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City of Stockton

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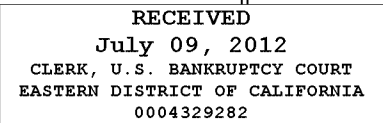
UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

In re:  
CITY OF STOCKTON, CALIFORNIA,  
Debtor.

Case No. 2012-32118  
DC No. OHS-3  
Chapter 9

**ORDER GRANTING DEBTOR'S  
EMERGENCY MOTION FOR AN  
ORDER PURSUANT TO 11 U.S.C.  
§§ 102 AND 105(a) AND BANKRUPTCY  
RULES 2002 (m) AND 9007 LIMITING  
NOTICE AND PERMITTING DEBTOR  
TO ESTABLISH AND MAINTAIN A  
PUBLICLY AVAILABLE INTERNET-  
ACCESSED WEBSITE IN LIEU OF  
NOTICE TO CERTAIN PARTIES**

Date: Friday, July 6, 2012  
Time: 10:00 a.m.  
Place: United States Courthouse  
Dept. A, Courtroom 28  
501 I Street  
Sacramento, CA 95814



1 The Court, having considered the Debtor's Emergency Motion For An Order Pursuant To  
 2 11 U.S.C. §§ 102 And 105(a) And Bankruptcy Rules 2002(m) And 9007 Limiting Notice And  
 3 Permitting Debtor To Establish And Maintain A Publicly-Available Internet-Accessed Website in  
 4 Lieu of Notice to Certain Parties (the "Motion")<sup>1</sup> submitted by the City of Stockton (the "City"),  
 5 the debtor in the above-captioned chapter 9 case, the memorandum of points and authorities in  
 6 support of the Motion, any opposition to the Motion, the record in this case, and any admissible  
 7 evidence presented to the Court at or prior to the hearing on the Motion, if any, hereby finds that:  
 8 (a) notice of the Motion and the hearing thereon were adequate and proper under the  
 9 circumstances; (b) the relief sought in the Motion is reasonable, necessary and in the best interests  
 10 of the Debtor; and (c) good cause appearing therefore;

11 **IT IS HEREBY ORDERED** that:

- 12 1. The Motion is granted.
- 13 2. With respect to all matters or proceedings for which title 11 of the United States  
 14 Code, the Federal Rules of Bankruptcy Procedure, or the Local Rules of this Court authorize the  
 15 Court to designate or limit the parties entitled to notice, notice shall be sufficient if served only  
 16 upon the following parties via email or the CM/ECF system, when possible, and otherwise by  
 17 U.S. Mail or overnight delivery, unless a different manner of service, consistent with this Order,  
 18 is specifically requested in a paper filed with the Court and served upon the parties entitled to  
 19 notice herein at least ten days prior to service made pursuant to this Order:

- 20 a. The Office of the United States Trustee, as follows:  
 21 Antonia G. Darling, Assistant U.S. Trustee  
 22 U.S. Department of Justice, Office of the U.S. Trustee  
 23 501 I Street, Suite 7-500  
 Sacramento, CA 95814-2322  
 Email: [Antonia.Darling@usdoj.gov](mailto:Antonia.Darling@usdoj.gov)

24 ///  
 25 ///  
 26 ///  
 27 ///

28 \_\_\_\_\_  
<sup>1</sup> Terms not otherwise defined herein shall have the meanings set forth in the Motion.

1 b. The City Attorney, as follows:

2 John M. Luebberke, City Attorney  
3 Office of the City Attorney  
4 City of Stockton – City Hall  
5 425 North El Dorado Street, 2nd Floor  
6 Stockton, CA 95202  
7 Email: [John.Luebberke@stocktongov.com](mailto:John.Luebberke@stocktongov.com)

8 c. The City’s chapter 9 counsel, as follows:

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14 and

15 Norman C. Hile, Esq.  
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19 Email: [nhile@orrick.com](mailto:nhile@orrick.com)

20 and

21 John W. Killeen, Esq.  
22 Orrick, Herrington & Sutcliffe LLP  
23 400 Capitol Mall, Suite 3000  
24 Sacramento, CA 95814  
25 Email: [jkilleen@orrick.com](mailto:jkilleen@orrick.com)

26 d. Counsel for any committee appointed under section 1102 of the Bankruptcy Code  
27 (as made applicable in this case by section 901(a)), or, absent and prior to the appointment of any  
28 such committee, to each of the creditors included on the list of creditors holding the twenty  
largest unsecured claims as filed by the City;

e. The Indenture Trustees for the City’s bondholders and their respective counsel as follows:

Union Bank, N.A.  
c/o Ralph Renninghoff, Vice President  
c/o Nancy Yep, Vice President  
Corporate Trust Department  
MC H-1103  
350 California Street, 11<sup>th</sup> Floor  
San Francisco, CA 94104  
Email: [Ralph.Renninghoff@unionbank.com](mailto:Ralph.Renninghoff@unionbank.com)  
Email: [Nancy.Yep@unionbank.com](mailto:Nancy.Yep@unionbank.com)

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and

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Attorneys for Union Bank, N.A.

and

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and

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Attorneys for Dexia Credit Local

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2 f. The City's Bond Insurers and Bond Credit Enhancers and their respective counsel,  
as follows:

