

1 BINDER & MALTER, LLP
HEINZ BINDER (SBN 87907)
2 ROBERT G. HARRIS (SBN 124678)
2775 Park Avenue
3 Santa Clara, CA 95050
Telephone: (408) 295-1700
4 Facsimile: (408) 295-1501

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 (ROSEN CONSULTING GROUP)

16 TO ROSEN CONSULTING GROUP:

17 David Choo, an individual, hereby objects to the scheduled claim of ROSEN CONSULTING
18 GROUP (the "Claimant") in the amount of \$58,139.00. The claim to which Mr. Choo objects is
19 represented by the page of Schedule F filed by the debtors herein and attached hereto as Exhibit "A"
20 (hereafter referred to as the "Claim").

21 The basis for this objection is that the debt scheduled by the debtors was incurred by
22 California Mortgage and Realty and is not a debt of the debtors herein. The invoices located from
23 the Claimants are both addressed to California Mortgage and Realty, and the work was overbilled
24 and in excess of the value provided. It also appears not to have been rendered primarily for the
25 First and Mission project. Copies of the above-referenced invoices are attached hereto as Exhibits
26 "B" and "C".
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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 disallowing the Claim in its entirety.

Dated: March 26, 2015

BINDER & MALTER

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

Attorneys For David Choo

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 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 C U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. RDWI 650 Woodlawn Road West Guelph Ontario, Canada N1K 1B8		Consulting	-			1,051.85
Account No. Recology Golden Gate P.O. Box 60846 Los Angeles, CA 90060		8/2011 - 9/2011 Waste Removal	-			1,269.17
Account No. Reuben & Junius, LLP 1 Bush Street, Suite 600 San Francisco, CA 94104		Legal Fees	-			14,420.84
Account No. Rosen Consulting 1955 University Avenue Suite 550 Berkeley, CA 94704		Consulting	-			4,382.70
Account No. Sixty-Two First Street, LLC 62 First Street, 4th Floor San Francisco, CA 94105		Intercompany Advances	-			12,231.75
Sheet no. <u>5</u> of <u>7</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 33,356.31

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	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. RDWI 650 Woodlawn Road West Guelph Ontario, Canada N1K 1B8				Consulting				1,285.60	
Account No. Recology Golden Gate P.O. Box 60846 Los Angeles, CA 90060				8/2011 - 9/2011 Waste Removal				675.66	
Account No. Reuben and Junius, LP One Bush Street, Suite 600 San Francisco, CA 94104				Legal Fees				17,625.48	
Account No. Rosen Consulting 1955 University Avenue Suite 550 Berkeley, CA 94704				Consulting				5,356.63	
Account No. SignoGraphics, Inc. 1595 Broadway San Francisco, CA 94109				7/2011 Directory Sign				152.55	
Sheet no. <u>5</u> of <u>7</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims								Subtotal (Total of this page)	25,095.92

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 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	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. Rosen Consulting 1955 University Avenue Suite 550 Berkeley, CA 94704	-		Consulting				29,218.01
Account No. Solit Interest Group 15 La Cuesta Road Orinda, CA 94563	-		Architectural				17,530.87
Account No. Star Elevator 1300 Industrial Road, #4 San Carlos, CA 94070	-		9/2011 Elevator Service				1,439.26
Account No. Stein & Lubin LLP 600 Montgomery Street, 14th Floor San Francisco, CA 94111	-		Legal Fees				14,454.91
Account No. Terminix International P. O. Box 742592 Cincinnati, OH 45274	-		8/2011 - 9/2011 Pest Control				136.00

Sheet no. 6 of 7 sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) **62,779.05**

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	Husband, Wife, Joint, or Community H W J C	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. Peninsula Towers, LLC 62 First Street, 4th Floor San Francisco, CA 94105			Interest on Loan Allocation				1,898,003.53
Account No. RDWI 650 Woodlawn Road West Guelph Ontario, Canada N1K 1B8			Consulting				4,603.61
Account No. Recology Golden Gate P.O. Box 60846 Los Angeles, CA 90060			8/2011 - 9/2011 Waste Removal				1,687.11
Account No. Reuben & Junius, LLP 1 Bush Street, Suite 600 San Francisco, CA 94104			Legal Fees				63,115.23
Account No. Rosen Consulting 1955 University Avenue Suite 550 Berkeley, CA 94704			Consulting				19,181.62
Subtotal (Total of this page)							1,986,591.10

Sheet no. 5 of 6 sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page)

1,986,591.10

EXHIBIT B



RECEIVED
AUG 18 2008
California Mortgage Realty, Inc.

