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UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA, SAN FERNANDO VALLEY DIVISION

In re

LENNY KYLE DYKSTRA,

Debtor.

**A. CISNEROS, in his capacity as the
Chapter 7 Trustee for the bankruptcy
estate of LENNY K. DYKSTRA,**

Plaintiff,

v.

LENNY KYLE DYKSTRA.

Defendant.

Case No. 1:09-bk-18409-GM

Chapter 7

Adv. Case No.

**CHAPTER 7 TRUSTEE'S COMPLAINT
OBJECTING TO DEBTOR'S DISCHARGE
PURSUANT TO BANKRUPTCY CODE
SECTIONS 727**

Status Conference:

Date: To be set by Court

Time: To be set by Court

Ctrm.: Courtroom 303

United States Bankruptcy Court

21041 Burbank Boulevard

Woodland Hills, CA 91367-6606

1 A. Cisneros, the duly appointed, qualified and acting Chapter 7 trustee ("Trustee" or
2 "Plaintiff") for the bankruptcy estate of Lenny Kyle Dykstra ("Debtor"), in the above-captioned
3 bankruptcy case, respectfully alleges as follows:

4 **STATEMENT OF JURISDICTION AND VENUE**

5 1. This adversary proceeding is filed pursuant to Federal Rules of Bankruptcy
6 Procedure 7001(4) a proceeding to (object to or revoke a discharge), 4004 (grant or denial of
7 discharge) and 11 U.S.C. §§ 727.

8 2. Plaintiff, as the Chapter 7 Trustee of the Debtor's bankruptcy estate, has standing
9 to bring this action pursuant to 11 U.S.C. § 323.

10 3. The Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C.
11 §§ 157 and 1334 in that this action arises in and relates to the bankruptcy case pending in the
12 United States Bankruptcy Court for the Central District of California, San Fernando Valley
13 Division, entitled In re Lenny Kyle Dykstra, Case Number 1:09-bk-18409-GM.

14 4. This adversary proceeding is a core proceeding under 28 U.S.C. § 157(b)(2)(A)
15 (matters concerning the administration of the estate) and (J) (objections to discharge). To the
16 extent any claim for relief contained herein is determined not to be a core proceeding, Plaintiff
17 consents to the entry of final judgment and orders by the Bankruptcy Court.

18 5. Venue properly lies in the Central District of California in that this adversary
19 proceeding arises in or is related to a case under Title 11 of the United State Code as provided in
20 28 U.S.C. § 1409.

21 **PARTIES**

22 6. Plaintiff is the duly appointed, qualified and acting Chapter 7 Trustee for the
23 Debtor's bankruptcy estate.

24 7. Plaintiff is informed and believes and based thereon alleges that at all relevant
25 times herein, the Debtor and Defendant herein, is an individual residing in the County of Los
26 Angeles, State of California.

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GENERAL ALLEGATIONS

8. Plaintiff hereby incorporates by reference paragraphs 1 through 7, and re-alleges these paragraphs as though set forth in full.

9. Plaintiff is informed and believes and based thereon alleges that the Debtor filed a personal Chapter 11 bankruptcy on July 7, 2009 ("Petition Date"). Plaintiff is informed and believes and based thereon alleges that the Debtor filed the balance of his Schedules, Statement of Financial Affairs and other documents under penalty of perjury, acknowledging that the information provided there in was true and correct.

10. Plaintiff is informed and believes and based thereon alleges that pursuant to a Court Order entered on September 8, 2009 A. Cisneros was appointed as the Chapter 11 trustee for the Debtor's bankruptcy estate by the Office of the United States Trustee ("OUST").

11. Plaintiff is informed and believes and based thereon alleges that pursuant to a Court Order entered on November 20, 2009 the case was converted to one under Chapter 7 of the Bankruptcy Code.

12. Plaintiff is informed and believes and based thereon alleges that the appointment of A. Cisneros as the Chapter 7 trustee was made by the OUST on November 20, 2009, accepted by the Trustee and filed with the Court on December 10, 2009.