3 Union Bank, N.A.  
4 c/o BetteJean McCole, Vice President  
Special Assets Department  
5 MC G04-421  
445 South Figueroa Street, Suite 403  
6 Los Angeles, CA 90071  
Email: [BetteJean.McCole@unionbank.com](mailto:BetteJean.McCole@unionbank.com)

7 National Public Finance Guarantee Corporation  
8 c/o Lawrence A. Larose, Esq.  
Winston & Strawn LLP  
9 200 Park Avenue  
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10 Email: [llarose@winston.com](mailto:llarose@winston.com)

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c/o Matthew A. Cohn  
26 c/o Gary Saunders, Esq., Deputy General Counsel, Director & Assistant Secretary  
Special Situations Group  
27 113 King Street  
Armonk, NY 10504  
28 Email: [matthew.cohn@optinuityar.com](mailto:matthew.cohn@optinuityar.com)

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2 Assured Guaranty  
3 c/o Holly Horn  
4 c/o Kevin Lyons  
5 c/o Terence Workman  
6 31 West 52nd Street  
7 New York, NY 10019  
8 Email: [hhorn@assuredguaranty.com](mailto:hhorn@assuredguaranty.com)  
9 Email: [klyons@assuredguaranty.com](mailto:klyons@assuredguaranty.com)  
10 Email: [tworkman@assuredguaranty.com](mailto:tworkman@assuredguaranty.com)

11 and

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16 Washington, DC 20005  
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18 and

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26 Email: [ccraige@sidley.com](mailto:ccraige@sidley.com)

27 g. CalPERS and its counsel, as follows:

28 California Public Employees Retirement System  
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and

California Public Employees Retirement System  
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- h. Counsel for SPMA, as follows:  
  
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Stockton Police Officers' Association  
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Stockton Police Officers' Association  
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- l. Counsel for IAFF, as follows:  
  
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- n. The Labor Representative for SMMSLU, as follows:  
  
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- p. OE3, as follows:  
  
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Operating Engineers Local 3  
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- q. ARECOS, as follows:  
  
Association of Retired Employees of the City of Stockton  
c/o Dwane Milnes, President  
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and  
  
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Jake Rios, Esq.  
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- t. Counsel for HUD, as follows:  
  
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v. Counsel for the PJC, as follows:

Price Judgment Creditors  
c/o Hilton S. Williams, Esq.  
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and

Price Judgment Creditors  
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and

Price Judgment Creditors  
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and

Price Judgment Creditors  
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Email: [smartinez@wclp.org](mailto:smartinez@wclp.org)  
[shaffner@wclp.org](mailto:shaffner@wclp.org)

w. Creditors and parties in interest who file with the Court and properly serve on the City's chapter 9 counsel (see subparagraph d, above) a request for special notice; and

x. Any party against whom direct relief is sought by motion, application or otherwise, such as the nondebtor party to an executory contract or unexpired lease being assumed or rejected.

3. The filing of any pleading in this case, other than a proof of claim, on behalf of one of the Special Notice Parties, via the CM/ECF system, shall constitute that party's consent to

1 receive all future notice through the CM/ECF system; provided, however, that such party may  
2 request that notice be sent by first class mail to a specified address, or by electronic mail to a  
3 specified address, by both filing with the Court and serving on the City's chapter 9 counsel a  
4 request for alternative service and/or change of address so stating. Counsel for any of the parties  
5 listed above, if counsel is added or other counsel is substituted in their place, may report this  
6 substitution by both filing with the Court and serving on the City's chapter 9 counsel a request for  
7 special notice. Counsel making such a request shall receive future service through the CM/ECF  
8 system; provided, however, that such counsel may, in the request for special notice, request  
9 additional service by first class mail at any address.

10 4. To the extent that the foregoing is inapplicable, any party filing or causing the  
11 filing of a motion, complaint, response, objection, notice, application, request, or other paper in  
12 this bankruptcy case, shall be deemed to have consented to receive effective notice at the address  
13 appearing on such paper, and notice sent to that address shall be deemed to have been brought to  
14 the attention of such party.

15 5. Other than as set forth above, and unless otherwise required by Bankruptcy Rule  
16 7004(h) or order of the Court, all notices in this case shall be provided by first class mail.

17 6. Unless otherwise ordered by the Court, the limitation on notice proposed by this  
18 Motion shall not apply to those matters or proceedings referred to in Bankruptcy Rule 2002(a)(5)  
19 & (7), (b), and (f), as applicable. Such matters or proceedings shall be noticed in accordance with  
20 the Bankruptcy Rules.

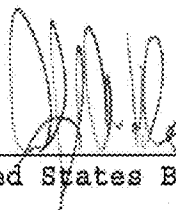
21 7. The City is hereby authorized and empowered to establish and maintain a publicly  
22 available Internet-accessed website to provide alternative means of access to this Court's docket  
23 and to relevant documents via a website maintained on the City's webpage at the City's expense.  
24 Specifically, the City's bankruptcy website may provide, without limitation, general information  
25 concerning the chapter 9 case, including the case docket, access to docket filings, answers to  
26 frequently asked questions, and general information concerning significant matters in the case.

27 8. The City is hereby authorized and empowered to take such actions as may be  
28 necessary and appropriate to implement the terms of this Order.

1           9.       This Court shall retain jurisdiction to hear and determine all matters arising from  
2 the implementation of this Order.

3           10.       This Order shall be served on the List of Creditors filed by the City pursuant to  
4 Bankruptcy Code § 924.

5 Dated: July 10, 2012

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United States Bankruptcy Judge