

February 20, 2014

**Via Electronic Filing**

Rosemary Chiavetta, Esquire  
Secretary  
PA Public Utility Commission  
Commonwealth Keystone Building, 2 North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Docket Nos. C-2013-2383618, C-2013-2392536 and C-2013-2393225  
Mark Mazza v. PECO Energy Company  
Letter to Judge Jones re: Scheduled Hearing**

Dear Secretary Chiavetta:

Attached for filing is the letter filed on behalf of PECO Energy Company to the Honorable Angela T. Jones in the above-captioned consolidated proceeding. I am requesting that this letter be included in the Commission's official file.

A copy of this filing has been provided to the Complainant in the manner indicated on the attached Certificate of Service.

If there are any questions, please do not hesitate to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/jmm  
Enclosure

cc: Hon. Angela T. Jones, Pennsylvania Public Utility Commission [w/enc.]  
Mark Mazza [w/enc.]  
Shawane L. Lee, Esquire, Exelon Business Services [w/enc.]

**Re: Docket Nos. C-2013-2383618, C-2013-2392536 and C-2013-2393225  
Mark Mazza v. PECO Energy Company  
Scheduled Hearing**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person, in the manner indicated, in accordance with the requirements of §1.54 (relating to service by a participant).

**Via First Class and Electronic Mail**

Mr. Mark Mazza  
1271 Farm Road  
Berwyn, PA 19312  
mdmjob@verizon.net

Dated: February 20, 2014

  
Margaret A. Morris, Esq.

February 20, 2014

**Via Electronic Mail**

Honorable Angela T. Jones  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judges  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
[angeljones@pa.gov](mailto:angeljones@pa.gov)

**Re: Docket Nos. C-2013-2383618, C-2013-2392536 and C-2013-2393225  
Mark Mazza v. PECO Energy Company  
Scheduled Hearing**

Dear Judge Jones:

PECO Energy Company (PECO) respectfully requests that the hearing scheduled on February 21, 2014 regarding Consolidated Complaints #7, 8, and 9 in the above-referenced docket be held as scheduled because the automatic stay that went into effect as a result of the filing in Bankruptcy Court expired on February 16, 2014. **There is no stay in place that prohibits the February 21, 2014 hearing from proceeding as scheduled. The request to extend the stay was denied by the Bankruptcy Court.**

Mark Mazza (Complainant<sup>1</sup>) filed his second individual Chapter 7 Bankruptcy Petition<sup>2</sup> on January 17, 2014. The required schedules for the Petition were not filed; they were ordered to be filed by January 31, 2014. By letter dated January 29, 2014, the Complainant requested an extension of time to file the required schedules. The request was granted on February 19, 2014 by the Bankruptcy Court and the schedules are due on or before February 27, 2014. On February 18, 2014, PECO was served with the Complainant's Bankruptcy Court filing labeled "Emergency Petition to Extend Automatic Stay." **The Emergency Petition was denied by the Bankruptcy Court by Order dated February 19, 2014.** A copy of the Docket Report and relevant documents for the Complainant's second Bankruptcy filing is provided as Attachment 1.

The relevant and controlling law regarding a stay after the filing of a bankruptcy petition is found at 11 U.S.C.A. § 362. A copy of 11 U.S.C.A. § 362 is provided as Attachment 2. Specifically, Section 362(a)(1) operates as an automatic stay of an administrative action to recover a claim against the debtor that arose before the commencement of the case in bankruptcy. This is precisely what occurred when the Complainant notified the presiding judge on July 15, 2013 that a scheduled hearing on July 18, 2013 regarding Complaint # 6<sup>3</sup> was stayed because of his first Bankruptcy Petition.<sup>4</sup> By Order entered August 14, 2013, the Complainant's first Bankruptcy Petition was dismissed for failure to file the required schedules. A copy of the Docket Report and relevant documents for the Complainant's first Bankruptcy filing is provided as Attachment 3.

The relevant and controlling law regarding a stay after the filing of a **second** Bankruptcy Petition which was dismissed within the preceding year is found at 11 U.S.C.A. § 362(c)(3)(A) which provides that

<sup>1</sup> The Complainant's wife and two children reside in the jointly owned service location.

<sup>2</sup> U.S. Bankruptcy No. 14-10419-mdc.

<sup>3</sup> Docket No. C-2012-2318472.

<sup>4</sup> U.S. Bankruptcy No. 13-15760-mdc.

Honorable Angela T. Jones  
Mark D. Mazza v. PECO Energy Company  
February 20, 2014  
Page 2

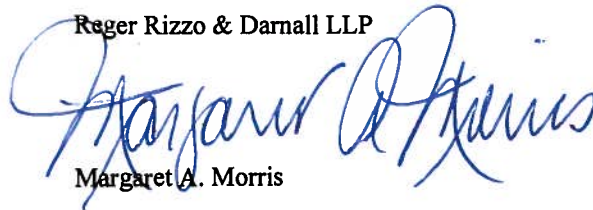
the automatic stay under Section 362(a) shall terminate on the 30<sup>th</sup> day after the filing of the second petition. In this instance, the second Bankruptcy Petition was filed on January 29, 2014; the 30-day stay expired on February 16, 2014. Section 362(c)(3)(B) sets forth the process to request and obtain an extension of the 30-day stay; however, that request must be filed and heard before the 30-day period has expired and is presumed under Section 362(c)(3)(C) not filed in good faith (but such presumption may be rebutted by clear and convincing evidence to the contrary). The Complainant filed his request, which has been denied by the Bankruptcy Court. The stay has expired by operation of law. There is no stay in place that prohibits the February 21, 2014 hearing from proceeding as scheduled.

PECO avers that the second Bankruptcy Petition, which like the first one did not contain the requisite schedules, is further evidence of the Complainant's bad faith and continued contempt and abuse of the administrative process. The Complainant has, at every turn, attempted to prevent PECO from lawfully and properly terminating service due to non-payment.<sup>5</sup> The filing of the second Bankruptcy Petition should be viewed in a skeptical light given the fact that the Complainant has filed individually, claiming debts less than \$50,000. The Complainant's outstanding balance as of February 17, 2014 is \$11,775.14. There is nothing prohibiting the Commission from exercising its jurisdiction under the Public Utility Code and adjudicating the Consolidated Complaints # 7, 8 and 9.

If there are any questions, please do not hesitate to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

Enclosures

cc: Mark Mazza [w/encls.], via email  
Shawane L. Lee, Esq., Exelon Business Services [w/encls.]

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<sup>5</sup> The last payment of \$260.28 was credited on December 4, 2013.

**Docket Nos. C-2013-2383618  
C-2013-2392536  
C-2013-2393225**

**Mark Mazza v. PECO Energy Company**

Attachment 1

Second Bankruptcy Petition

Bankruptcy No. 14-10419-mdc  
Docket Report and Relevant Documents

FeeDueINST, Repeat-PAEB, RepeatPACER

**U.S. Bankruptcy Court  
Eastern District of Pennsylvania (Philadelphia)  
Bankruptcy Petition #: 14-10419-mdc**

Assigned to: Judge Magdeline D. Coleman  
Chapter 7  
Voluntary  
No asset

Date filed: 01/17/2014  
Deadline for filing claims (govt.): 07/16/2014

**Debtor**

**Mark David Mazza**  
1271 Farm Road  
Berwyn, PA 19312  
CHESTER-PA  
SSN / ITIN: xxx-xx-4249

represented by **Mark David Mazza**  
PRO SE

**Trustee**

**MICHAEL H. KALINER**  
Michael H. Kaliner Trustee  
350 South Main Street  
Suite 105  
Doylestown, PA 18901  
215-230-4250

**U.S. Trustee**

**United States Trustee**  
Office of the U.S. Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107  
(215) 597-4411

<b>Filing Date</b>	<b>#</b>	<b>Docket Text</b>
01/17/2014	<u>1</u> (3 pgs)	Chapter 7 Voluntary Petition . Receipt Number 0, Fee Amount \$0.00 Filed by Mark David Mazza . Matrix List of Creditors due 1/24/2014. Government Proof of Claim Deadline: 7/16/2014. Statement of Current Monthly Income due 1/31/2014. Schedules A-J due 1/31/2014. Statement of Financial Affairs due 1/31/2014. Summary of schedules due 1/31/2014. Statistical Summary of Certain Liabilities

		due 1/31/2014. Incomplete Filings due by 1/31/2014. (S., Antoinette) (Entered: 01/17/2014)
01/17/2014	<u>2</u>	Statement of Social Security Number Received by Mark David Mazza . (S., Antoinette) (Entered: 01/17/2014)
01/17/2014	<u>3</u> (1 pg)	Pro Se Statement Filed by Mark David Mazza . (S., Antoinette) (Entered: 01/17/2014)
01/17/2014	<u>4</u> (2 pgs)	Exhibit D - Debtor has received counseling and has attached required documents . Filed by Mark David Mazza . (S., Antoinette) (Entered: 01/17/2014)
01/17/2014	<u>5</u> (1 pg)	Certificate of Credit Counseling Filed by Mark David Mazza . (S., Antoinette) (Entered: 01/17/2014)
01/17/2014	<u>6</u> (2 pgs)	Application to Pay Filing Fee in Installments Filed by Mark David Mazza Represented by Self (Counsel). (S., Antoinette) (Entered: 01/17/2014)
01/17/2014	<u>7</u> (1 pg)	Order Entered that unless the following missing documents are filed: Matrix List of Creditors due 1/24/2014. Statement of Current Monthly Income due 1/31/2014. Schedules A-J due 1/31/2014. Statement of Financial Affairs due 1/31/2014. Summary of schedules due 1/31/2014. Statistical Summary of Certain Liabilities due 1/31/2014; It is hereby ORDERED that, if the debtor has not filed the Matrix List of Creditors (as required by L.B.R. 1007.2) or the Certificate of Credit Counseling or a Request for a Waiver from the Credit Counseling Requirement, then those documents are due within seven days of filing of the petition or else this case may be dismissed without additional notice or hearing after that date. It is further ORDERED that all other missing documents are due within 14 days of the date of the filing of the petition, unless an extension for cause, sought prior to the expiration of 14 days, is granted. If not, this case may be dismissed without additional notice or hearing after 14 days after petition date. (S., Antoinette) (Entered: 01/17/2014)
01/19/2014	<u>8</u> (2 pgs)	BNC Certificate of Mailing - Voluntary Petition. Number of Notices Mailed: (related document(s))

