

1 BINDER & MALTER, LLP  
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5 Attorneys for David Choo Individually

6 UNITED STATES BANKRUPTCY COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8 OAKLAND DIVISION

9 In Re:  
10 FIRST STREET HOLDINGS NV, LLC, et al.,  
11 Debtors.

Case No. 11-49300-RLE-11  
Chapter 11  
(Jointly Administered with Case Nos.  
11-49301, 11-70224, 11-70228, 11-  
70229, 11-70231, 11-70232, 11-70233  
and 11-70234)

14 OBJECTION TO CLAIM, NOTICE AND OPPORTUNITY FOR HEARING THEREOF  
15 (EASTDIL SECURED BROKER SERVICES, INC.)

16 TO EASTDIL SECURED BROKER SERVICES, INC.:

17 David Choo, an individual, hereby objects to the scheduled claim of EASTDIL SECURED  
18 BROKER SERVICES, INC. (the "Claimant") to the extent that it exceeds \$23,846. The claim to  
19 which Mr. Choo objects is represented by the page of Schedule F filed by the debtors herein and  
20 attached hereto as Exhibit "A" (hereafter referred to as the "Claim").

21 The basis for this objection is that the amount of debt scheduled by the debtors for the  
22 Claimant was in error, and no amount greater than \$23,846 is owed to the Claimant. The evidence  
23 to support this assertion is the invoice that the Claimants submitted in the amount of \$23,846 for  
24 services rendered in connection with the First & Mission project dated August 20, 2008. No other  
25 evidence of any debt to the Claimant has been located. A true and correct copy of the Claimant's  
26 invoice is attached hereto as Exhibit "B."  
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Please take further notice that

(i) Bankruptcy Local Rule 9014-1 of the United States Bankruptcy Court for the Northern District of California prescribes the procedures to be followed. Any objection to the requested relief, or a request for hearing on the matter, must be filed and served upon the initiating party within 21 days of mailing of the notice;

(ii) A request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position;

(iii) If there is not a timely objection to the requested relief or a request for hearing, the Court may enter an order granting the relief by default; and

(iv) The initiating party will give at least 7 days written notice of hearing to the objecting or requesting party, and to any trustee or committee appointed in the case, in the event an objection or request for hearing is timely made.

WHEREFORE, the Debtor respectfully requests that the Court issue an Order allowing the Claim at \$23,846 and disallowing the balance thereof.

Dated: March 26, 2015

BINDER & MALTER

By:           /s/ Robert G. Harris            
Robert G. Harris

Attorneys For David Choo

In re 88 First Street, LLC

Case No. 11-70288 RLE 11

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.							
<b>Eastdil Secured Broker Services, Inc.</b> 40 West, 57th Street New York, NY 10019	-		<b>Real Estate Broker</b>				<b>1,532.82</b>
Account No.							
<b>ESA</b> 225 Bush Street, Suite 1700 San Francisco, CA 94104	-		<b>Consulting</b>				<b>6,427.99</b>
Account No.							
<b>First Street Holdings NV, LLC</b> 6114 La Salle Ave., #471 Oakland, CA 94611	-		<b>Intercompany Advance</b>				<b>4,898.29</b>
Account No.							
<b>Heller Manus Architects</b> 221 Main Street, Suite 940 San Francisco, CA 94105-1923	-		<b>Consulting</b>				<b>2,249.80</b>
Account No.							
<b>Law Offices of Willie J. Brown, Jr.</b> 100 The Embarcadero Penthouse San Francisco, CA 94105	-		<b>Consulting</b>				<b>48,209.90</b>
Subtotal (Total of this page)							<b>63,318.80</b>

