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9 Attorneys for Appellant, Santos Gonzalez Herrera

50-275  
323

10 IN THE UNITED STATES BANKRUPTCY COURT  
11 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 In re ) Bky No 01-30923 DM  
14 PACIFIC GAS AND ELECTRIC COMPANY, ) Chapter 11  
15 a California corporation, )  
16 Debtor ) NOTICE OF APPEAL TO THE  
17 ) BANKRUPTCY APPELLATE PANEL  
18 Federal LD No 94-0742640

19 SANTOS GONZALEZ HERRERA, hereby appeals to the United States Bankruptcy  
20 Appellate Panel for the Ninth Circuit Court of Appeals, the Order of the United States Bankruptcy  
21 Court for the Northern District of California entitled Order Denying Motion for Reconsideration of  
22 Order Disallowing Claim or Alternatively, to Extend Time to File Proof of Claim filed  
23 December 18, 2002, a true and correct copy of which is attached hereto as Exhibit "A"

24 The parties to the Order appealed from and the names and addresses of their respective  
25 attorneys of record are as follows

Party	Counsel
Santos Gonzalez Herrera (Appellant)	Robert H. Brumfield, III, Esq (114467) Price & Brumfield, LLP Greystone Plaza Building 841 Mohawk Street, Suite 200 Bakersfield, California 93309

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28 NOTICE OF APPEAL TO THE BANKRUPTCY APPELLATE PANEL

Pacific Gas & Electric Company  
(Respondents)

Jenna Whitman, Esq (215141)  
Howard, Rice, Nemerovski, Canady,  
Falk and Rabkin  
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DATED December 27, 2002

Respectfully Submitted,  
PRICE & BRUMFIELD, LLP

By Kimberly A. Ungar  
KIMBERLY A. UNGAR,  
Attorneys for Appellant Santos Gonzalez  
Herrera

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10 Attorneys for Debtor and Debtor in Possession  
11 PACIFIC GAS AND ELECTRIC COMPANY

FILED

DEC 18, PM 4:38

U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
SAN FRANCISCO, CA

HOWARD, RICE  
RECEIVED AND FORWARDED BY: rel

DEC 20 2002

12 UNITED STATES BANKRUPTCY COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

50-275  
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15 In re ) Case No. 01-30923 DM  
16 PACIFIC GAS AND ELECTRIC ) Chapter 11 Case  
17 COMPANY, a California corporation, )  
18 Debtor. ) Date: November 27, 2002  
19 Federal LD. No. 94-0742640 ) Time: 9:30 a.m.  
20 ) Place: 235 Pine Street  
21 ) San Francisco, California  
22 Judge: Hon. Dennis Montali

23 ORDER DENYING MOTION FOR RECONSIDERATION OF ORDER DISALLOWING  
24 CLAIM OR ALTERNATIVELY, TO EXTEND TIME TO FILE PROOF OF CLAIM

25 At the date and time set forth above, the Bankruptcy Court held a hearing on the  
26 Motion for Reconsideration Of Order Disallowing Claim Or Alternatively, To Extend Time  
27 to File Proof Of Claim (the "Motion"), filed by Santos Gonzalez Herrera (the "Claimant"),  
28 with respect to claim number 12898 (the "Claim") filed by the Claimant in the above-  
captioned bankruptcy case. Appearances were as noted in the record.

The Court having considered the Motion, the opposition of Debtor Pacific Gas &  
Electric Company and all evidence and arguments presented by the parties, hereby finds as  
follows for the reasons stated on the record.

ORDER DENYING MOTION FOR RECONSIDERATION OR TO ENLARGE TIME BY CLAIMANT HERRERA

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EXHIBIT A

1 A. Claimant has failed to establish adequate basis for reconsideration of the  
2 Court's Order On Debtor's Omnibus Objection To Late-Filed Claims (Opposing/Non-  
3 Appearing Parties) entered June 21, 2002 (Docket No. 8058) with respect to the Claim.

4 B. Claimant has failed to establish adequate basis to extend the claims bar date  
5 with respect to the Claim.

6 Based on the foregoing, IT IS HEREBY ORDERED that the Motion is denied  
7 in its entirety.

8 DATED DEC 18 2002

9 DENNIS MONTALI  
10 HONORABLE DENNIS MONTALI  
11 UNITED STATES BANKRUPTCY JUDGE

12 Approved as to form:  
13 PRICE & BRUMFIELD LLP

14 By Robert H. Brumfield, III, Esq

15 Attorneys for Claimant  
16 SANTOS GONZALEZ HERRERA

17 WD 120302/114119915/9/11/04/0205/v1

18 ORDER DENYING MOTION FOR RECONSIDERATION OR TO ENLARGE TIME BY CLAIMANT HERRERA

1 A. Claimant has failed to establish adequate basis for reconsideration of the  
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4 B. Claimant has failed to establish adequate basis to extend the claims bar date  
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6 Based on the foregoing, IT IS HEREBY ORDERED that the Motion is denied  
7 in its entirety.

8 DATED: \_\_\_\_\_

HONORABLE DENNIS MONTALI  
UNITED STATES BANKRUPTCY JUDGE

16 Approved as to form:  
17 PRICE & BRUMFIELD, LLP

18 By Nick  
19 Robert H. Brumfield, III, Esq.

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22 SANTOS GONZALEZ HERRERA

23 W3 1283011-1419133me10402125/g

24 ORDER DENYING MOTION FOR RECONSIDERATION OR TO ENLARGE TIME BY CLAIMANT HERRERA  
25  
26  
27  
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EXHIBIT A  
Page 3 of 3

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF KERN

I am employed in the County of Kern, State of California. I am over the age of 18 and not a party to the within action; my business address is 841 Mohawk Street, Suite 200, Bakersfield, California 93309

On December 27, 2002, I served the foregoing document described as NOTICE OF APPEAL TO THE BANKRUPTCY APPELLATE PANEL on the interested parties in this action by placing a true and correct copy thereof in sealed envelopes, addressed as follows:

SEE ATTACHED LIST

X BY MAIL:

I am "readily familiar" with the firm's practice regarding the collection and processing of correspondence for mailing. Under that practice, all correspondence is deposited in the United States mail, with postage thereon fully prepaid, at Bakersfield, California, on the same day it is collected in the ordinary course of business.

I caused such envelope(s), with postage thereon fully prepaid, to be deposited in the United States mail at Bakersfield, California. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one (1) day after the date such envelopes were deposited in the United States mail.

Executed on December 27, 2002, at Bakersfield, California.

BY PERSONAL SERVICE:

I caused such envelope(s) to be personally delivered by hand to the office(s) of the addressee(s)

Executed on December 27, 2002, at Bakersfield, California.

STATE. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

X FEDERAL: I declare that I am employed in the office of a member of the bar of this Court, at whose direction the above-described service was made.

Leslie R. Gregory  
LESLIE R. GREGORY

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PROOF OF SERVICE NOTICE OF NOTICE OF APPEAL TO THE BANKRUPTCY APPELLATE PANEL (28 U.S.C. 158(b))

PROOF OF SERVICE NOTICE OF NOTICE OF APPEAL TO THE BANKRUPTCY APPELLATE PANEL (28 U.S.C. 158(b))

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