		(Related Doc # <u>7</u> ). No. of Notices: 1. Notice Date 01/19/2014. (Admin.) (Entered: 01/20/2014)
01/21/2014	<u>10</u> (3 pgs)	Order Granting Application To Pay Filing Fees In Installments. (Related Doc # <u>6</u> ). \$75.00 First Installment Payment due by 2/14/2014. \$75.00 Second Installment Payment due by 3/17/2014. \$75.00 Third Installment Payment due by 4/16/2014. \$81.00 Final Installment Payment due by 5/16/2014. (D., Stacey) (Entered: 01/27/2014)
01/23/2014	9	Notice of Appointment of Trustee . MICHAEL H. KALINER added to the case.. (MILLER, NANCY) (Entered: 01/23/2014)
01/29/2014	<u>11</u> (4 pgs)	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>10</u> )). No. of Notices: 1. Notice Date 01/29/2014. (Admin.) (Entered: 01/30/2014)
02/03/2014	<u>13</u> (1 pg)	(Letter)Motion to extend time to file schedules and statements Filed by Mark David Mazza Represented by Self(Counsel). (D., Stacey) (Entered: 02/12/2014)
02/11/2014	<u>12</u> (4 pgs; 2 docs)	Emergency Motion to Extend Automatic Stay Filed by Mark David Mazza Represented by Self (Counsel). (Attachments: # <u>1</u> Proposed Order) (D., Stacey) (Entered: 02/12/2014)
02/19/2014	<u>15</u> (1 pg)	Order Denying Motion to Extend Automatic Stay . (Related Doc # <u>12</u> (D., Stacey) (Entered: 02/20/2014)
02/19/2014	<u>16</u> (1 pg)	Order Granting Motion to Extend Time (Related Doc # <u>13</u> ) Matrix List of Creditors due 2/27/2014. Schedules A-J due 2/27/2014. Statement of Financial Affairs due 2/27/2014. Statistical Summary of Certain Liabilities due 2/27/2014. Summary of schedules due 2/27/2014. Statement of Current Monthly Income due 2/27/2014. (D., Stacey) (Entered: 02/20/2014)
02/20/2014	<u>14</u> (13 pgs; 9 docs)	Objection to Motion to Extend Automatic Stay filed by Debtor Mark David Mazza Filed by PECO Energy Company (related document(s) <u>12</u> ). (Attachments: # <u>1</u> Exhibit Exhibit A # <u>2</u> Exhibit Exhibit B # <u>3</u> Exhibit Exhibit C # <u>4</u> Exhibit Exhibit D # <u>5</u> Exhibit Exhibit E # <u>6</u> Exhibit Exhibit F # <u>7</u>

	Proposed Order # <u>8</u> Certificate of Service) (ZACK, LYNN) (Entered: 02/20/2014)
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<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
02/20/2014 13:46:57			
<b>PACER Login:</b>	rr0574	<b>Client Code:</b>	07-1271.033
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	14-10419-mdc Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20

IN RE:  
MARK DAVID MAZZA

CHAPTER 7  
Bankruptcy No. 14-10419-mdc

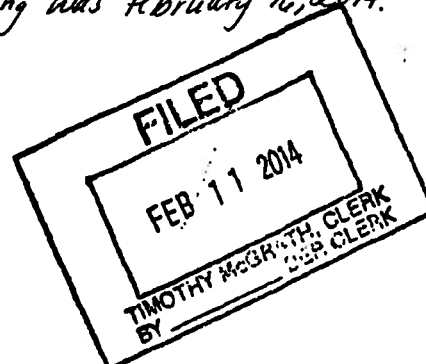
**ORDER**

AND NOW this *19<sup>th</sup>* day of *Feb.*, 2014, it is hereby ORDERED and DECREED the debtor's Emergency Petition to Extend the Automatic Stay is ~~GRANTED~~ *DENIED for the following reasons:*. All lawsuits, proceedings and orders in which debtor is a party are stayed. The Automatic Stay remains in effect until discharge and completion of this bankruptcy proceeding.

BY THE COURT:

*Magdalena D. Cole*  
\_\_\_\_\_  
J.

- 1. The Debtor failed to comply with the requirements of L.B.R. 5070-1(f).*
- 2. Pursuant to 11 U.S.C. § 362(c)(3), a hearing to consider the Motion must have been "completed before the expiration of the 30-day period." The deadline for the hearing was February 16, 2014.*



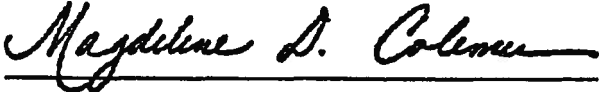
UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In re : Chapter 7  
Mark David Mazza :  
 : BankruptcyNo:14-10419mdc  
Debtor :

ORDER

AND NOW, this 19<sup>th</sup> day of February, 2014,  
upon consideration of the Debtor(s)' Motion for Extension  
of Time to File the required documents, it is hereby

ORDERED that the motion is GRANTED and the  
debtor(s) may file their documents on or before February 27, 2014.

  
Magdeline D. Coleman  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: :  
 : Chapter 7  
MARK DAVID MAZZA :  
 :  
 : Case No. 14-10419(MDC)  
Debtor. :  
 :

**PECO ENERGY COMPANY’S OBJECTION TO  
DEBTOR’S EMERGENCY PETITION TO EXTEND AUTOMATIC STAY**

PECO Energy Company ("PECO Energy"), by its undersigned counsel, hereby objects to the Debtor’s Emergency Petition to Extend Automatic Stay (the “Petition”) as follows:

**Jurisdiction and Venue**

1. This Court has jurisdiction over this Petition under 28 U.S.C. § 1334(b) and 11 U.S.C. § 362.
2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A).
3. Venue of this Petition is proper in this district pursuant to 28 U.S.C. § 1409.

**Background**

4. On June 18, 2013, the Debtor commenced a case under Chapter 7 of title 11 of the United States Code (the “Bankruptcy Code”) under case no. 13-15760 (the “First Bankruptcy”).
5. On June 28, 2013, the Debtor was ordered to file schedules in the First Bankruptcy by July 12, 2013. A true and correct copy of the Court’s Order dated June 28, 2013, is attached as Exhibit “A.”
6. On July 17, 2013, the Debtor requested an extension to file the required schedules in his First Bankruptcy. A true and correct copy of the Debtor’s Letter Requesting Extension is attached as Exhibit “B.”

7. In his request, the Debtor asserted that he did not receive notice of the Court's order because he was on vacation. He further asserted that he was scheduled to meet with an attorney to represent him. See Exhibit B.

8. On July 22, 2013, the Court entered an Order granting the Debtor's motion to extend and ordering the Debtor to file his schedules by July 31, 2013. A true and correct copy of the Court's July 22, 2013, Order is attached hereto as Exhibit "C."

9. On August 14, 2013, Debtor's First Bankruptcy was dismissed for failure to adhere to the Court's Orders and file the required documents. A true and correct copy of the Order of Dismissal is attached hereto as Exhibit "D."

10. At the time the First Bankruptcy was filed, Debtor had a complaint pending before the Pennsylvania Public Utility Commission ("Pa. PUC") concerning, *inter alia*, a termination of service from August 2012, Docket No. C-2012-2318472 (the "2012 PUC Case"). The filing of the First Bankruptcy stayed the hearing in the PUC Case.

11. After the dismissal of the First Bankruptcy, hearings were held and findings of facts were made by the presiding judge in favor of PECO Energy. The Debtor filed exceptions<sup>1</sup> to the judge's findings of facts and conclusions of law, which are currently pending before the Pa. PUC.

12. Also after the dismissal of the First Bankruptcy, the Debtor filed three (3) additional cases before the Pa. PUC – Docket No. C-2013-2383618 filed on October 3, 2013; Docket No. C-2013-2392536 filed on November 14, 2013; and Docket No. C-2013-2393225 filed on November 19, 2013 ("2013 PUC Cases"). The three cases were consolidated.

13. On January 28, 2014, the Pa. PUC notified PECO Energy and the Debtor that a hearing on the Debtor's 2013 PUC Complaints would be held on February 21, 2014.

14. On January 17, 2014, the Debtor commenced the present case under Chapter 7 of title 11 of the United States Code (the "Bankruptcy Code") (the "Second Bankruptcy").

15. On January 17, 2014, the Debtor was ordered to file schedules in the Second Bankruptcy by January 31, 2014. A true and correct copy of the Court's Order dated January 17, 2014, is attached as Exhibit "E."

16. On February 3, 2014, the Debtor requested an extension to file the required schedules in his Second Bankruptcy. A true and correct copy of the Debtor's Letter Requesting Extension is attached as Exhibit "F."

17. The Debtor's request for an extension contains little information to justify an extension. According to Debtor's request, his lack of income necessitates his self-representation and his self-representation necessitates additional time.

18. On February 11, 2014, the Debtor filed the present Petition to Extend the Automatic Stay.

19. In the Petition, the Debtor states that his lack of income has been a consistent situation since 2007 and prohibited him from engaging counsel in the First Bankruptcy Case, as well as the Second Bankruptcy Case.

20. The Debtor further states in the Petition that the required documents would be filed "on or shortly after this motion is filed with the Court." As of the date of this filing, no schedules have been filed by the Debtor.

21. Pursuant to 11 U.S.C. § 362(c)(3), the automatic stay expired in this case on February 18, 2014.

22. 11 U.S.C. § 362 (c)(3) states:

if a single or joint case is filed by or against a debtor who is an individual in a case under chapter 7, 11, or 13, and if a single or joint case of the debtor was pending within the preceding 1-year period but was dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under section 707 (b) –

(A) the stay under subsection (a) with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate with respect to the debtor on the 30th day after the filing of the later case;

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<sup>1</sup> Exceptions, in Pa. PUC parlance, is the objection to the presiding judge's findings and recommended disposition. Exceptions and supporting reasons must be concise and identify the specific objection; the Debtor's Exceptions are conclusory and provide no reason for the objection.

(B) on the motion of a party in interest for continuation of the automatic stay and upon notice and a hearing, the court may extend the stay in particular cases as to any or all creditors (subject to such conditions or limitations as the court may then impose) after notice and a hearing completed before the expiration of the 30-day period only if the party in interest demonstrates that the filing of the later case is in good faith as to the creditors to be stayed....

11 U.S.C. § 362(c)(3)(A) and (B).

23. This Court has found that the failure to seek an extension in a timely manner, the stay will still expire if a hearing is not held and the Court has not ruled before the 30 day period is over.

“[O]nce a portion of the bankruptcy stay established by section 362(a) has expired by virtue of section 362(c)(3), that portion cannot be ‘resurrected’ as if it had never terminated. Therefore, if a debtor seeks to extend the stay beyond thirty days as permitted by section 362(c)(3)(B), it is incumbent upon him to insure that his motion is filed and heard within the thirty-day window.” *In re: Williams*, 346 B.R. 361, 370 (E.D. Pa. 2006).

