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15 **UNITED STATES BANKRUPTCY COURT**
 16 **EASTERN DISTRICT OF CALIFORNIA**
 17 **SACRAMENTO DIVISION**

18 In re
 19 CITY OF STOCKTON, CALIFORNIA,
 20 Debtor.

Case No. 2012-32118
 DC No. SEJ-1
 Chapter 9

21 **MOTION FOR ORDER (1) CONFIRMING**
 22 **INAPPLICABILITY OF AUTOMATIC**
 23 **STAY AND (2) GRANTING RELIEF**
 24 **FROM THE AUTOMATIC STAY TO THE**
 25 **EXTENT THE AUTOMATIC STAY IS**
 26 **APPLICABLE**

27 Date: July 1, 2014
 Time: 9:30 a.m.
 Place: United States Courthouse
 Dept. C, Courtroom 35
 501 "I" Street
 Sacramento, California 95814

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1 Darshan Singh, an individual; Kulwinder Kaur, an individual; Komal Bros, Inc., a California
 2 corporation; and Wilshire Bank fka Wilshire State Bank, a California banking corporation
 3 (collectively, "Movants"), hereby move the Court for an order confirming that the filing of City of
 4 Stockton, California's, bankruptcy petition does not operate as a stay of an eminent domain action
 5 ("State Court Action") pending before the California Superior Court for the County of San Joaquin.
 6 To the extent the automatic stay is applicable, the Movants also seek an order granting immediate
 7 relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1) (without any stay of such relief
 8 pursuant to Federal Rule of Bankruptcy Procedure 4001(a)(3) or otherwise), by terminating or
 9 modifying the automatic stay to permit the State Court Action to proceed to trial and judgment as to
 10 all parties to the State Court Action.

11 This motion is based on the accompanying memorandum of points and authorities, request for
 12 judicial notice, and declaration of Darshan Singh; the pleadings and declarations on file in this
 13 bankruptcy case; and any further evidence or argument that may be presented at or before the hearing
 14 on the motion.

15 DATED: June 3, 2014

JENNY & JENNY, LLP

17 By: /s/ Scott E. Jenny
 SCOTT E. JENNY
 Attorneys for DARSHAN SINGH, KULWINDER
 18 KAUR, and KOMAL BROS, INC.

20 DATED: June 3, 2014

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24 By: /s/ Christopher D. Crowell
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