POSTED
8/18/08

Rosen Consulting Group
1995 University Avenue
Suite 550
Berkeley, CA 94704

Tel 510-549-4510
Fax 510-849-1209
www.rosenconsulting.com

INVOICE

Date: 7/30/2008 Invoice No.: 9735

To: California Mortgage & Realty
David Choo, President
62 First Street, 4th Floor
San Francisco, CA 94105

Description	Amount in \$
Real estate consulting services for quarter: 4/1/2008 - 6/30/2008	31,250.00
Real estate consulting services for quarter: 7/1/2008 - 9/30/2008	31,250.00

Approval: [Signature] Date: 8/18/08
Vendor ID: ROQ12

Total Coding: 500-00-534500-00-000 \$62,500.00

Tag: _____

Coding: _____

Tag: _____

Please Make Check Payable to
ROSEN CONSULTING GROUP
TIN: 94-3317732

or Wire to:
WELLS FARGO BANK
ABA 121000248, SWIFT CODE : WFBUS6S
For the account of ROSEN CONSULTING GROUP
Account no.: 0040469366

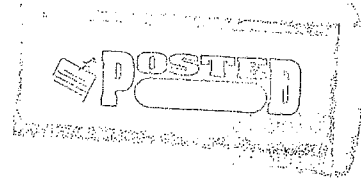


EXHIBIT C



Rosen Consulting Group
1995 University Avenue
Suite 550
Berkeley, CA 94704

Tel 510-549-4510
Fax 510-849-1209
www.rosenconsulting.com

PAID
10/31/08

INVOICE

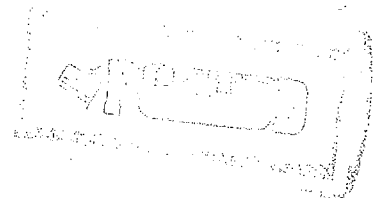
Date: 10/1/2008

Invoice No.: 9784r

To: California Mortgage & Realty
David Choo, President
62 First Street, 4th Floor
San Francisco, CA 94105

Description	Amount in \$
Real Estate Consulting Services for quarter 10/1/2008 - 11/30/2008	20,833.33
	<i>I already entered it.</i>
	<i>SD</i>
Total	\$20,833.33

Please Make Check Payable to
ROSEN CONSULTING GROUP
TIN: 94-3317732
or Wire to:
WELLS FARGO BANK
ABA 121000248, SWIFT CODE : WFBIUS6S
For the account of ROSEN CONSULTING GROUP
Account no.: 0047469366



BINDER & MALTER, LLP
HEINZ BINDER (SBN 87907)
ROBERT G. HARRIS (SBN 124678)
WENDY W. SMITH (SBN 133887)
2775 Park Avenue
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
(ROSEN CONSULTING GROUP)**

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

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

Trustee
James S. Lowe, II
Executive's Edge, LLC
P.O. Box 97
Laton, CA 93242
Email: 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

Rosen Consulting
1995 University Ave. Suite 550
Berkeley CA 94704

Special Notice
Counsel for FM Owner LLC
Gregg M. Ficks
Coblentz, Patch, Duffy & Bass LLP
1 Ferry Bldg, #200
San Francisco, CA 94111
Email: 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

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

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

Executed on 3/26/15, at Santa Clara, California. I certify under penalty of perjury that the foregoing is true and correct.

/s/ Natalie D. Gonzalez
Natalie D. Gonzalez