24. The Debtor filed the present Petition on the 25<sup>th</sup> day of his case.

25. While the Debtor has requested an extension of the automatic stay, the termination of the stay is not impacted by the filing of the Petition.

26. As the automatic stay has expired, PECO Energy requests an order pursuant to 11 U.S.C. §362(j) confirming that the automatic stay has terminated.

27. PECO Energy further objects to Debtor’s request for an extension to file his schedules. The Debtor’s stated reasons for his failure to comply with the original deadline were reasons that existed at the time of the Second Bankruptcy Filing. The Debtor was aware from his First Bankruptcy Case that the schedules would be required. He was also aware that the schedules required significant time to prepare. Despite his knowledge from his First Bankruptcy Case, the Debtor failed to comply with the Court’s January 17, 2014, Order to file the schedules by January 31, 2014.

28. The Debtor’s clear intent from the First Bankruptcy Filing and the Second Bankruptcy Filing is to prevent the Pa. PUC from proceeding on his Complaints. It is clear from the Debtor’s continued failure to comply with the most basic bankruptcy tenets – disclosure of assets and debts – the

Debtor has no true intention of proceeding with his case. Rather, his bankruptcy filings have been filed with the sole purpose of delaying the Pa. PUC proceedings, which further delays the collection of the substantial debt owed to PECO Energy and delays PECO Energy's right to terminate service to the Debtor.

**Discussion**

The Debtor has failed to provide any evidence to suggest that the Second Bankruptcy Filing was filed in good faith. The Debtor has known since July 17, 2013 (the date of his request for an extension to file schedules in the First Bankruptcy Case) that he would be required to file schedules and that those schedules require a great deal of detailed information. Despite his knowledge, he failed to file the required schedules at the time of his Second Bankruptcy Case; failed to comply with the Court's Order to file the schedules by January 31, 2014; and failed to file them as of the date of this Objection. Clearly, the Debtor has no intention of filing the required documents in this bankruptcy and is simply using the automatic stay to avoid the Pa. PUC hearing scheduled for February 21, 2014.

WHEREFORE, PECO Energy Company respectfully requests that this Court enter an order:

1. Denying the Petition;
2. Entering an Order confirming that the automatic stay terminated; and
3. Providing such other and further relief as the Court deems just and appropriate.

Respectfully submitted,  
PECO Energy Company

/s/ Lynn R. Zack  
Lynn R. Zack  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-6816  
*Attorney for PECO Energy Company*

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In Re:

Mark David Mazza

Debtor(s)

Chapter: 7

Bankruptcy No: 13-15760-mdc

**ORDER**

AND NOW, this June 28, 2013 , the debtor having failed to file or submit with the petition all of the documents required by Fed. R. Bankr. P. 1007,

And the following documents are missing

Matrix List of Creditors due 7/5/2013. Statement of Current  
Monthly Income due 7/12/2013. Schedules A-J due 7/12/2013.  
Statement of Financial Affairs due 7/12/2013. Summary of  
schedules due 7/12/2013. Statistical Summary of Certain  
Liabilities due 7/12/2013

It is hereby ORDERED that, if the debtor has not filed the Matrix List of Creditors (as required by L.B.R. 1007-2) or the Certificate of Credit Counseling or a Request for a Waiver from the Credit Counseling Requirement, then those documents are due within 7 days of the filing of the petition or else this case may be dismissed without additional notice or hearing after that date.

It is further ORDERED that all other missing documents are due within 14 days of the date of the filing of the petition, unless an extension for cause, sought prior to the expiration of 14 days, is granted. If not, this case may be dismissed without additional notice or hearing after 7/12/13 .

By the Court

Magdeline D. Coleman  
Judge , United States Bankruptcy Court

July 15,2013

Judge Madgeline D. Coleman  
United States Bankruptcy Court For  
the Eastern District of Pennsylvania  
Robert N.C. Nix Sr. Federal Courthouse  
900 Market St., Suite 214  
Philadelphia, Pa. 19107


Re: Mazza Bankruptcy-Chapter 7  
No. 13-15760

Dear Judge Coleman:

I received the Court's order of June 28,2013 on Monday July 8,2013 as I was on vacation during the July 4<sup>th</sup> holiday week. After reviewing the order ,it appeared some of the required filings are complex and require retaining a bankruptcy attorney to complete and file the schedules and other documents. I am scheduled to meet a attorney this week about retaining him for my bankruptcy case.

I request a 25 day extension of time to complete and file the documents included in the recent order. Thank you for consideration.

Sincerely,

  
Mark Mazza

Priority Mail-USPS

**PECO ENERGY**  
**EXHIBIT B**


**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**In re** : **Chapter 7**  
**Mark David Mazza** :  
: **Bankruptcy No. 13-15760**  
**Debtor** :

**ORDER**

**AND NOW**, this *22<sup>nd</sup>* day of *July*, *2013*,  
upon consideration of the Debtor(s)' Motion for Extension  
of Time to File the required documents, it is hereby

**ORDERED** that the motion is **GRANTED** and the  
debtor(s) may file their documents on or before July 31,  
2013. No further extension will be granted.

  
Honorable Magdelene D. Coleman  
United States Bankruptcy Judge

extend.frm  
(11/95)

**PECO ENERGY**  
**EXHIBIT C**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re : Chapter 7  
:  
Mark David Mazza :  
:  
Debtor : Bankruptcy No. 13-15760

**ORDER**

AND NOW, this *14<sup>th</sup>* day of *August*, 2013, it is

ORDERED that since the debtor(s) have failed to timely file the documents required by the orders dated June 28, 2013 and July 22, 2013, this case be and the same is hereby DISMISSED.

*Magdelene D. Coleman*  
Honorable Magdelene D. Coleman  
United States Bankruptcy Judge

**Missing Documents:**

- Schedules A thru J
- Statement of Financial Affairs
- Statistical Summary of Certain Liabilities
- Summary of Schedules
- Statement of Current Monthly Income
- Matrix

**PECO ENERGY**  
**EXHIBIT D**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In Re:

Mark David Mazza

Debtor(s)

Chapter: 7

Bankruptcy No: 14-10419-mdc

**ORDER**

AND NOW, this 17th day of January, 2014, the debtor having failed to file or submit with the petition all of the documents required by Fed. R. Bankr. P. 1007,

And the following documents are missing

Matrix List of Creditors due 1/24/2014  
Statement of Current Monthly Income due 1/31/2014  
Schedules A-J due 1/31/2014  
Statement of Financial Affairs due 1/31/2014  
Summary of schedules due 1/31/2014  
Statistical Summary of Certain Liabilities due 1/31/2014

It is hereby ORDERED that, if the debtor has not filed the Matrix List of Creditors (as required by L.B.R. 1007-2) or the Certificate of Credit Counseling or a Request for a Waiver from the Credit Counseling Requirement, then those documents are due within 7 days of the filing of the petition or else this case may be dismissed without additional notice or hearing after that date.

It is further ORDERED that all other missing documents are due within 14 days of the date of the filing of the petition, unless an extension for cause, sought prior to the expiration of 14 days, is granted. If not, this case may be dismissed without additional notice or hearing after 1/31/14.

By the Court

Magdeline D. Coleman  
Judge, United States Bankruptcy Court

January 29, 2014

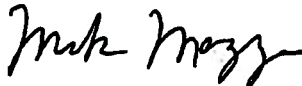
Honorable Magdeline D. Coleman  
United States Bankruptcy Court  
for the Eastern District Of Pennsylvania  
Robert N.C. Nix Sr. Federal Courthouse  
900 market St.  
Suite 214  
Philadelphia, PA. 19107

**Re-Mark D, Mazza Bankruptcy No. 14-10419-mdc**

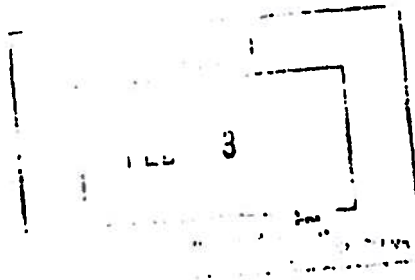
Dear Judge Coleman:

I received the Court's order regarding documents missing from the petition. Due to lack of income, I am representing myself and determined more time is necessary to complete and file the schedules and other documents. I request a reasonable extension of time to file the documents and appreciate Your Honor's attention and time to address my request.

Respectfully,



Mark Mazza



**PECO ENERGY**  
**EXHIBIT F**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: :  
: Chapter 7  
MARK DAVID MAZZA :  
: Case No. 14-10419(MDC)  
Debtor. :  
:

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, upon consideration of the Debtor's Emergency Petition to Extend the Automatic Stay and PECO Energy Company's Objection thereto, IT IS HEREBY ORDERED that Debtor's Motion is DENIED and the Automatic Stay is terminated as of February 19, 2014.

---

Magdeline D. Coleman  
United States Bankruptcy Judge

INTERESTED PARTIES

Mark David Mazza  
1271 Farm Road  
Berwyn, PA 19312

Michael H. Kaliner Trustee  
350 South Main Street  
Suite 105  
Doylestown, PA 18901

United States Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: :  
: Chapter 7  
MARK DAVID MAZZA :  
: :  
Debtor. : Case No. 14-10419(MDC)  
: :  
:

CERTIFICATE OF SERVICE

I, Lynn R. Zack, certify that on this 20<sup>th</sup> day of February, 2014, I caused a true and correct copy of *PECO Energy Company's Objection to Debtor's Emergency Petition to Extend Automatic Stay* to be served upon the following via Electronic and First Class Mail, as well as all parties who have electronically entered a notice of appearance through the notice of filing generated by the Court's CM/ECF System.

Mark David Mazza  
1271 Farm Road  
Berwyn, PA 19312

Michael H. Kaliner Trustee  
350 South Main Street  
Suite 105  
Doylestown, PA 18901  
michaelkaliner@7trustee.net

United States Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107  
USTPRegion03.PH.ECF@usdoj.gov

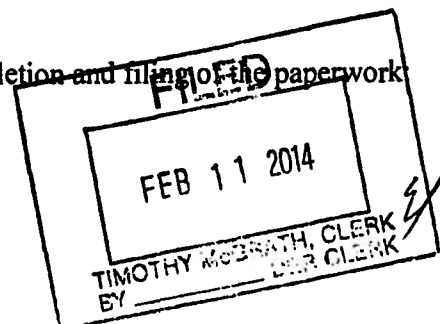
By: /s/ Lynn R. Zack  
Lynn R. Zack

IN RE:  
MARK DAVID MAZZA

CHAPTER 7  
Bankruptcy No. 14-10419-mdc

**EMERGENCY PETITION TO EXTEND AUTOMATIC STAY**

1. Debtor previously filed for bankruptcy pro se, and that case was dismissed as debtor was unable to file schedules timely.
2. Due to lack of income and unemployment since October 2007, debtor could not afford to hire an attorney for the prior bankruptcy filing, as well as for this second filing.
3. Debtor is in the process of completing the schedules and other necessary documents for this bankruptcy, which will be filed on or shortly after this motion is filed with the Court.
4. Debtor fully intends to proceed with this case, in good faith, as debtor is unable to pay his individual debts and judgments.
5. Debtor was unable to file schedules and other documents timely in the first bankruptcy filing for several reasons, including:
  - (a) completion of all schedules and documents without an attorney was complex;
  - (b) debtor's involvement in other litigation or claims against him was very time consuming and made it more difficult to compile information to complete the bankruptcy documents;
  - (c) domestic and personal problems hindered completion and filing of the paperwork



(d) substantial care, time and attention was devoted to debtor's 89 year old mother, who was residing with debtor and family at the time.

