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10 Attorney for Debtor(s)



11
12 **UNITED STATES BANKRUPTCY COURT**
13 **CENTRAL DISTRICT**
14 **LOS ANGELES DIVISION**

15 In re:

16 DANTE PEREGRETTI

17 and

18 YENJU PEREGRETTI,

19 Debtor(s).

20 DANTE PEREGRETTI

21 and

22 YENJU PEREGRETTI

23 Movants

24 vs.

25 BANK OF AMERICA, N.A., AND

26 BAC HOME LOAN SERVICING, LP,

27 Respondents.

Case No: 2:10-bk-29404-VZ

Chapter 13

ORDER GRANTING MOTION FOR ORDER
TO SHOW CAUSE IN RE: CIVIL CONTEMPT
AND SANCTIONS AGAINST BANK OF
AMERICA, N.A. AND BAC HOME LOAN
SERVICING, LP

DATE: June 11, 2012

TIME: 11:00a.m.

PLACE: 255 E. Temple Street, Courtroom 1368
Los Angeles, CA 90013

1 The Court having considered Debtors' Motion for Order to Show Cause Re: Civil Contempt &
2 Sanctions and good cause appearing therefore,

3 **IT IS HEREBY ORDERED:**

- 4 1. That a hearing will be held in Courtroom 1368, Edward R. Roybal Federal Building, 255 East
5 Temple Street, Los Angeles, California, 90012 on June 11, 2012 at 11:00 a.m. to show cause
6 why Bank of America, N.A. and BAC Home Loan Servicing, LP ("Creditor") should not be
7 found in civil contempt of court for not abiding by the Court's September 1, 2010 Order
8 Confirming Chapter 13 Plan;
- 9 2. That Creditors shall appear and show cause why they should not be sanctioned for failure to
0 abide by the Court's September 1, 2010 Order Confirming Chapter 13 Plan.

1 **IT IS FURTHER ORDERED:**

- 2 1. That responsive pleadings shall be in writing and filed with the Court not later than May 28,
3 2012;
- 4 2. That reply thereto shall be in writing and filed with the Court not later than June 4, 2012.

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DATED: April 3, 2012

United States Bankruptcy Judge

NOTE: When using this form to indicate **Main Document** Page **30** **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:
100 North Barranca Avenue, Suite 250, West Covina, CA 91791

A true and correct copy of the foregoing document described as **[PROPOSED] ORDER GRANTING MOTION FOR ORDER TO SHOW CAUSE IN RE: CIVIL CONTEMPT AND SANCTIONS AGAINST BANK OF AMERICA, N.A. AND BAC HOME LOAN SERVICING, LP;** 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 _____ 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 March 29, 2012 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.*

Honorable Vincent P. Zurzulo United States Bankruptcy Judge 255 E. Temple Street, Suite 1360 Los Angeles, CA 90012	Nancy K. Curry Chapter 13 Trustee 606 South Olive Street, Suite 950 Los Angeles, CA 90014	Dante & Yenju Peregretti 1303 Lindengrove Avenue Rowland Heights, CA 91748
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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.

March 29, 2012 <i>Date</i>	Monica Orozco <i>Type Name</i>	/s/ Monica Orozco <i>Signature</i>
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SERVED BY U.S. MAIL

Bank of America, N. A.
Attn: Brian Moynihan (President)
214 S. Tryon Street
Charlotte, NC 28202

BAC Home Loans Servicing, LP
TX2-977-01-03
P. O. Box 961205
Fort Worth, TX 76161

Bank of America Corporation (BAC)
100 North Tryon Street
Charlotte, NC 28202

BAC Home Loans Servicing, LP
PT-C-32 7105 Corporate
Plano, TX 75024

Bank of America, N. A.
P. O. Box 5170
Attention: Corresponding Unit
Simi Valley, CA 93062

Bank of America, N. A.
Attn: Bankruptcy Department
P. O. box 26012
Greensboro, NC 27420

Bank of America, N. A.
4161 Piedmont Parkway
Greensboro, NC 27420

AGENT FOR SERVICE OF PROCESS:

CT Corporation System
818 W. 7th Street
Los Angeles, CA 90017

- 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document.
- 2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
- 3) **Category I.** below: The United States trustee and case trustee (if any) will always be in this category.
- 4) **Category II.** below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. DO NOT list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER GRANTING MOTION FOR ORDER TO SHOW CAUSE IN RE: CIVIL CONTEMPT AND SANCTIONS AGAINST BANK OF AMERICA, N.A. AND BAC HOME LOAN SERVICING, LP** was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of **March 29, 2012**, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.

Barry E. Borowitz: notice@blclaw.com, ecf@blclaw.com, borowitzclark1@gmail.com
Nancy K. Curry: ecfnc@trustee13.com
United States Trustee: ustpreion16.la.ecf@usdoj.gov

Service information continued on attached page

II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s), and/or email address(es) indicated below:

Dante & Yenju Peregretti
1303 Lindengrove Avenue
Rowland Heights, CA 91748

Service information continued on attached page