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14 **UNITED STATES BANKRUPTCY COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN JOSE DIVISION**

17 In re

18 TECHNOLOGY PROPERTIES LIMITED,
19 LLC,

20 Debtor.

21 Case No: 13-51589 SLJ

22 Chapter 11

23 **NO HEARING REQUESTED**

24 **STIPULATED EX PARTE APPLICATION FOR ORDER SHORTENING**
25 **TIME FOR HEARING ON JOINT APPLICATION FOR CHET AND**
26 **MARCIE BROWN TO CHANGE BALLOT**

27 Debtor and debtor in possession Technology Properties, Ltd. (“TPL”), the Official
28 Committee of Unsecured Creditors (the “Committee”) and Chet and Marcie Brown, by and
through their counsel, hereby stipulate and agree to the shortening of time for notice and
opportunity for hearing of the Joint Application For Authority For Chet And Marcie Brown To
Change Ballot On Joint Plan Of Reorganization By Official Committee Of Unsecured Creditors
And Debtor (Dated January 8, 2015) From Rejection To Acceptance (FRBP 3018(a))
 (“Application”). By its Application, TPL requests permission for Chet and Marcie Brown to
change their ballot from a rejection to an acceptance for cause.

1 TPL respectfully represents as follows in support of this Application:

2 1. TPL filed its Voluntary Petition under Chapter 11 initiating the above-captioned
3 Bankruptcy Case on March 20, 2013.

4 2. TPL and the Official Committee of Unsecured Creditors file the JOINT PLAN BY
5 OFFICIAL COMMITTEE OF UNSECURED CREDITORS AND DEBTOR (Dated January 8, 2015) (the
6 “Joint Plan”), the Plan on January 8, 2015, along with the Disclosure Statement Re: Joint Plan of
7 Reorganization By Official Committee Of Unsecured Creditors and Debtor (Dated January 8,
8 2015)(the “Disclosure Statement”). The Plan and Disclosure Statement were served on all
9 creditors along with a ballot by January 9, 2015, as directed by the Court. The last day to file
10 acceptances or rejections of the Plan or to object to confirmation was February 4, 2015.
11

12 3. Chet and Marcie Brown, chairs of the Official Committee of Unsecured Creditors
13 (the “Committee”) voted to reject the Plan and filed a substantive objection to confirmation.

14 4. The Browns have agreed to change their vote to acceptance upon Court approval
15 of the following: (a) dismissal with prejudice by TPL of the appeal of the judgment in *Chester A.*
16 *Brown, Jr. and Marcie Brown v. Technology Properties Limited LLC et al.*, Superior Court of
17 California, County of Santa Clara Case No. 1-09-CV-159452) simultaneous with confirmation of
18 the Plan; (b) an order simultaneous with confirmation deeming the Brown claim of \$10,021,511
19 to be an Allowed Claim to which no objection can be made; (c) waiver of the requirement that
20 the Browns execute the Release or release anyone under the Plan; and (d) approval for the vote
21 change and withdrawal of the Brown Plan objection.
22

23 5. The hearing on Plan confirmation is set for February 11, 2015. TPL and the
24 Committee have negotiated the resolution of objections by the Browns and the United States
25 Trustee, and is close to resolving the filings by the Licensee Objectors. The hearing can proceed
26 as uncontested so long as the terms for settlement agreed by the parties can be considered for
27 approval at the confirmation. TPL and the Committee wish to serve notice and opportunity for
28 hearing on the Application so that it can be considered at the hearing.

1 WHEREFORE, TPL respectfully requests that the Court shorten time for hearing on the
2 Application to allow it to be considered at the February 11th confirmation hearing and authorize
3 TPL to serve notice and opportunity for hearing thereon.
4

5 Dated: February 9, 2015

BINDER & MALTER

6
7 By: /s/ Robert G. Harris

8 Robert G. Harris

9 Attorneys for Debtor and Debtor-In- Possession
10 Technology Properties Limited, LLC
11

12 SHORTENED TIME IS STIPULATED:

13 Dated: February 9, 2015

DORSEY & WHITNEY, LLP

14
15 By: /s/ Robert A. Franklin

16 Robert A. Franklin

17 Attorneys for Official
Committee of Unsecured Creditors
18

19 Dated: February 9, 2015

DORSEY & WHITNEY, LLP

20
21 By: /s/ Randy Michelson

22 Randy Michelson

23 Attorneys for Chet and Marcie Brown
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
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In re

TECHNOLOGY PROPERTIES LIMITED,
LLC,

Debtor.

Case No: 13-51589 SLJ

Chapter 11

NO HEARING REQUESTED

**DECLARATION OF COUNSEL IN SUPPORT OF STIPULATED EX PARTE
APPLICATION FOR ORDER SHORTENING TIME FOR HEARING ON JOINT
APPLICATION FOR CHET AND MARCIE BROWN TO CHANGE BALLOT**

I, Robert G. Harris, know the following matters to be true of my own, personal
knowledge and, if called as a witness, could and would testify competently thereto:

1. I am a member of the State Bar of California in good standing and am admitted to
practice before this Court. I am counsel for debtor and debtor-in-possession Debtor and debtor
in possession Technology Properties, Ltd. ("TPL"). I am submitting this declaration in support
of the Stipulated Ex Parte Application For Order Shortening Time For Hearing On Joint
Application For Chet And Marcie Brown To Change Ballot.

2. I declare as follows as required by BLR 9006-1(c):

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1 a. Reason for Particular Shortening of Time Requested.

2 The confirmation hearing set on the Joint Plan Of Reorganization By Official Committee
3 Of Unsecured Creditors And Debtor (January 8, 2015) (the "Plan") is February 11, 2015. A
4 single no vote was received: that of Chet and Marcie Brown. TPL believes that it has or will
5 soon resolve the other objections filed. It has resolved its differences with the Browns and is
6 asking for permission for them to change their vote to an acceptance if the Court approves the
7 conditions agreed during that hearing.

8 b. Previous Time Modifications Related to the Subject of the Request.

9 No request for shortened time has been made with respect to changing any vote on the
10 Plan.

11 c. The Effect of the Requested Time Modification on the Schedule
12 for the Case.

13 The confirmation hearing proceeding with 100% acceptance on February 11, 2015, will
14 assist TPL's exit from Chapter 11 as and when scheduled.

15 d. The Parties Have Stipulated.

16 Counsel for both the Committee and the Browns have stipulated to shortened time.

17 I declare under penalty of perjury of the laws of the United States. Executed this 9th day
18 of February, 2015, at Santa Clara, California.

19
20
21 /s/ Robert G. Harris

ROBERT G. HARRIS