

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 (ROWAN WILLIAMS DAVIES & IRWIN, INC.)

16 TO ROWAN WILLIAMS DAVIES & IRWIN, INC:

17 David Choo, an individual, hereby objects to the scheduled claim of ROWAN WILLIAMS
18 DAVIES & IRWIN, INC (the "Claimant") in the amount of \$13,953.00. The claim to which Mr.
19 Choo objects is represented by the page of Schedule F filed by the debtors herein and attached
20 hereto as Exhibit "A" (hereafter referred to as the "Claim").

21 The basis for this objection is that the debt scheduled by the debtors for the Claimant was
22 in error, has been satisfied in full, and no amount is presently owed to the Claimant. The evidence
23 to support this assertion consists of two checks from Marcus Heights, LLC to the Claimant: #1038
24 in the amount of \$7,500 dated June 9, 2011, and #1048 in the amount of \$12,500 dated September
25 20, 2011. Copies of the above-referenced checks are attached hereto as Exhibits "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 R O T A T I O N	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M. I F C L A I M I S S U B J E C T T O S E T O F F, S O S T A T E.	C O N T R I B U T I O N	U N L I Q U I D A T E D	D I S P U T E D	A M O U N T O F C L A I M
Account No. Page and Turnbull 724 Pine Street San Francisco, CA 94108			Consulting				4,558.03
Account No. Peninsula Towers, LLC 62 First Street, 4th Floor San Francisco, CA 94105			Interest on Loan Allocation				4,407,926.89
Account No. RDWI 650 Woodlawn Road West Guelph Ontario, Canada N1K 1B8			Consulting				7,012.35
Account No. Recology Golden Gate P.O. Box 60846 Los Angeles, CA 90060			8/2011 - 9/2011 Waste Removal				16,545.46
Account No. Reuben and Junius, LP One Bush Street, Suite 600 San Francisco, CA 94104			Legal Fees				96,138.96
Subtotal (Total of this page)							4,532,181.69

Sheet no. 5 of 7 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page)

4,532,181.69

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

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

Subtotal
(Total of this page) **1,986,591.10**

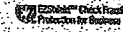
EXHIBIT B

1038

MARCUS HEIGHTS, LLC
THE CALIFORNIA MORTGAGE BUILDING
 62 FIRST STREET, FOURTH FLOOR
 SAN FRANCISCO, CA 94105

Bank of America

Greater LA Commercial Banking
 525 Flower St.
 Los Angeles CA



16-66-1220

6/9/2011

PAY **Rowan Williams Davies & Irwin, Inc.**
 TO THE ORDER OF **Seven Thousand Five Hundred Dollars And 00 Cents**

\$7,500.00

DATE

AMOUNT

Rowan Williams Davies & Irwin, Inc.
 650 Woodlawn Road West
 Guelph, Ontario Canada N 1 K 1B8

AUTHORIZED SIGNATURE

Security features. Details on back.

⑈001038⑈ ⑆122000661⑆ 14593⑈71760⑈

MARCUS HEIGHTS, LLC

1038

Vendor ID	Name	Payment Number	Check Date	Document Number	
RO017	Rowan Williams Davies & Irwin, Inc	00000000000000046	6/9/2011	0000001038	
Our Voucher Number	Date	Amount	Amount Paid	Discount	Net Amount Paid
2363	4/6/2011	\$5,000.00	\$5,000.00	\$0.00	\$5,000.00
2364	4/6/2011	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00

\$7,500.00 \$7,500.00 \$0.00 \$7,500.00

MARCUS HEIGHTS, LLC

1038

Vendor ID	Name	Payment Number	Check Date	Document Number	
RO017	Rowan Williams Davies & Irwin, Inc	00000000000000046	6/9/2011	0000001038	
Our Voucher Number	Date	Amount	Amount Paid	Discount	Net Amount Paid
2363	4/6/2011	\$5,000.00	\$5,000.00	\$0.00	\$5,000.00
2364	4/6/2011	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00

\$7,500.00 \$7,500.00 \$0.00 \$7,500.00

EXHIBIT C

1048

MARCUS HEIGHTS, LLC
THE CALIFORNIA MORTGAGE BUILDING
 62 FIRST STREET, FOURTH FLOOR
 SAN FRANCISCO, CA 94105

Bank of America.

Greater LA Commercial Banking
 528 Flower St.
 Los Angeles CA



Check Fraud
 Protection for Business

16-66-1220

9/20/2011

PAY Rowan Williams Davies & Irwin, Inc. \$12,500.00
 TO THE ORDER OF Twelve Thousand Five Hundred Dollars And 00 Cents

DATE

AMOUNT

Rowan Williams Davies & Irwin, Inc.
 650 Woodlawn Road West
 Guelph, Ontario Canada N 1 K 1B8

AUTHORIZED SIGNATURE

Security features. Details on back.

⑈001048⑈ ⑆12200066⑆ 14593⑈71760⑈

MARCUS HEIGHTS, LLC

1048

Vendor ID	Name	Payment Number	Check Date	Document Number	
RO017	Rowan Williams Davies & Irwin, Inc	0000000000000057	9/20/2011	0000001049	
Our Voucher Number	Date	Amount	Amount Paid	Discount	Net Amount Paid
2437	5/3/2011	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00

\$12,500.00 \$12,500.00 \$0.00 \$12,500.00

MARCUS HEIGHTS, LLC

1048

Vendor ID	Name	Payment Number	Check Date	Document Number	
RO017	Rowan Williams Davies & Irwin, Inc	0000000000000057	9/20/2011	0000001049	
Our Voucher Number	Date	Amount	Amount Paid	Discount	Net Amount Paid
2437	5/3/2011	\$12,500.00	\$12,500.00	\$0.00	\$12,500.00

\$12,500.00 \$12,500.00 \$0.00 \$12,500.00

BINDER & MALTER, LLP
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ROBERT G. HARRIS (SBN 124678)
WENDY W. SMITH (SBN 133887)
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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
(ROWAN WILLIAMS DAVIES & IRWIN, 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

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

RDWI
650 Woodlawn Road West
Guelph, Ontario Canada N1K 1B8

Special Notice
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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 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