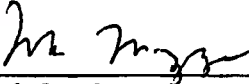
6. Since October 2007 to the present, debtor has been unemployed and has not made any income, nor received any benefits for several years.

7. Debtor seeks Chapter 7 discharge of his debts and obligations as he is unable to pay them.

8. Due to potential threat or imminent harm due to enforcement of judgements levy, liens and termination of utility services, debtor requests this Court to extend the automatic stay as to all creditors .

9. One of the debts or obligations at issue in this bankruptcy is that of creditor PECO where debtor resides with his wife and 2 small children.

WHEREFORE, debtor requests the emergency petition be granted.

  
\_\_\_\_\_  
Mark D. Mazza

IN RE:  
MARK DAVID MAZZA

CHAPTER 7  
Bankruptcy No. 14-10419-mdc

**CERTIFICATE OF SERVICE**

Debtor confirms the parties or persons named below were served with the Emergency  
Petition to Extend the Automatic Stay by first class mail through the United States Postal Service  
on the date noted below:

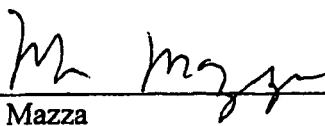
Discover Bank  
c/o Michael Dougherty, Esq.  
325 Chestnut St.  
Suite 501  
Phila. Pa 19106

Commonwealth of Pa.  
Pennsylvania Public Utility  
Commission  
P.O. Box 3265  
Harrisburg, Pa. 17105

PECO  
2301 Market St.  
P.O. Box 13778  
Phila., Pa. 19101

Fic Card Services  
P.O. Box 15019  
Wilmington, Del,  
19850

Dated: 2/7/14

  
\_\_\_\_\_  
Mark D. Mazza

IN RE:  
MARK DAVID MAZZA

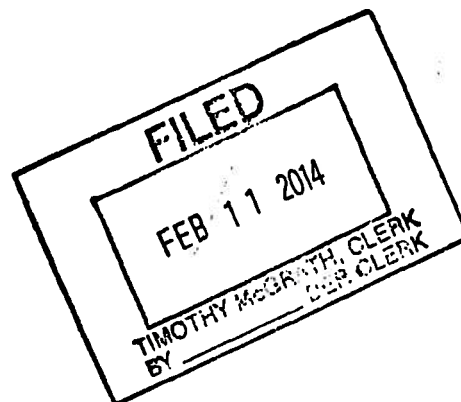
CHAPTER 7  
Bankruptcy No. 14-10419-mdc

**ORDER**

AND NOW this            day of            , 2014, it is hereby ORDERED and  
DECREED the debtor's Emergency Petition to Extend the Automatic Stay is GRANTED. All  
lawsuits, proceedings and orders in which debtor is a party are stayed. The Automatic Stay  
remains in effect until discharge and completion of this bankruptcy proceeding.

BY THE COURT:

\_\_\_\_\_ J.



B1 (Official Form 1) (04/13)

UNITED STATES BANKRUPTCY COURT

VOLUNTARY PETITION

Name of Debtor (if individual enter Last, First, Middle): **MARZLA MARCO DAVID**  
 Name of Joint Debtor (Spouse) (Last, First, Middle):  
 All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  
 All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):  
 Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): **4249**  
 Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):  
 Street Address of Debtor (No. and Street, City, and State):  
**1271 Farm Rd.  
 Berwyn, Pa 19312**  
 ZIP CODE **19812**  
 Street Address of Joint Debtor (No. and Street, City, and State):  
 ZIP CODE  
 County of Residence or of the Principal Place of Business:  
**Chester**  
 County of Residence or of the Principal Place of Business:  
 Mailing Address of Debtor (if different from street address):  
 Mailing Address of Joint Debtor (if different from street address):  
 ZIP CODE  
 ZIP CODE

**INSTALLMENT FEES**

**Pro Se**

**RELIEF ORDERED  
 MAGDELINE D. COLEMAN**

Location of Principal Assets of Business Debtor (if different from street address above):

<p><b>Type of Debtor (Form of Organization) (Check one box.)</b></p> <input checked="" type="checkbox"/> Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<p><b>Nature of Business (Check one box.)</b></p> <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other	<p><b>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.)</b></p> <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<p><b>Chapter 15 Debtors</b>                  Country of debtor's center of main interests:                  Each country in which a foreign proceeding by, regarding, or against debtor is pending:</p>	<p><b>Tax-Exempt Entity (Check box, if applicable.)</b></p> <input type="checkbox"/> Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code).	<p><b>Nature of Debts (Check one box.)</b></p> <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.

**Filing Fee (Check one box.)**

 Full Filing Fee attached.  
 Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  
 Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.

**Chapter 11 Debtors**

Check one box:  
 Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).  
 Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

Check if:  
 Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter).

Check all applicable boxes:  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited propetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).

Statistical/Administrative Information

Debtor estimates that funds will be available for distribution to unsecured creditors.  
 Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

**Estimated Number of Creditors**

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> Over 100,000
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**Estimated Assets**

<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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**Estimated Liabilities**

<input checked="" type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
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THIS SPACE IS FOR COURT USE ONLY

2014 JAN 17 PM 1:03

**FILED**

U.S. BANKRUPTCY COURT

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case.)</i>	Name of Debtor(s):
--	--------------------

**All Prior Bankruptcy Cases Filed Within Last 8 Years (if more than two, attach additional sheet.)**

Location Where Filed: <u>Phila. Pa.</u>	Case Number: <u>13-15760</u>	Date Filed: <u>June 2013</u>
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (if more than one, attach additional sheet.)**

Name of Debtor: <u>None</u>	Case Number:	Date Filed:
District:	Relationship:	Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

X \_\_\_\_\_  
 Signature of Attorney for Debtor(s) (Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

- Yes, and Exhibit C is attached and made a part of this petition.
- No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.

If this is a joint petition:

Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box.)

- Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
 (Name of landlord that obtained judgment)

\_\_\_\_\_  
 (Address of landlord)

- Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).



**Docket Nos. C-2013-2383618  
C-2013-2392536  
C-2013-2393225**

**Mark Mazza v. PECO Energy Company**

Attachment 2

11 U.S.C.A. § 362

FOCUS™ Terms   Advanced... Get a Document  [View Tutorial](#)Service: **Get by LEXSTAT®**

TOC: United States Code Service - Titles 1 through 51 &gt; TITLE 11. BANKRUPTCY &gt; CHAPTER 3. CASE ADMINISTRATION &gt; SUBCHAPTER IV. ADMINISTRATIVE POWERS &gt; § 362. Automatic stay (Part 1 of 4)

Citation: 11 usca 362(c)(3)(a)

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## 11 USCS § 362

UNITED STATES CODE SERVICE  
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\*\*\* Current through PL 113-74, with a gap of PL 113-73, approved 1/16/2014 \*\*\*

TITLE 11. BANKRUPTCY  
 CHAPTER 3. CASE ADMINISTRATION  
 SUBCHAPTER IV. ADMINISTRATIVE POWERS

## 11 USCS § 362

THE CASE NOTES SEGMENT OF THIS DOCUMENT HAS BEEN SPLIT INTO 4 DOCUMENTS.  
 THIS IS PART 1.

USE THE BROWSE FEATURE TO REVIEW THE OTHER PART(S).

## § 362. Automatic stay

(a) Except as provided in subsection (b) of this section, a petition filed under section 301, 302, or 303 of this title [11 USCS § 301, 302, or 303], or an application filed under section 5(a)(3) of the Securities Investor Protection Act of 1970 [15 USCS § 78eee(a)(3)], operates as a stay, applicable to all entities, of--

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title;

(2) the enforcement, against the debtor or against property of the estate, of a judgment obtained before the commencement of the case under this title;

(3) any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate;

(4) any act to create, perfect, or enforce any lien against property of the estate;

(5) any act to create, perfect, or enforce against property of the debtor any lien to the extent that such lien secures a claim that arose before the commencement of the case under this title;

(6) any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the case under this title;

(7) the setoff of any debt owing to the debtor that arose before the commencement of the case under this title against any claim against the debtor; and

(8) the commencement or continuation of a proceeding before the United States Tax Court concerning a tax liability of a debtor that is a corporation for a taxable period the bankruptcy court may determine or concerning the tax liability of a debtor who is an individual for a taxable period ending before the date of the order for relief under this title.

