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5 Attorneys for Creditors
6 Robert W. Matschullat and Ariane M.H. Matschullat

7
8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11
12 In re:) Case No.: 01-30923 DM
13)
14 PACIFIC GAS AND ELECTRIC) Chapter 11
15 COMPANY.)
16)
17 Debtor.) NOTICE OF MOTION BY CREDITORS
18) ROBERT MATSCHULLAT AND ARIANE
19) MATSCHULLAT FOR ORDER ALLOWING
20) LATE FILING OF CLAIM
21)
22) DATE AUGUST 18, 2003
23) TIME: 1:30 P.M.
24) LOCATION: 235 Pine Street
25) San Francisco, CA
26) 22ND Floor
27)

28 TO ALL CREDITORS, THE UNITED STATES TRUSTEES, AND OTHER PARTIES IN

29 INTEREST:

30 NOTICE IS HEREBY GIVEN that Robert W. Matschullat and Ariane M.H. Matschullat have

31 Notice of Motion

1 filed a Motion with the above-entitled court for an Order, pursuant to Rules 3003(c) and 9006(b)(1) of
2 the Federal Rules of Bankruptcy Procedure, granting them leave to file a general unsecured claim in the
3 amount of \$80,000.00 in the above-referenced Chapter 11 case despite the passing of the bar date
4 previously set by the Court. The Motion is based on a Memorandum of Points and Authorities and the
5 Declarations of Stephen Buehl and Ariane M.H. Matschullat. Copies of the Motion, Notice of Hearing,
6 and Memorandum of Points and Authorities in support thereof, and the Declarations of S. Buehl and
7 A.M.H. Matschullat are available upon request to the undersigned.
8

9 The moving parties own real property in Napa Valley, California. They acquired title to the
10 property in 1991 but their primary residence is in Connecticut. Movants contend that PG&E wrongfully
11 installed a power pole and line across their property. PG&E denies Claimants' contention. Movants were
12 unaware of the filing of a bankruptcy petition by PG&E until long after the claims bar date, which was
13 September 5, 2001. Movants argue that a consideration of all equitable factors supports their request for
14 an order allowing them to file a Proof of Claim as described above. If the Court grants the requested
15 relief, Movants will file a claim and Debtor will be able to object to the allowance of said claim if it
16 chooses to do so.
17

18 Questions regarding the above-described Motion should be addressed to the undersigned.

19 Date: July 11, 2003

20 BARDELLINI, STRAW & CAVIN

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22 C. RANDALL BUPP, ESQ.
23 Attorneys for ROBERT W. MATSCHULLAT
24 and ARIANE M.H. MATSCHULLAT
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28 Notice of Motion