

BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
775.324.4100

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Matthew D. Francis
Nevada Bar No. 6978
Arthur A. Zorio
Nevada Bar No. 6547
BROWNSTEIN HYATT FARBER SCHRECK, LLP
5371 Kietzke Lane
Reno, NV 89511
Telephone: 775-324-4100
Facsimile: 775-333-8171
Email: mfrancis@bhfs.com
azorio@bhfs.com

Attorneys for Jed Margolin

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:

PATRICK CANET

JAZI GHOLAMREZA ZANDIAN,

Debtor(s).

Case No. BK-N-16-50644-BTB

Chapter 15

**[PROPOSED] STIPULATED ORDER
GRANTING MOTION TO DISMISS
CHAPTER 15 CASE**

Current Hearing Date: September 2, 2020
Current Hearing Time: 11:00 AM
Estimated Time for hearing: 1 hour

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RECITALS

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2 1. On May 19, 2016, Patrick Canet, Judicial Liquidator and Foreign Representative
3 (“Canet”), filed a Chapter 15 Petition for Recognition of Foreign Proceeding [ECF No. 1]¹, which
4 commenced this Bankruptcy Case No. BK-N-16-50644-BTB.

5 2. On July 31, 2019, Mr. Jed Margolin filed an Amended Motion to Dismiss Chapter
6 15 Case [ECF No. 38], and a hearing was set for October 1, 2019 for that Motion [ECF No. 39].

7 3. On September 17, 2019, Fred Sadri, both in his individual capacity and as Trustee
8 for The Star Living Trust, dated April 14, 1997; Ray Koroghli, individually; and Ray Koroghli
9 and Sathsowi T. Koroghli, in their individual capacities as well as Managing Trustees for
10 Koroghli Management Trust (“Claimants”) filed a Limited Opposition to Amended Motion to
11 Dismiss Chapter 15 Case [ECF No. 42].

12 4. On September 19, 2019, Canet filed an Opposition to Mr. Margolin’s Amended
13 Motion to Dismiss Chapter 15 Case [ECF No. 48].

14 5. On October 1, 2019, the Court conducted its hearing on Mr. Margolin’s Amended
15 Motion to Dismiss Chapter 15 Case, at which the Parties appeared.

16 6. On November 5, 2019 the Court entered an order that all proceedings in the main
17 proceeding (Case No. 16-50644-BTB) and all Adversary proceedings including Adversary Case
18 No. 17-05016-BTB, and the Complaint for Order Authorizing Sale of Real Property (ECF No. 57
19 filed in Case No. 16-50644-BTB, and also filed in Adversary Case No. 19-05025-BTB) were
20 stayed pending resolution of the Amended Motion to Dismiss Chapter 15 Case; and continued the
21 hearing on the Motion to December 5, 2019 [ECF No. 62].

22 7. On December 5 and 9, 2019, Margolin filed a Supplement to Amended Motion to
23 Dismiss Chapter 15 Case [ECF Nos. 66, 71].

24 8. On December 19, 2019, Claimants filed a Response to Supplement to Amended
25 Motion to Dismiss Chapter 15 Case [ECF No. 72].

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¹ All references to “ECF No.” are to the numbers assigned to the documents filed in the bankruptcy case identified in
28 the caption above (“Case”) as they appear on the docket maintained by the Clerk of the Court of the United States
Bankruptcy Court for the District of Nevada.

1 IT IS FURTHER STIPULATED AND ORDERED that pursuant to 11 U.S.C. 349(b),
2 dismissal of the Chapter 15 case:

3 (1) reinstates: (A) any proceeding or custodian any proceeding or custodianship
4 superseded under section 543 of Title 11 of the United States Code (“Code”); (B) any
5 transfer avoided under section 522, 544, 545, 547, 548, 549, or 724(a) of the Code, or
6 preserved under section 510(c)(2), 522(i)(2), or 551 of the Code; and (C) any lien voided
7 under section 506(d) of the Code;

8 (2) vacates any order, judgment, or transfer ordered, under section 522(i)(1), 542,
9 550, or 553 of the Code; and

10 (3) reverts the property of the estate in the entity in which such property was
11 vested immediately before the commencement of the case under this title.

12 IT IS FURTHER STIPULATED AND ORDERED that the Order Granting Partial Motion
13 for Summary Judgment and Denying Motion for Summary Judgment Against Cross-Claimant
14 Patrick Canet and Granting Counter Motion for Summary Judgment (“Interlocutory Order”)
15 (Adv. ECF No. 61 in Adversary Case No. 17-05016-BTB) and the corresponding Findings of
16 Fact and Conclusions of Law (“Findings”) (Adv. ECF No. 60 in Adversary Case No. 17-05016)-
17 BTB are and shall be vacated as void *ab initio*. To the extent that either the Interlocutory Order
18 or the Findings have been recorded in the office of any county recorder, the same, by this Order
19 are and shall be expunged and removed from the record, and any transfers based upon the
20 Interlocutory Order or the Findings shall be void *ab initio*.

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1 DATED this 11th day of September, 2020.

DATED this 11th day of September, 2020.

2 **HOLLY DRIGGS WALCH FINE PUZEY**
3 **STEIN & THOMPSON**

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

4 /s/ Richard F. Holley

/s/ Matthew D. Francis

5 Richard F. Holley, Esq.
Nevada Bar No. 3077

Matthew D. Francis, Esq.
Nevada Bar No. 6978

6 Andrea M. Gandara, Esq.
Nevada Bar No. 12580

Arthur A. Zorio, Esq.
Nevada Bar No. 6547

7 Mary Langsner, Ph.D.

5371 Kietzke Lane

8 Nevada Bar No. 13707

Reno, NV 89511

400 South Fourth Street, Third Floor

9 Las Vegas, NV 89101

Attorneys for Jed Margolin

10 *Attorneys for Fred Sadri, both in his individual*
11 *capacity and as Trustee for The Star Living*
12 *Trust, dated April 14, 1997; Ray Koroghli,*
13 *individually; and Ray Koroghli and Sathsowi T.*
14 *Koroghli, in their individual capacities as well*
15 *as Managing Trustees for Koroghli*
16 *Management Trust*

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 11th day of September, 2020, I served the document entitled **[PROPOSED] STIPULATED ORDER GRANTING MOTION TO DISMISS CHAPTER 15 CASE** on the parties listed below via the following:

Richard F. Holley, Esq.
Andrea M. Gandara, Esq.
Mary Langsner, Ph.D.
Holley Driggs Walch Fine Puzey
Stein & Thompson
400 South Fourth Street, Third Floor
Las Vegas, NV 89101
Email: rholley@nevadafirm.com
agandara@nevadafirm.com
mlangsner@nevadafirm.com

Jeffrey L. Hartman, Esq.
Hartman & Hartman
510 West Plumb Lane, Suite B
Reno, NV 89509
Email: notices@bankruptcyreno.com

VIA FIRST CLASS U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada, addressed as follows:

BY PERSONAL SERVICE: by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the document will be maintained with the document and is attached.

VIA COURIER: by delivering a copy of the document to a courier service for over-night delivery to the foregoing parties.

VIA ELECTRONIC SERVICE: by electronically filing the document with the Clerk of the Court using the ECF system which served the foregoing parties electronically.

/s/ Nancy R. Lindsley
Employee of Brownstein Hyatt Farber
Schreck, LLP