregory M Salvato gsalvato@pmcos.com, calendar@pmcos.com
- Bruce S Schildkraut bruce.schildkraut@usdoj.gov
- Benjamin Seigel bseigel@buchalter.com, IFS_filing@buchalter.com
- David B Shemano dshemano@pwkllp.com
- Robyn B Sokol ecf@ebg-law.com, rsokol@ebg-law.com
- Nico N Tabibi nico@tabibilaw.com
- Sam Tabibian sam.tabibian@gmail.com
- Derrick Talerico dtalerico@loeb.com, kpesson@loeb.com; tjurich@loeb.com
- David A Tilem davidtilem@tilemlaw.com, malissamurguia@tilemlaw.com; marcyarman@tilemlaw.com
- Alan G Tippie atippie@sulmeyerlaw.com, jbartlett@sulmeyerlaw.com
- United States Trustee (LA) ustregion16.la.ecf@usdoj.gov
- Howard J Weg hweg@pwkllp.com
- Michael H Weiss mw@weissandspees.com, lm@weissandspees.com; jb@weissandspees.com
- Kimberly S Winick kwinick@clarktrev.com
- Rebecca J Winthrop winthrop@ballardspahr.com
- Beth Ann R Young bry@lnrb.com
- Afshin Youssefych ady@adylaw.com

Jeffer Mangels
Butler & Marmaro LP
JMBM