

1 Byron Z. Moldo (SBN 109652)  
2 [bmoldo@ecjlaw.com](mailto:bmoldo@ecjlaw.com)  
3 9401 Wilshire Boulevard, Ninth Floor  
4 Beverly Hills, California 90212-2974  
5 Tel: (310) 273-6333  
6 Fax: (310) 859-2325

Receiver

FILED  
Superior Court of California  
County of Los Angeles

JAN 11 2022

Sherri R. Carter, Executive Officer/Clerk of Court  
By: J. De Luna, Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES

11 THE PEOPLE OF THE STATE OF  
12 CALIFORNIA, BY AND THROUGH  
13 THE COMMISSIONER OF  
FINANCIAL PROTECTION AND  
INNOVATION,

Petitioner,

vs.

16 BUILDERS DISBURSEMENTS, INC.,

Respondent.

CASE NO. 21STCP01822

**~~[PROPOSED]~~ ORDER GRANTING  
RECEIVER'S MOTION TO  
ESTABLISH CLAIMS PROCEDURE  
AND BAR DATE FOR FILING  
CLAIMS**

Date: January 11, 2022  
Time: 1:30 p.m.  
Dept: 85

Trial Date: April 10, 2023  
Action Filed: June 4, 2021

19 The Motion of Byron Z. Moldo, Receiver for Builders Disbursements, Inc.  
20 ("Receiver"), to Establish Claims Procedure and Bar Date; Memorandum of Points  
21 and Authorities; Declaration of Byron Z. Moldo ("Motion"), having been filed with  
22 the Court, and notice of the Motion having been provided to all interested parties,  
23 the Motion came on regularly for hearing on January 11, 2022 at 1:30 p.m. in  
24 Department 85 of the above-entitled Court before the Honorable James C. Chalfant,  
25 Judge of the Superior Court.

26 Byron Z. Moldo, Receiver appeared; other parties appeared as reflected in the  
27 Court's minutes.  
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1           The Court having read and considered the Motion, there being no opposition,  
2 and the Court being fully advised in the premises, rules as follows:

3           1.     IT IS HEREBY ORDERED that the claims procedure proposed by the  
4 Receiver in the Motion is approved, and the Receiver is authorized and directed to  
5 do the following:

6           a.     Prepare claim forms and notices of the claims procedure in the  
7 form and style substantially as set forth in Exhibits “B” and “C” to the  
8 Motion;

9           b.     To cause to be mailed by either electronic mail or United States  
10 mail, postage prepaid, copies of the claim form and notice to all known  
11 creditors of the trust funds of Builders Disbursements, Inc. (“BDI”);

12          c.     To cause to be published one time, in the Los Angeles Daily  
13 Journal, notice of the claims procedure in substantially the form set forth in  
14 Exhibit “D” to the Motion;

15          d.     Upon receipt of claims forms from claimants, to make a list of  
16 the claims the Receiver proposes to accept and of the claims he proposes to  
17 reject;

18          e.     To serve upon those claimants whose claims the Receiver  
19 proposes to reject due to insufficient documentation, a notice of insufficient  
20 documentation. Such claimants shall have twenty (20) days from the mailing  
21 of the notice of insufficient documentation to provide the Receiver with  
22 further documentation to support their claim; and

23          f.     After the Receiver has reviewed all claims and made a  
24 determination as to which claims he will accept and which claims he will  
25 reject, he shall serve those persons whose claims he proposes to reject, a  
26 notice of rejection, briefly stating the reasons for rejection of the claim.  
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2. IT IS FURTHER ORDERED that:

a. All creditors or other persons whose claims are rejected in whole or in part by the Receiver shall have twenty (20) days after the mailing of the notice of rejection to serve an objection to the Receiver’s recommendation on the Receiver, who will assemble all such obligations, along with any reply the Receiver deems appropriate, in a single document which shall be filed with the Court;

b. The notices of rejection served by the Receiver shall contain a notice informing claimants of the deadline to object to the Receiver’s recommendations. The Court will hear all objections to the Receiver’s recommendations at a hearing on the Receiver’s claims recommendations. The Receiver will arrange a specific date with the Court for the hearing and include the hearing date on the notice of rejection forms;

c. All persons or entities with claims or demands against the trust funds of BDI, whether due or not yet due, contingent, unliquidated, or sounding only in damages, shall make and present their claims, on the Court-approved claim form, to the Receiver at the address and in the manner specified in said form and in the notice of claims procedure. All claims must be presented to the Receiver on or before ninety (90) days from the entry of this Order;

d. All persons or entities failing to make and present claims and proof to the Receiver, on or before ninety (90) days from the entry of this Order, shall be forever barred from participating in the distribution of the trust funds of BDI;

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e. The Receiver is authorized and directed to pay from the receivership estate all costs he may incur to print, reproduce, mail, and publish the claims procedure forms and notices.

DATED: January 11, 2022

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JAMES C. CHALFANT  
JUDGE OF THE SUPERIOR COURT