(b) The filing of a petition under section 301, 302, or 303 of this title [11 USCS § 301, 302, or 303], or of an application under section 5(a)(3) of the Securities Investor Protection Act of 1970 [15 USCS § 78eee(a)(3)], does not operate as a stay--

(1) under subsection (a) of this section, of the commencement or continuation of a criminal action or proceeding against the debtor;

(2) under subsection (a)--

(A) of the commencement or continuation of a civil action or proceeding--

(i) for the establishment of paternity;

(ii) for the establishment or modification of an order for domestic support obligations;

(iii) concerning child custody or visitation;

(iv) for the dissolution of a marriage, except to the extent that such proceeding seeks to determine the division of property that is property of the estate; or

(v) regarding domestic violence;

(B) of the collection of a domestic support obligation from property that is not property of the estate;

(C) with respect to the withholding of income that is property of the estate or property of the debtor for payment of a domestic support obligation under a judicial or administrative order or a statute;

(D) of the withholding, suspension, or restriction of a driver's license, a professional or occupational license, or a recreational license, under State law, as specified in section 466(a)(16) of the Social Security Act [42 USCS § 666(a)(16)];

(E) of the reporting of overdue support owed by a parent to any consumer reporting agency as specified in section 466(a)(7) of the Social Security Act [42 USCS § 666(a)(7)];

(F) of the interception of a tax refund, as specified in sections 464 and 466(a)(3) of the Social Security Act [42 USCS §§ 664 and 666(a)(3)] or under an analogous State law; or

(G) of the enforcement of a medical obligation, as specified under title IV of the Social Security Act [42 USCS §§ 601 et seq.];

(3) under subsection (a) of this section, of any act to perfect, or to maintain or continue the perfection of, an interest in property to the extent that the trustee's rights and powers are subject to such perfection under section 546(b) of this title [11 USCS § 546(b)] or to the extent that such act is accomplished within the period provided under section 547(e)(2)(A) of this title [11 USCS § 547(e)(2)(A)];

(4) under paragraph (1), (2), (3), or (6) of subsection (a) of this section, of the commencement or continuation of an action or proceeding by a governmental unit or any organization exercising authority under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993, to enforce such governmental unit's or organization's police and regulatory power, including the enforcement of a judgment other than a money judgment, obtained in an action or proceeding by the governmental unit to enforce such governmental unit's or organization's police or regulatory power;

(5) [Deleted]

(6) under subsection (a) of this section, of the exercise by a commodity broker, forward contract merchant, stockbroker, financial institution, financial participant, or securities clearing agency of any contractual right (as defined in section 555 or 556 [11 USCS § 555 or 556]) under any security agreement or arrangement or other credit enhancement forming a part of or related to any commodity contract, forward contract or securities contract, or of any contractual right (as defined in section 555 or 556 [11 USCS § 555 or 556]) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with 1 or more such contracts, including any master agreement for such contracts;

(7) under subsection (a) of this section, of the exercise by a repo participant or financial participant of any contractual right (as defined in section 559 [11 USCS § 559]) under any security agreement or arrangement or other credit enhancement forming a part of or related to any repurchase agreement, or of any contractual right (as defined in section 559 [11 USCS § 559]) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with 1 or more such agreements, including any master agreement for such agreements;

(8) under subsection (a) of this section, of the commencement of any action by the Secretary of Housing and Urban Development to foreclose a mortgage or deed of trust in any case in which the mortgage or deed of trust held by the Secretary is insured or was formerly insured under the National Housing Act and covers property, or combinations of property, consisting of five or more living units;

(9) under subsection (a), of--

(A) an audit by a governmental unit to determine tax liability;

(B) the issuance to the debtor by a governmental unit of a notice of tax deficiency;

(C) a demand for tax returns; or

(D) the making of an assessment for any tax and issuance of a notice and demand for payment of such an assessment (but any tax lien that would otherwise attach to property of the estate by reason of such an assessment shall not take effect unless such tax is a debt of the debtor that will not be discharged in the case and such property or its proceeds are transferred out of the estate to, or otherwise revested in, the debtor).

(10) under subsection (a) of this section, of any act by a lessor to the debtor under a lease of nonresidential real property that has terminated by the expiration of the stated term of the lease before the commencement of or during a case under this title to obtain possession of such property;

(11) under subsection (a) of this section, of the presentment of a negotiable instrument and the giving of notice of and protesting dishonor of such an instrument;

(12) under subsection (a) of this section, after the date which is 90 days after the filing of such petition, of the commencement or continuation, and conclusion to the entry of final judgment, of an action which involves a debtor subject to reorganization pursuant to chapter 11 of this title and which was brought by the Secretary of Transportation under section 31325 of title 46 (including distribution of any proceeds of sale) to foreclose a preferred ship or fleet mortgage, or a security interest in or relating to a vessel or vessel under construction, held by the Secretary of Transportation under chapter 537 of title 46 [46 USCS §§ 53701 et seq.] or section 109(h) of title 49 [49 USCS § 109(h)], or under applicable State law;

(13) under subsection (a) of this section, after the date which is 90 days after the filing of such petition, of the commencement or continuation, and conclusion to the entry of final judgment, of an action which involves a debtor subject to reorganization pursuant to chapter 11 of this title and which was brought by the Secretary of Commerce under section 31325 of title 46 (including distribution of any proceeds of sale) to foreclose a preferred ship or fleet mortgage in a vessel or a mortgage, deed of trust, or other security interest in a fishing facility held by the Secretary of Commerce under chapter 537 of title 46 [46 USCS §§ 53701 et seq.];

(14) under subsection (a) of this section, of any action by an accrediting agency regarding the accreditation status of the debtor as an educational institution;

(15) under subsection (a) of this section, of any action by a State licensing body regarding the licensure of the debtor as an educational institution;

(16) under subsection (a) of this section, of any action by a guaranty agency, as defined in section 435(j) of the Higher Education Act of 1965 [20 USCS § 1085 (j)] or the Secretary of Education regarding the eligibility of the debtor to participate in programs authorized under such Act;

(17) under subsection (a) of this section, of the exercise by a swap participant or financial participant of any contractual right (as defined in section 560 [11 USCS § 560]) under any security agreement or arrangement or other credit enhancement forming a part of or related to any swap agreement, or of any contractual right (as defined in section 560 [11 USCS § 560]) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with 1 or more such agreements, including any master agreement for such agreements;

(18) under subsection (a) of the creation or perfection of a statutory lien for an ad valorem property tax, or a special tax or special assessment on real property whether or not ad valorem, imposed by a governmental unit, if such tax or assessment comes due after the date of the filing of the petition;

(19) under subsection (a), of withholding of income from a debtor's wages and collection of amounts withheld, under the debtor's agreement authorizing that withholding and collection for the benefit of a pension, profit-sharing, stock bonus, or other plan established under section 401, 403, 408, 408A, 414, 457, or 501 (c) of the Internal Revenue Code of 1986 [26 USCS § 401, 403, 408, 408A, 414, 457, or 501(c)], that is sponsored by the employer of the debtor, or an affiliate, successor, or predecessor of such employer--

(A) to the extent that the amounts withheld and collected are used solely for payments relating to a loan from a plan under section 408(b)(1) of the Employee Retirement Income Security Act of 1974 [29 USCS § 1108(b)(1)] or is subject to section 72(p) of the Internal Revenue Code of 1986 [26 USCS § 72(p)]; or

(B) a loan from a thrift savings plan permitted under subchapter III of chapter 84 of title 5 [5 USCS §§ 8431 et seq.], that satisfies the requirements of section 8433(g) of such title [5 USCS § 8433(g)];

but nothing in this paragraph may be construed to provide that any loan made under a governmental plan under section 414(d) [26 USCS § 414(d)], or a contract or account under section 403(b) [26 USCS § 403(b)], of the Internal Revenue Code of 1986 constitutes a claim or a debt under this title;

(20) under subsection (a), of any act to enforce any lien against or security interest in real property following entry of the order under subsection (d)(4) as to such real property in any prior case under this title, for a period of 2 years after the date of the entry of such an order, except that the debtor, in a subsequent case under this title, may move for relief from such order based upon changed circumstances or for other good cause shown, after notice and a hearing;

(21) under subsection (a), of any act to enforce any lien against or security interest in real property--

(A) if the debtor is ineligible under section 109(g) to be a debtor in a case under this title; or

(B) if the case under this title was filed in violation of a bankruptcy court order in a prior case under this title prohibiting the debtor from being a debtor in another case under this title;

(22) subject to subsection (l), under subsection (a)(3), of the continuation of any eviction, unlawful detainer action, or similar proceeding by a lessor against a debtor involving residential property in which the debtor resides as a tenant under a lease or rental agreement and with respect to which the lessor has obtained before the date of the filing of the bankruptcy petition, a judgment for possession of such property against the debtor;

(23) subject to subsection (m), under subsection (a)(3), of an eviction action that seeks possession of the residential property in which the debtor resides as a tenant under a lease or rental agreement based on endangerment of such property or the illegal use of controlled substances on such property, but only if the lessor files with the court, and serves upon the debtor, a certification under penalty of perjury that such an eviction action has been filed, or that the debtor, during the 30-day period preceding the date of the filing of the certification, has endangered property or illegally used or allowed to be used a controlled substance on the property;

(24) under subsection (a), of any transfer that is not avoidable under section 544 [11 USCS § 544] and that is not avoidable under section 549 [11 USCS § 549];

(25) under subsection (a), of--

(A) the commencement or continuation of an investigation or action by a securities self regulatory organization to enforce such organization's regulatory power; (B) the enforcement of an order or decision, other than for monetary sanctions, obtained in an action by such securities self regulatory organization to enforce such organization's regulatory power; or

(C) any act taken by such securities self regulatory organization to delist, delete, or refuse to permit quotation of any stock that does not meet applicable regulatory requirements;

(26) under subsection (a), of the setoff under applicable nonbankruptcy law of an income tax refund, by a governmental unit, with respect to a taxable period that ended before the date of the order for relief against an income tax liability for a taxable period that also ended before the date of the order for relief, except that in any case in which the setoff of an income tax refund is not permitted under applicable nonbankruptcy law because of a pending action to determine the amount or legality of a tax liability, the governmental unit may hold the refund pending the resolution of the action, unless the court, on the motion of the trustee and after notice and a hearing, grants the taxing authority adequate protection (within the meaning of section 361 [11 USCS § 361]) for the secured claim of such authority in the setoff under section 506(a) [11 USCS § 506(a)];

(27) under subsection (a) of this section, of the exercise by a master netting agreement participant of any contractual right (as defined in section 555, 556, 559, or 560 [11 USCS § 555, 556, 559, or 560]) under any security agreement or arrangement or other credit enhancement forming a part of or related to any master netting agreement, or of any contractual right (as defined in section 555, 556, 559, or 560 [11 USCS § 555, 556, 559, or 560]) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with 1 or more such master netting agreements to the extent that such participant is eligible to exercise such rights under paragraph (6), (7), or (17) for each individual contract covered by the master netting agreement in issue; and

(28) under subsection (a), of the exclusion by the Secretary of Health and Human Services of the debtor from participation in the medicare program or any other Federal health care program (as defined in section 1128B(f) of the Social Security Act [42 USCS § 1320a-7b(f)] pursuant to title XI or XVIII of such Act [42 USCS §§ 1301 et seq. or 1395 et seq.]).

The provisions of paragraphs (12) and (13) of this subsection shall apply with respect to any such petition filed on or before December 31, 1989.