Sheet no. 3 of 7 sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

In re First/Jessie, LLC

Case No. 11-70231 RLE 11

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O M M U N I T Y	Husband, Wife, Joint, or Community	C O U N T Y	U N S E C U R E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.  Dea Security Systems Co., Inc. PO Box 6007 Carol Stream, IL 60197	-	4/2009 - 5/2009 & 8/2011 - 9/2011 Alarm Monitoring				644.00
Account No.  Eastdil Secured Broker Services, Inc. 40 West, 57th Street New York, NY 10019	-	Real Estate Broker				8,360.82
Account No.  ESA 225 Bush Street, Suite 1700 San Francisco, CA 94104	-	Consulting				35,061.75
Account No.  First Street Holdings, LLC 62 First Street San Francisco, CA 94105	-	Intercompany Advance				5,167.15
Account No.  Heller Manus Architects 221 Main Street, Suite 940 San Francisco, CA 94105-1923	-	Consulting				12,271.61

Sheet no. 3 of 7 sheets attached to Schedule of  
Creditors Holding Unsecured Nonpriority Claims

Subtotal  
(Total of this page) **61,505.33**

In re 78 First Street, LLC

Case No. 11-70224 RLE 11

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.  Eastdil Secured Broker Services, Inc. 40 West, 57th Street New York, NY 10019		Real Estate Broker				1,254.12
Account No.  ESA 225 Bush Street, Suite 1700 San Francisco, CA 94104		Consulting				5,259.26
Account No.  First Street Holdings NV, LLC 6114 La Salle Ave., #471 Oakland, CA 94611		Intercompany Advances				4,759.84
Account No.  Heller Manus Architects 221 Main Street, Suite 940 San Francisco, CA 94105-1923		Consulting				1,840.74
Account No.  Law Offices of Willie J. Brown, Jr. 100 The Embarcadero Penthouse San Francisco, CA 94105		Consulting				39,444.47
Subtotal (Total of this page)						<b>52,558.43</b>

Sheet no. 3 of 7 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal  
(Total of this page)

**52,558.43**

In re First Street Holdings NV, LLC

Case No. 11-49300

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.  CMR Group, LLC 62 First Street, 4th Floor San Francisco, CA 94105	-	Intercompany Advance				48,166.73
Account No.  Colliers International 450 W. Santa Clara St. San Jose, CA 95113	-	Marketing Costs Reimbursement				3,000.00
Account No.  CT Corp. P.O. Box 4349 Carol Stream, IL 60197-4349	-	Registered Agent Fees				253.72
Account No.  Eastdil Secured Broker Services, Inc. 40 West, 57th Street	-	Marketing Costs Reimbursement				23,846.00
Account No.  Heller Manus Architects 221 Main St., Ste. 940 San Francisco, CA 94105-1923	-	Architect Fees				35,000.00
Sheet no. <u>1</u> of <u>3</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) <b>110,266.45</b>

In re Sixty-Two First Street, LLC

Case No. 11-70234 RLE 11

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R  H W J C	Husband, Wife, Joint, or Community	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	
Account No.  Charles Dunn Real Estate Services 555 Montgomery St., Suite 816 San Francisco, CA 94111	-		Management Fee (\$1,158.00) Termination Fee (\$1,158.00)				2,316.00	
Account No.  City of San Francisco PO Box 7427 San Francisco, CA 94120-7427	-		Fees				14,041.00	
Account No.  CMR Asset Management, Inc. 62 First Street San Francisco, CA 94105	-		Intercompany Advance				200.00	
Account No.  CT Corp 1350 Treat Blvd. Walnut Creek, CA 94597	-		Agent for Service of Process				184.83	
Account No.  Eastdil Secured Broker Services, Inc. 40 West, 57th Street New York, NY 10019	-		Real Estate Broker				5,488.88	
Sheet no. <u>2</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page)	22,230.71

# EXHIBIT B



EASTDIL SECURED BROKER SERVICES, INC.  
40 WEST 57<sup>TH</sup> STREET  
NEW YORK, NY 10019  
212-315-7200

*Marketing Expense  
First Street Holdings*

Invoice # M 2248

August 20, 2008

Mr. Richard Johnson  
VP Real Estate Investment  
California Mortgage and Realty, Inc.  
62 First Street  
Fourth Floor  
San Francisco, CA 94105

