

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
DEC 30 2002
UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

re: Pacific Gas & Electric Company

Case no.: #01-30923-DM

NOTICE OF REFERRAL OF APPEAL TO BANKRUPTCY APPELLATE PANEL

TO ALL PARTIES:

YOU AND EACH OF YOU are hereby notified that the enclosed notice of appeal has been filed by with the Clerk of the Bankruptcy Court. By virtue of the orders of the Judicial Council of the Ninth Circuit and the District Court for this district, the above appeal has been referred to the United States Bankruptcy Appellate Panel of the Ninth Circuit (BAP).

Dated: December 30, 2002

Gloria L. Franklin, Clerk
United States Bankruptcy Court

By: Miriam Huichan
Deputy Clerk

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Add: Rids Ogc mail
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11598

FILED

DEC 30 2002

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

PRICE & BRUMFIELD, LLP
ATTORNEYS AT LAW
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4 Greystone Plaza Building
5 841 Mohawk Street, Suite 200
6 Bakersfield, CA 93309
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9 Attorneys for Appellant, Santos Gonzalez Herrera

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

15 In re) Bky. No 01-30923 DM
16)
17 PACIFIC GAS AND ELECTRIC COMPANY,) Chapter 11
18 a California corporation,)
19 Debtor)
20)
21)
22)
23)
24)
25)
26)
27)
28)

29 Federal ID. No. 94-0742640

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

35 The parties to the Order appealed from and the names and addresses of their respective
36 attorneys of record are as follows:

37
38

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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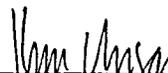
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1 Pacific Gas & Electric Company
2 (Respondents)

3
4 DATED December 27, 2002

Jenna Whitman, Esq. (215141)
Howard, Rice, Nemerovski, Canady,
Falk and Rabkin
Three Embarcadero Center, 7th Floor
San Francisco, CA 94111-4024

5 Respectfully Submitted,
6 PRICE & BRUMFIELD, LLP

7 By: 
8 KIMBERLY A. UNGAR,
9 Attorneys for Appellant Santos Gonzalez
10 Herrera

28

1 GARY M. KAPLAN (No. 155530)
2 JENNA M. WHITMAN (No. 215141)
3 HOWARD, RICE, NEMEROVSKI, CANADY,
4 FALK & RABKIN
5 A Professional Corporation
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7 San Francisco, California 94111-4024
8 Telephone: 415/434-1600
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10 Attorneys for Debtor and Debtor in Possession
11 PACIFIC GAS AND ELECTRIC COMPANY

12 UNITED STATES BANKRUPTCY COURT 12/18/02
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 In re
16 PACIFIC GAS AND ELECTRIC
17 COMPANY, a California corporation,
18 Debtor.

19 Federal I.D. No. 94-0742640

20 Case No. 01-30923 DM

21 Chapter 11 Case

22 Date: November 27, 2002
23 Time: 9:30 a.m.
24 Place: 235 Pine Street
25 San Francisco, California
26 Judge: Hon. Dennis Montali

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

At the date and time set forth above, the Bankruptcy Court held a hearing on the Motion For Reconsideration Of Order Disallowing Claim Or Alternatively, To Extend Time to File Proof Of Claim (the "Motion"), filed by Santos Gonzalez Herrera (the "Claimant"), 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.

FILED

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

HOWARD, RICE
RECEIVED/CALENDARER BY: Pat

DEC 20 2002

DATES TO BE ENTERED 12/18/02

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN

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
11 HONORABLE DENNIS MONTALI
12 UNITED STATES BANKRUPTCY JUDGE

13 Approved as to form:
14 PRICE & BRUMFIELD, LLP

15 By Robert H. Brumfield, III, Esq.

16 Attorneys for Claimant
17 SANTOS GONZALEZ HERRERA

18 WD 120502/1-1419913/jmw/1040205/v2

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

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

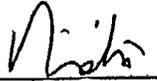
B. Claimant has failed to establish adequate basis to extend the claims bar date with respect to the Claim.

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

DATED: _____

HONORABLE DENNIS MONTALI
UNITED STATES BANKRUPTCY JUDGE

Approved as to form:
PRICE & BRUMFIELD, LLP

By 
Robert H. Brumfield, III, Esq.

Attorneys for Claimant
SANTOS GONZALEZ HERRERA

WD 120502/1-1419913jmw/1040205/v2

HOWARD
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#148581