(c) Except as provided in subsections (d), (e), (f), and (h) of this section--

(1) the stay of an act against property of the estate under subsection (a) of this section continues until such property is no longer property of the estate;

(2) the stay of any other act under subsection (a) of this section continues until the earliest of--

(A) the time the case is closed;

(B) the time the case is dismissed; or

(C) if the case is a case under chapter 7 of this title [11 USCS §§ 701 et seq.] concerning an individual or a case under chapter 9, 11, 12, or 13 of this title [11 USCS §§ 901 et seq., 1101 et seq., 1201 et seq., or 1301 et seq.], the time a discharge is granted or denied;

(3) if a single or joint case is filed by or against a debtor who is an individual in a case under chapter 7, 11, or 13 [11 USCS §§ 701 et seq., 1101 et seq., or 1301 et seq.], and if a single or joint case of the debtor was pending within the preceding 1-year period but was dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under section 707(b) [11 USCS § 707(b)]--

(A) the stay under subsection (a) with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate with respect to the debtor on the 30th day after the filing of the later case;

(B) on the motion of a party in interest for continuation of the automatic stay and upon notice and a hearing, the court may extend the stay in particular cases as to any or all creditors (subject to such conditions or limitations as the court may then impose) after notice and a hearing completed before the expiration of the 30-day period only if the party in interest demonstrates that the filing of the later case is in good faith as to the creditors to be stayed; and

(C) for purposes of subparagraph (B), a case is presumptively filed not in good faith (but such presumption may be rebutted by clear and convincing evidence to the contrary)--

(i) as to all creditors, if--

(I) more than 1 previous case under any of chapters 7, 11, and 13 [11 USCS §§ 701 et seq., 1101 et seq., and 1301 et seq.] in which the individual was a debtor was pending within the preceding 1-year period;

(II) a previous case under any of chapters 7, 11, and 13 [11 USCS §§ 701 et seq., 1101 et seq., and 1301 et seq.] in which the individual was a debtor was dismissed within such 1-year period, after the debtor failed to--

(aa) file or amend the petition or other documents as required by this title [11 USCS §§ 101 et seq.] or the court without substantial excuse (but mere inadvertence or negligence shall not be a substantial excuse unless the dismissal was caused by the negligence of the debtor's attorney);

(bb) provide adequate protection as ordered by the court; or

- (cc) perform the terms of a plan confirmed by the court; or
- (III) there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13 [11 USCS §§ 701 et seq., 1101 et seq., or 1301 et seq.] or any other reason to conclude that the later case will be concluded--
- (aa) if a case under chapter 7 [11 USCS §§ 701 et seq.], with a discharge; or
- (bb) if a case under chapter 11 or 13 [11 USCS §§ 1101 et seq. or 1301 et seq.], with a confirmed plan that will be fully performed; and
- (ii) as to any creditor that commenced an action under subsection (d) in a previous case in which the individual was a debtor if, as of the date of dismissal of such case, that action was still pending or had been resolved by terminating, conditioning, or limiting the stay as to actions of such creditor; and
- (4) (A) (i) if a single or joint case is filed by or against a debtor who is an individual under this title, and if 2 or more single or joint cases of the debtor were pending within the previous year but were dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under section 707(b) [11 USCS § 707(b)], the stay under subsection (a) shall not go into effect upon the filing of the later case; and
- (ii) on request of a party in interest, the court shall promptly enter an order confirming that no stay is in effect;
- (B) if, within 30 days after the filing of the later case, a party in interest requests the court may order the stay to take effect in the case as to any or all creditors (subject to such conditions or limitations as the court may impose), after notice and a hearing, only if the party in interest demonstrates that the filing of the later case is in good faith as to the creditors to be stayed;
- (C) a stay imposed under subparagraph (B) shall be effective on the date of the entry of the order allowing the stay to go into effect; and
- (D) for purposes of subparagraph (B), a case is presumptively filed not in good faith (but such presumption may be rebutted by clear and convincing evidence to the contrary)--
- (i) as to all creditors if--
- (I) 2 or more previous cases under this title in which the individual was a debtor were pending within the 1-year period;
- (II) a previous case under this title in which the individual was a debtor was dismissed within the time period stated in this paragraph after the debtor failed to file or amend the petition or other documents as required by this title or the court without substantial excuse (but mere inadvertence or negligence shall not be substantial excuse unless the dismissal was caused by the negligence of the debtor's attorney), failed to provide adequate protection as ordered by the court, or failed to perform the terms of a plan confirmed by the court; or
- (III) there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under this title, or any other reason to conclude that the later case will not be concluded, if a case under chapter 7 [11 USCS §§ 701 et seq.], with a discharge, and if a case under chapter 11 or 13 [11 USCS §§ 1101 et seq. or 1301 et seq.], with a confirmed plan that will be fully performed; or
- (ii) as to any creditor that commenced an action under subsection (d) in a previous case in which the individual was a debtor if, as of the date of dismissal of such case, such action was still pending or had been resolved by terminating, conditioning, or limiting the stay as to such action of such creditor.
- (d) On request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this section, such as by terminating, annulling, modifying, or conditioning such stay--
- (1) for cause, including the lack of adequate protection of an interest in property of such party in interest;
- (2) with respect to a stay of an act against property under subsection (a) of this section, if--
- (A) the debtor does not have an equity in such property; and
- (B) such property is not necessary to an effective reorganization;
- (3) with respect to a stay of an act against single asset real estate under subsection (a), by a creditor whose claim is secured by an interest in such real estate, unless, not later than the date that is 90 days after the entry of the order for relief (or such later date as the court may determine for cause by order entered within that 90-day period) or 30 days after the court determines that the debtor is subject to this paragraph, whichever is later--
- (A) the debtor has filed a plan of reorganization that has a reasonable possibility of being confirmed within a reasonable time; or
- (B) the debtor has commenced monthly payments that--
- (i) may, in the debtor's sole discretion, notwithstanding section 363(c)(2) [11 USCS § 363(c)(2)], be made from rents or other income generated before, on, or after the date of the commencement of the case by or from the property to each creditor whose claim is secured by such real estate (other than a claim secured by a judgment lien or by an unmatured statutory lien); and
- (ii) are in an amount equal to interest at the then applicable nondefault contract rate of interest on the value of the creditor's interest in the real estate; or
- (4) with respect to a stay of an act against real property under subsection (a), by a creditor whose claim is secured by an interest in such real property, if the court finds that the filing of the petition was part of a scheme to delay, hinder, or defraud creditors that involved either--
- (A) transfer of all or part ownership of, or other interest in, such real property without the consent of the secured creditor or court approval; or
- (B) multiple bankruptcy filings affecting such real property.
- If recorded in compliance with applicable State laws governing notices of interests or liens in real property, an order entered under paragraph (4) shall be binding in any other case under this title purporting to affect such real property filed not later than 2 years after the date of the entry of such order by the court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. Any Federal, State, or local governmental unit that accepts notices of interests or liens in real property shall accept any certified copy of an order described in this subsection for indexing and recording.
- (e)
- (1) Thirty days after a request under subsection (d) of this section for relief from the stay of any act against property of the estate under subsection (a) of this section, such stay is terminated with respect to the party in interest making such request, unless the court, after notice and a hearing, orders such stay continued in effect pending the conclusion of, or as a result of, a final hearing and determination under subsection (d) of this section. A hearing under this subsection may be a preliminary hearing, or may be consolidated with the final hearing under subsection (d) of this section. The court shall order such stay continued in effect pending the conclusion of the final hearing under subsection (d) of this section if there is a reasonable likelihood that the party opposing relief from such stay will prevail at the conclusion of such final hearing. If the hearing under this subsection is a preliminary hearing, then such final hearing shall be concluded not later than thirty days after the conclusion of such preliminary hearing, unless the 30-day period is extended with the consent of the parties in interest or for a specific time which the court finds is required by compelling circumstances.
- (2) Notwithstanding paragraph (1), in a case under chapter 7, 11, or 13 [11 USCS §§ 701 et seq., 1101 et seq., or 1301 et seq.] in which the debtor is an individual, the stay under subsection (a) shall terminate on the date that is 60 days after a request is made by a party in interest under subsection (d), unless--
- (A) a final decision is rendered by the court during the 60-day period beginning on the date of the request; or
- (B) such 60-day period is extended--
- (i) by agreement of all parties in interest; or
- (ii) by the court for such specific period of time as the court finds is required for good cause, as described in findings made by the court.
- (f) Upon request of a party in interest, the court, with or without a hearing, shall grant such relief from the stay provided under subsection (a) of this section as is necessary to prevent irreparable damage to the interest of an entity in property, if such interest will suffer such damage before there is an opportunity for notice and a hearing under subsection (d) or (e) of this section.
- (g) In any hearing under subsection (d) or (e) of this section concerning relief from the stay of any act under subsection (a) of this section--
- (1) the party requesting such relief has the burden of proof on the issue of the debtor's equity in property; and
- (2) the party opposing such relief has the burden of proof on all other issues.
- (h) (1) In a case in which the debtor is an individual, the stay provided by subsection (a) is terminated with respect to personal property of the estate or of the debtor securing in whole or in part a claim, or subject to an unexpired lease, and such personal property shall no longer be property of the estate if the debtor fails within the applicable time set by section 521(a)(2) [11 USCS § 521(a)(2)]--
- (A) to file timely any statement of intention required under section 521(a)(2) [11 USCS § 521(a)(2)] with respect to such personal property or to indicate in such statement that the debtor will either surrender such personal property or retain it and, if retaining such personal property, either redeem such personal property pursuant to section 722 [11 USCS § 722], enter into an agreement of the kind specified in section 524(c) [11 USCS § 524(c)] applicable to the debt secured by such personal property, or assume such unexpired lease pursuant to section 365(p) [11 USCS § 365(p)] if the trustee does not do so, as applicable; and
- (B) to take timely the action specified in such statement, as it may be amended before expiration of the period for taking action, unless such statement specifies the debtor's intention to reaffirm such debt on the original contract terms and the creditor refuses to agree to the reaffirmation on such terms.
- (2) Paragraph (1) does not apply if the court determines, on the motion of the trustee filed before the expiration of the applicable time set by section 521(a)(2) [11 USCS § 521(a)(2)], after notice and a hearing, that such personal property is of consequential value or benefit to the estate, and orders appropriate adequate protection of the creditor's interest, and orders the debtor to deliver any collateral in the debtor's possession to the trustee. If the court does not so determine, the stay provided by subsection (a) shall terminate upon the conclusion of the hearing on the motion.
- (i) If a case commenced under chapter 7, 11, or 13 [11 USCS §§ 701 et seq., 1101 et seq., or 1301 et seq.] is dismissed due to the creation of a debt repayment plan, for purposes of subsection (c)(3), any subsequent case commenced by the debtor under any such chapter shall not be presumed to be filed not in good faith.
- (j) On request of a party in interest, the court shall issue an order under subsection (c) confirming that the automatic stay has been terminated.

(k) (1) Except as provided in paragraph (2), an individual injured by any willful violation of a stay provided by this section shall recover actual damages, including costs and attorneys' fees, and, in appropriate circumstances, may recover punitive damages.

(2) If such violation is based on an action taken by an entity in the good faith belief that subsection (h) applies to the debtor, the recovery under paragraph (1) of this subsection against such entity shall be limited to actual damages.

