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9 **UNITED STATES BANKRUPTCY COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **SACRAMENTO DIVISION**

12 In re:
13 CITY OF STOCKTON, CALIFORNIA,
14
15 Debtor.

Case No. 2012-32118
Chapter 9
DC No. BB-001

16
17 COALITION FOR A SUSTAINABLE
DELTA, BELRIDGE WATER STORAGE
18 DISTRICT, BERRENDA MESA WATER
DISTRICT, CAWELO WATER DISTRICT,
19 NORTH OF THE RIVER MUNICIPAL
WATER DISTRICT, WHEELER RIDGE-
20 MARICOPA WATER STORAGE
DISTRICT, AND DEE DILLON,

**NOTICE OF HEARING ON MOTION
OF THE COALITION FOR A
SUSTAINABLE DELTA AND OTHER
PARTIES FOR LIMITED RELIEF
FROM AUTOMATIC STAY PURSUANT
TO 11 U.S.C. § 362(d)(1)**

21 Movants,
22 v.
23 CITY OF STOCKTON, CALIFORNIA,
24 Respondent.

Date: July 1, 2014
Time: 9:30 a.m.
Location: U.S. Bankruptcy Court
Sacramento Division
501 I Street, 6th Floor
Courtroom 35
Judge: Christopher M. Klein

1 NOTICE IS HEREBY GIVEN that on July 1, 2014 at 9:30 a.m., in the United States
2 Bankruptcy Court, Eastern District of California, Sacramento Division, located at 501 I Street,
3 6th Floor, Courtroom 35 in the Honorable Christopher M. Klein's Court, creditor the Coalition
4 for a Sustainable Delta ("Coalition") will move this Court on behalf of itself and creditors
5 Belridge Water Storage District, Berrenda Mesa Water District, Cawelo Water District, North of
6 the River Municipal Water District, Wheeler Ridge-Maricopa Water Storage District and Dee
7 Dillon (collectively, the "Movants") for an order modifying the automatic stay under 11 U.S.C.
8 §362(d) of the Bankruptcy Code. The automatic stay was imposed by the filing by debtor CITY
9 OF STOCKTON, CALIFORNIA ("Debtor") of its Chapter 9 bankruptcy petition.

10 In summary, the Movants seek an order for relief from the automatic stay on a limited
11 basis to permit the Movants, who are the plaintiffs to the suit entitled, *Coalition for a*
12 *Sustainable Delta, et al. v. City of Stockton et al.*, Case No. 2:09-CV-00466-JAM-KJN pending
13 in the United States District Court, Eastern District of California, to pursue the litigation to final
14 judgment, but not enforcement of a monetary judgment. Accordingly, the Movants respectfully
15 request that this Court issue an order granting relief from stay as follows:

- 16 1. Allowing Movants to pursue the litigation to judgment, but not enforcement of
17 any pre-petition monetary penalties or attorney's fees absent further order of the Court.
- 18 2. Allowing Movants to file a partial summary judgment motion on a key
19 component of their claim before engaging in further discovery with respect to the remainder of
20 their claims; and
- 21 3. Except for the above partial summary judgment motion, the Movants will agree
22 to a reasonable period for mediation following the partial summary judgment ruling before
23 engaging in extensive additional discovery, subject to the approval of the District Court Judge.

24 This motion is noticed for hearing pursuant to Local Rule 9014-1(f)(2). No party-in-
25 interest is required to file a written opposition to this motion. Opposition to the motion, if any,
26 may be presented at the hearing on the motion. If opposition is presented, or there is other good
27 cause, the court may continue the hearing to permit the filing of evidence and briefs.

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This motion will be based on this notice of hearing, the motion, the memorandum of points and authorities, the declaration of Joshua A. Bloom, the record and file herein, and on such evidence as may be presented at the hearing of the motion.

Respectfully submitted,

Date: June 12, 2014

BELDEN BLAINE, LLP

By: 
T. SCOTT BELDEN
Attorneys for Movants