*7/14/09*

<u>DESCRIPTION</u>	<u>TOTAL</u>
For reimbursable out of pocket expenses incurred to date in connection with <u>First &amp; Mission</u> , located in San Francisco, CA, which is pursuant to Eastdil Secured's retention agreement.	
REIMBURSABLE EXPENSES:	
Brochure Preparation	\$ 19,385
Travel & Accommodations	957
Federal Express & Messenger	1,254
Consulting	<u>2,250</u>
Total Reimbursable Expenses:	<u>\$ 23,846</u>
TOTAL AMOUNT DUE AND PAYABLE TO EASTDIL SECURED BROKER SERVICES, INC.	\$ 23,846

*OK  
RAJ  
7/1/09*

Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
Vendor ID: EA009  
Coding: 309-00-53/565-00-00  
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**BINDER & MALTER, LLP**  
HEINZ BINDER (SBN 87907)  
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Santa Clara, CA 95050  
Telephone: (408) 295-1700  
Facsimile: (408) 295-1501

Counsel for David Choo Individually

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re  
FIRST STREET HOLDINGS NV, LLC, et al.,  
Debtors.

Case No. 11-49300-RLE-11

Chapter 11

(Jointly Administered with Case Nos.  
11-49301, 11-70224, 11-70228, 11-  
70229, 11-70231, 11-70232, 11-70233  
and 11-70234)

**CERTIFICATE OF SERVICE**

I, Natalie D. Gonzalez, declare,

I am employed in the County of Santa Clara, California. I am over the age of eighteen (18) years and not a party to the within entitled cause; my business address is 2775 Park Avenue, Santa Clara, California 95050.

On March 26, 2015, I served a true and correct copy of the following document(s):

**OBJECTION TO CLAIM, NOTICE AND OPPORTUNITY FOR HEARING THEREOF  
(EASTDIL SECURED BROKER SERVICES, INC.)**

via electronic transmission and the Court's CM/ECF notification system to the parties registered to receive notice addressed as follows:

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U.S. Trustee  
Office of the U.S. Trustee/Oak  
1301 Clay St. #690N  
Oakland, CA 94612  
Email: [USTPRegion17.OA.ECF@usdoj.gov](mailto:USTPRegion17.OA.ECF@usdoj.gov)

Counsel to U.S. Trustee  
Julie M. Glosson  
Office of the United States Trustee  
235 Pine St. #700  
San Francisco, CA 94104  
Email: [julie.m.glosson@usdoj.gov](mailto:julie.m.glosson@usdoj.gov)

Trustee  
James S. Lowe, II  
Executive's Edge, LLC  
P.O. Box 97  
Laton, CA 93242  
Email: [jim@executivesedge.net](mailto:jim@executivesedge.net)

Counsel to Trustee James S. Lowe III  
David A. Honig  
Joseph and Cohen  
1855 Market St.  
San Francisco, CA 94103  
Email: [david@josephandcohen.com](mailto:david@josephandcohen.com)

Eastdil Secured Broker Services, Inc.  
40 West 57<sup>th</sup> Street  
New York NY 10019

**Special Notice**  
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Email: [ef-gmf@cpdb.com](mailto:ef-gmf@cpdb.com)

Counsel for RA Johnson (Properties), LLC  
Michael St. James  
St. James Law  
155 Montgomery St. #1004  
San Francisco, CA 94104  
Email: [ecf@stjames-law.com](mailto:ecf@stjames-law.com)

Counsel for RM Capital Management LLC  
Tiemstra Law Group, PC  
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Lisa Lenherr  
1111 Broadway  
Suite 1501  
Oakland, CA 94607-403  
Email: [ll@tiemlaw.com](mailto:ll@tiemlaw.com)  
Email: [jat@tiemlaw.com](mailto:jat@tiemlaw.com)

Don A. Lesser  
The Lesser Law Group  
1010 B St #300  
San Rafael, CA 94901  
Email: [dlesser@lessergroup.com](mailto:dlesser@lessergroup.com)

Executed on March 26, 2015, at Santa Clara, California. I certify under penalty of perjury  
that the foregoing is true and correct.

/s/ Natalie D. Gonzalez  
Natalie D. Gonzalez