(l)

(1) Except as otherwise provided in this subsection, subsection (b)(22) shall apply on the date that is 30 days after the date on which the bankruptcy petition is filed, if the debtor files with the petition and serves upon the lessor a certification under penalty of perjury that--

(A) under nonbankruptcy law applicable in the jurisdiction, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after that judgment for possession was entered; and

(B) the debtor (or an adult dependent of the debtor) has deposited with the clerk of the court, any rent that would become due during the 30-day period after the filing of the bankruptcy petition.

(2) If, within the 30-day period after the filing of the bankruptcy petition, the debtor (or an adult dependent of the debtor) complies with paragraph (1) and files with the court and serves upon the lessor a further certification under penalty of perjury that the debtor (or an adult dependent of the debtor) has cured, under nonbankruptcy law applicable in the jurisdiction, the entire monetary default that gave rise to the judgment under which possession is sought by the lessor, subsection (b)(22) shall not apply, unless ordered to apply by the court under paragraph (3).

(3)

(A) If the lessor files an objection to any certification filed by the debtor under paragraph (1) or (2), and serves such objection upon the debtor, the court shall hold a hearing within 10 days after the filing and service of such objection to determine if the certification filed by the debtor under paragraph (1) or (2) is true.

(B) If the court upholds the objection of the lessor filed under subparagraph (A)--

(i) subsection (b)(22) shall apply immediately and relief from the stay provided under subsection (a)(3) shall not be required to enable the lessor to complete the process to recover full possession of the property; and

(ii) the clerk of the court shall immediately serve upon the lessor and the debtor a certified copy of the court's order upholding the lessor's objection.

(4) If a debtor, in accordance with paragraph (5), indicates on the petition that there was a judgment for possession of the residential rental property in which the debtor resides and does not file a certification under paragraph (1) or (2)--

(A) subsection (b)(22) shall apply immediately upon failure to file such certification, and relief from the stay provided under subsection (a)(3) shall not be required to enable the lessor to complete the process to recover full possession of the property; and

(B) the clerk of the court shall immediately serve upon the lessor and the debtor a certified copy of the docket indicating the absence of a filed certification and the applicability of the exception to the stay under subsection (b)(22).

(5) (A) Where a judgment for possession of residential property in which the debtor resides as a tenant under a lease or rental agreement has been obtained by the lessor, the debtor shall so indicate on the bankruptcy petition and shall provide the name and address of the lessor that obtained that pre-petition judgment on the petition and on any certification filed under this subsection.

(B) The form of certification filed with the petition, as specified in this subsection, shall provide for the debtor to certify, and the debtor shall certify--

(i) whether a judgment for possession of residential rental housing in which the debtor resides has been obtained against the debtor before the date of the filing of the petition; and

(ii) whether the debtor is claiming under paragraph (1) that under nonbankruptcy law applicable in the jurisdiction, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after that judgment of possession was entered, and has made the appropriate deposit with the court.

(C) The standard forms (electronic and otherwise) used in a bankruptcy proceeding shall be amended to reflect the requirements of this subsection.

(D) The clerk of the court shall arrange for the prompt transmittal of the rent deposited in accordance with paragraph (1)(B) to the lessor.

(m)

(1) Except as otherwise provided in this subsection, subsection (b)(23) shall apply on the date that is 15 days after the date on which the lessor files and serves a certification described in subsection (b)(23).

(2) (A) If the debtor files with the court an objection to the truth or legal sufficiency of the certification described in subsection (b)(23) and serves such objection upon the lessor, subsection (b)(23) shall not apply, unless ordered to apply by the court under this subsection.

(B) If the debtor files and serves the objection under subparagraph (A), the court shall hold a hearing within 10 days after the filing and service of such objection to determine if the situation giving rise to the lessor's certification under paragraph (1) existed or has been remedied.

(C) If the debtor can demonstrate to the satisfaction of the court that the situation giving rise to the lessor's certification under paragraph (1) did not exist or has been remedied, the stay provided under subsection (a)(3) shall remain in effect until the termination of the stay under this section.

(D) If the debtor cannot demonstrate to the satisfaction of the court that the situation giving rise to the lessor's certification under paragraph (1) did not exist or has been remedied--

(i) relief from the stay provided under subsection (a)(3) shall not be required to enable the lessor to proceed with the eviction; and

(ii) the clerk of the court shall immediately serve upon the lessor and the debtor a certified copy of the court's order upholding the lessor's certification.

(3) If the debtor fails to file, within 15 days, an objection under paragraph (2)(A)--

(A) subsection (b)(23) shall apply immediately upon such failure and relief from the stay provided under subsection (a)(3) shall not be required to enable the lessor to complete the process to recover full possession of the property; and

(B) the clerk of the court shall immediately serve upon the lessor and the debtor a certified copy of the docket indicating such failure.

(n) (1) Except as provided in paragraph (2), subsection (a) does not apply in a case in which the debtor--

(A) is a debtor in a small business case pending at the time the petition is filed;

(B) was a debtor in a small business case that was dismissed for any reason by an order that became final in the 2-year period ending on the date of the order for relief entered with respect to the petition;

(C) was a debtor in a small business case in which a plan was confirmed in the 2-year period ending on the date of the order for relief entered with respect to the petition; or

(D) is an entity that has acquired substantially all of the assets or business of a small business debtor described in subparagraph (A), (B), or (C), unless such entity establishes by a preponderance of the evidence that such entity acquired substantially all of the assets or business of such small business debtor in good faith and not for the purpose of evading this paragraph.

(2) Paragraph (1) does not apply--

(A) to an involuntary case involving no collusion by the debtor with creditors; or

(B) to the filing of a petition if--

(i) the debtor proves by a preponderance of the evidence that the filing of the petition resulted from circumstances beyond the control of the debtor not foreseeable at the time the case then pending was filed; and

(ii) it is more likely than not that the court will confirm a feasible plan, but not a liquidating plan, within a reasonable period of time.

(o) The exercise of rights not subject to the stay arising under subsection (a) pursuant to paragraph (6), (7), (17), or (27) of subsection (b) shall not be stayed by any order of a court or administrative agency in any proceeding under this title.

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TOC: United States Code Service - Titles 1 through 51 > TITLE 11. BANKRUPTCY > CHAPTER 3. CASE ADMINISTRATION > SUBCHAPTER IV. ADMINISTRATIVE POWERS > § 362. Automatic stay [Part 1 of 4]

Citation: 11 uscs 362(c)(3)(a)

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Date/Time: Wednesday, February 19, 2014 - 5:17 PM EST

**Docket Nos. C-2013-2383618  
C-2013-2392536  
C-2013-2393225**

**Mark Mazza v. PECO Energy Company**

Attachment 3

First Bankruptcy Petition

Bankruptcy No. 13-15760-mdc  
Docket Report and Relevant Documents

**Repeat-PAEB, DISMISSED, CASE\_CLOSED**

**U.S. Bankruptcy Court  
Eastern District of Pennsylvania (Philadelphia)  
Bankruptcy Petition #: 13-15760-mdc**

*Assigned to:* Judge Magdeline D. Coleman  
Chapter 7  
Voluntary  
No asset

*Date filed:* 06/28/2013  
*Date terminated:* 08/26/2013  
*Debtor dismissed:* 08/14/2013

*Debtor disposition:* Dismissed for Failure to File Information

**Debtor**

**Mark David Mazza**  
1271 Farm Road  
Berwyn, PA 19312  
CHESTER-PA  
SSN / ITIN: xxx-xx-4249

represented by **Mark David Mazza**  
PRO SE

**Trustee**

**MICHAEL H. KALINER**  
Michael H. Kaliner Trustee  
350 South Main Street  
Suite 105  
Doylestown, PA 18901  
215-230-4250

represented by **MICHAEL H. KALINER**  
Michael H. Kaliner Trustee  
350 South Main Street  
Suite 105  
Doylestown, PA 18901  
215-230-4250  
Email: [michaelkaliner@7trustee.net](mailto:michaelkaliner@7trustee.net)

**U.S. Trustee**

**United States Trustee**  
Office of the U.S. Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107  
(215) 597-4411

<b>Filing Date</b>	<b>#</b>	<b>Docket Text</b>
06/28/2013	<u>1</u> (3 pgs)	Chapter 7 Voluntary Petition . Receipt Number O, Fee Amount \$0.00 Filed by Mark David Mazza . Matrix List of Creditors due 7/5/2013. Government Proof of Claim Deadline: 12/25/2013. Statement of Current Monthly Income due 7/12/2013. Schedules A-J due 7/12/2013. Statement of Financial Affairs due

		7/12/2013. Summary of schedules due 7/12/2013. Statistical Summary of Certain Liabilities due 7/12/2013. Incomplete Filings due by 7/12/2013. (G., Jennifer) (Entered: 06/28/2013)
06/28/2013	<u>2</u>	Statement of Social Security Number Received. Filed by Mark David Mazza . (G., Jennifer) (Entered: 06/28/2013)
06/28/2013	<u>3</u> (1 pg)	Pro Se Statement Filed by Mark David Mazza . (G., Jennifer) (Entered: 06/28/2013)
06/28/2013	<u>4</u> (2 pgs)	Exhibit D - Debtor has received counseling and has attached required documents . Filed by Mark David Mazza . (G., Jennifer) (Entered: 06/28/2013)
06/28/2013	<u>5</u> (1 pg)	Certificate of Credit Counseling Filed by Mark David Mazza . (G., Jennifer) (Entered: 06/28/2013)
06/28/2013	<u>6</u> (2 pgs)	Application to Pay Filing Fee in Installments Filed by Mark David Mazza Represented by Self(Counsel). (G., Jennifer) (Entered: 06/28/2013)
06/28/2013	<u>7</u> (1 pg)	Order Entered that unless the following missing documents are filed: Matrix List of Creditors due 7/5/2013. Statement of Current Monthly Income due 7/12/2013. Schedules A-J due 7/12/2013. Statement of Financial Affairs due 7/12/2013. Summary of schedules due 7/12/2013. Statistical Summary of Certain Liabilities due 7/12/2013; It is hereby ORDERED that, if the debtor has not filed the Matrix List of Creditors (as required by L.B.R. 1007.2) or the Certificate of Credit Counseling or a Request for a Waiver from the Credit Counseling Requirement, then those documents are due within seven days of filing of the petition or else this case may be dismissed without additional notice or hearing after that date. It is further ORDERED that all other missing documents are due within 14 days of the date of the filing of the petition, unless an extension for cause, sought prior to the expiration of 14 days, is granted. If not, this case may be dismissed without additional notice or hearing after 14 days after petition date. (G., Jennifer) (Entered: 06/28/2013)
06/30/2013	<u>8</u> (3 pgs)	BNC Certificate of Mailing - Voluntary Petition. Number of Notices Mailed: (related document(s)

		(Related Doc # <u>7</u> ). No. of Notices: 1. Notice Date 06/30/2013. (Admin.) (Entered: 07/01/2013)
07/02/2013	9	Notice of Appointment of Trustee . MICHAEL H. KALINER added to the case.. (ROSEBORO, DEBORAH) (Entered: 07/02/2013)
07/03/2013	<u>10</u> (1 pg)	Order Granting Application To Pay Filing Fees In Installments. (Related Doc # <u>6</u> ). First Installment Payment of \$75.00 due by 7/30/2013. Second Installment Payment of \$75.00 due by 8/30/2013. Third Installment Payment of \$75.00 due by 9/30/2013. Final Installment Payment of \$81.00 due by 10/30/2013. (G., Jennifer) (Entered: 07/08/2013)
07/10/2013	<u>11</u> (3 pgs)	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>10</u> )). No. of Notices: 1. Notice Date 07/10/2013. (Admin.) (Entered: 07/11/2013)
07/17/2013	<u>13</u> (1 pg)	Letter Filed by Mark David Mazza (related document (s) <u>7</u> ). (G., Jeanette) (Entered: 07/22/2013)
07/17/2013	<u>14</u> (1 pg)	Duplicate of entry #13 Letter to extend time to file required documents Filed by Mark David Mazza Represented by Self(Counsel). (G., Jeanette) (Entered: 07/23/2013)
07/18/2013	<u>12</u> (3 pgs)	Notice of Appearance and Request for Notice by LYNN R. ZACK Filed by LYNN R. ZACK on behalf of PECO Energy Company. (ZACK, LYNN) (Entered: 07/18/2013)
07/22/2013	<u>15</u> (1 pg)	Order Granting Motion to Extend (Related Doc # <u>14</u> ) Documents Due by 7/31/2013. Incomplete Filings due by 7/31/2013. Schedules A-J due 7/31/2013. Statement of Financial Affairs due 7/31/2013. Statistical Summary of Certain Liabilities due 7/31/2013. Summary of schedules due 7/31/2013. Statement of Current Monthly Income due 7/31/2013. No further extension will be granted (G., Jeanette) (Entered: 07/23/2013)
07/25/2013	<u>16</u> (2 pgs; 2 docs)	Notice of Appearance and Request for Notice by JOHN F. MCKENNA Filed by JOHN F. MCKENNA on behalf of Richard Mazza. (Attachments: # <u>1</u> Service List) (MCKENNA, JOHN) (Entered: 07/25/2013)

07/25/2013	<u>17</u> (2 pgs; 2 docs)	Notice of Appearance and Request for Notice by JOHN F. MCKENNA, LEO M. GIBBONS Filed by JOHN F. MCKENNA, LEO M. GIBBONS on behalf of Richard Mazza. (Attachments: # <u>1</u> Service List) (GIBBONS, LEO) (Entered: 07/25/2013)
07/25/2013	<u>18</u> (3 pgs)	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>15</u> )). No. of Notices: 2. Notice Date 07/25/2013. (Admin.) (Entered: 07/26/2013)
08/07/2013	<u>19</u> (7 pgs; 3 docs)	Motion for Relief from Stay <i>re:1271 Farm Road, Berwyn, Pennsylvania 19312</i> . Fee Amount \$176.00, Filed by The Bank of New York Mellon f/k/a The Bank of New York, as Trustee Represented by MARISA MYERS COHEN (Counsel). Objections due by 8/21/2013. (Attachments: # <u>1</u> Exhibit Exhibit A # <u>2</u> Proposed Order) (COHEN, MARISA) (Entered: 08/07/2013)
08/07/2013	<u>20</u> (2 pgs)	Notice of (related document(s): <u>19</u> Motion for Relief from Stay <i>re:1271 Farm Road, Berwyn, Pennsylvania 19312</i> . Fee Amount \$176.00,) Filed by The Bank of New York Mellon f/k/a The Bank of New York, as Trustee. Hearing scheduled 8/27/2013 at 10:30 AM at nix5 - Courtroom #5. (COHEN, MARISA) (Entered: 08/07/2013)
08/07/2013	<u>21</u> (1 pg)	Certificate of Service Filed by MARISA MYERS COHEN on behalf of The Bank of New York Mellon f/k/a The Bank of New York, as Trustee (related document(s) <u>20</u> , <u>19</u> ). (COHEN, MARISA) (Entered: 08/07/2013)
08/08/2013		Receipt of Motion for Relief From Stay(13-15760-mdc) [motion,mrlfsty] ( 176.00) Filing Fee. Receipt number 13812534. Fee Amount \$ 176.00. (re: Doc# <u>19</u> ) (U.S. Treasury) (Entered: 08/08/2013)
08/14/2013	<u>22</u> (1 pg)	Order Dismissing <b>Mark David Mazza</b> .. (G., Jeanette) (Entered: 08/15/2013)
08/15/2013		Chapter 7 Trustee's Report of No Distribution: I, MICHAEL H. KALINER, having been appointed trustee of the estate of the above-named debtor(s), report that this case was dismissed or converted. I have neither received any property nor paid any

		monies on account of this estate. I hereby certify that the chapter 7 estate of the above-named debtor(s) has been fully administered through the date of conversion or dismissal. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: This case was pending for 0 months. Assets Abandoned (without deducting any secured claims): Not Applicable, Assets Exempt: Not Applicable, Claims Scheduled: Not Applicable, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment (without deducting the value of collateral or debts excepted from discharge): Not Applicable. Filed by MICHAEL H. KALINER. (KALINER, MICHAEL) (Entered: 08/15/2013)
08/17/2013	<u>23</u> (3 pgs)	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>22</u> )). No. of Notices: 3. Notice Date 08/17/2013. (Admin.) (Entered: 08/18/2013)
08/26/2013		Bankruptcy Case Terminated for Statistical Purposes. (G., Jeanette) (Entered: 08/26/2013)
08/27/2013	24	Hearing Held on Motion for Relief from Stay re:1271 Farm Road, Berwyn, Pennsylvania 19312 Filed by The Bank of New York Mellon f/k/a The Bank of New York, as Trustee. Motion moot - Case dismissed 8/14/2013 (G., Jeanette) (Entered: 08/27/2013)

PACER Service Center			
Transaction Receipt			
02/19/2014 18:26:35			
<b>PACER Login:</b>	rr0574	<b>Client Code:</b>	07-1271.028
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	13-15760-mdc Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30



B1 (Official Form 1) (04/13)

UNITED STATES BANKRUPTCY COURT

Name of Debtor (if individual, enter Last, First, Middle): <b>MAZZA MARIE DAVID</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>4249</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):	
Street Address of Debtor (No. and Street, City, and State): <b>1271 FARM RD Berwyn, Pa. 19312</b>		Street Address of Joint Debtor (No. and Street, City, and State):	
County of Residence or of the Principal Place of Business: <b>Chester</b>		County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):	

Location of Principal Assets of Business Debtor (if different from street address above):

<b>Type of Debtor</b> (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box.) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
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<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box.) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee</b> (Check one box.) <input type="checkbox"/> Full Filing Fee attached. <input checked="" type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> <b>Check one box:</b> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY  2013 JUN 28 PM 2:06 U.S. BANKRUPTCY COURT FILED
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000		
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case.)</i>	Name of Debtor(s):
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**All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)**

Location Where Filed: <u>None</u>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)**

Name of Debtor: <u>None</u>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).</p> <p>X _____                  Signature of Attorney for Debtor(s) (Date)</p>
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**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.

If this is a joint petition:

Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**  
 (Check any applicable box.)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**  
 (Check all applicable boxes.)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
 (Name of landlord that obtained judgment)

\_\_\_\_\_  
 (Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).



**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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In Re:

Mark David Mazza

Debtor(s)

Chapter: 7

Bankruptcy No: 13-15760-mdc

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**ORDER**

AND NOW, this June 28, 2013, the debtor having failed to file or submit with the petition all of the documents required by Fed. R. Bankr. P. 1007,

And the following documents are missing

Matrix List of Creditors due 7/5/2013. Statement of Current  
Monthly Income due 7/12/2013. Schedules A-J due 7/12/2013.  
Statement of Financial Affairs due 7/12/2013. Summary of  
schedules due 7/12/2013. Statistical Summary of Certain  
Liabilities due 7/12/2013

It is hereby ORDERED that, if the debtor has not filed the Matrix List of Creditors (as required by L.B.R. 1007-2) or the Certificate of Credit Counseling or a Request for a Waiver from the Credit Counseling Requirement, then those documents are due within 7 days of the filing of the petition or else this case may be dismissed without additional notice or hearing after that date.

It is further ORDERED that all other missing documents are due within 14 days of the date of the filing of the petition, unless an extension for cause, sought prior to the expiration of 14 days, is granted. If not, this case may be dismissed without additional notice or hearing after 7/12/13.

By the Court

Magdeline D. Coleman  
Judge, United States Bankruptcy Court

July 15,2013

Judge Madgeline D. Coleman  
United States Bankruptcy Court For  
the Eastern District of Pennsylvania  
Robert N.C. Nix Sr. Federal Courthouse  
900 Market St.,Suite 214  
Philadelphia,Pa. 19107

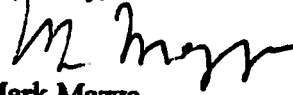
Re: Mazza Bankruptcy-Chapter 7  
No. 13-15760

Dear Judge Coleman:

I received the Court's order of June 28,2013 on Monday July 8,2013 as I was on vacation during the July 4<sup>th</sup> holiday week. After reviewing the order ,it appeared some of the required filings are complex and require retaining a bankruptcy attorney to complete and file the schedules and other documents. I am scheduled to meet a attorney this week about retaining him for my bankruptcy case.

I request a 25 day extension of time to complete and file the documents included in the recent order. Thank you for consideration.

Sincerely,



Mark Mazza

Priority Mail-USPS

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re : Chapter 7  
Mark David Mazza :  
Debtor : Bankruptcy No. 13-15760

**ORDER**

AND NOW, this *14<sup>th</sup>* day of *August*, 2013, it is

ORDERED that since the debtor(s) have failed to timely file the documents required by the orders dated June 28, 2013 and July 22, 2013, this case be and the same is hereby DISMISSED.

  
Honorable Magdeline D. Coleman  
United States Bankruptcy Judge

**Missing Documents:**

Schedules A thru J  
Statement of Financial Affairs  
Statistical Summary of Certain Liabilities  
Summary of Schedules  
Statement of Current Monthly Income  
Matrix