Debtor's Failure to Cooperate

13. Plaintiff is informed and believes and based thereon alleges that the Debtor has failed to cooperate with Plaintiff in connection with the administration of this bankruptcy case.

14. Plaintiff is informed and believes and based thereon alleges that on or about October 1, 2009 Plaintiff's counsel filed a Motion for: 1) an Order Pursuant to Federal Rules of Bankruptcy Procedure 2004 and 9016 for an Examination of the Identified Entities and Request for Production of Documentation; and 2) Application to Expedite Discovery Pursuant to Federal Rules of Procedure for the Debtor ("2004 Motion").

15. Plaintiff is informed and believes and based thereon alleges that on or about October 13, 2009 the Court entered an Order granting the 2004 Motion.

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1 16. Plaintiff is informed and believes and based thereon alleges that on or about
2 October 14, 2010, Plaintiff's counsel served a Subpoena on the Debtor to appear for deposition
3 pursuant to the 2004 Order ("2004 Examination") and that the Debtor acknowledged receipt of
4 said subpoena.

5 17. Plaintiff is informed and believes and based thereon alleges that the 2004
6 Examination was scheduled to take place on October 16, 2010 at 10:00 a.m. Plaintiff is
7 informed and believes and based thereon alleges that the Debtor failed to appear at the 2004
8 Examination.

9 18. Plaintiff is informed and believes and based thereon alleges the Debtor's 341(a)
10 Meeting of Creditors ("Meeting of Creditors") was first scheduled for December 21, 2009.

11 19. Plaintiff is informed and believes and based thereon alleges that at the Meeting of
12 Creditors the Debtor's testimony failed to adequately explain the location of certain personal
13 property, including but not limited to personal property that had been disposed of by the Debtor
14 (discussed in detailed below).

15 20. Plaintiff is informed and believes and based thereon alleges that at the Meeting of
16 Creditors the Debtor was requested to produce specific documents that were necessary for the
17 Trustee's investigation and administration of the estate and its assets.

18 21. Plaintiff is informed and believes and based thereon alleges that the Meeting of
19 Creditors was continued to January 22, 2010 to allow the Debtor to produce the requested
20 documents. Plaintiff is informed and believes and based thereon alleges the Debtor failed to
21 appear at the continued Meeting of Creditors and/or produce the requested documents.

22 22. Plaintiff is informed and believes and based thereon alleges that the Meeting of
23 Creditors was continued to February 19, 2010. Plaintiff is informed and believes and based
24 thereon alleges the Debtor again failed to appear at the continued Meeting of Creditors and/or
25 produce the requested documents.

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23. Plaintiff is informed and believes and based thereon alleges that the Meeting of Creditors was continued to April 23, 2010 and that Plaintiff's counsel also re-served the Debtor with a notice that the 2004 Examination was to occur on the same date.

24. Plaintiff is informed and believes and based thereon alleges the Debtor finally appeared on April 23, 2010 for the Meeting of Creditors and the 2004 Examination.

25. Plaintiff is informed and believes and based thereon alleges that the Debtor's testimony at the Meeting of Creditors again failed to adequately explain the location of certain personal property (discussed in detail below).

26. Plaintiff is informed and believes and based thereon alleges that the Debtor also failed to produce the documents at the Meeting of Creditors that were initially requested by Plaintiff from the December 21, 2009 Meeting of Creditors – despite that fact that Plaintiff and his counsel made multiple requests on the Debtor to produce these documents.

Post-petition Disposition of Estate Property – Located at Camarillo Office

27. Plaintiff is informed and believes and based thereon alleges that prior to the Petition Date the Debtor entered into a lease agreement with Avantair, Inc. ("Avantair") to lease the premise located at 575 Aviation Drive, Camarillo, California (the "Camarillo Office").

28. Plaintiff is informed and believes and based thereon alleges that the Debtor kept certain personal property at the Camarillo Office, including but not limited to, office furniture, antique desks, wine refrigerator, sports memorabilia and a four-foot tall electronically locked safe (collectively the "Camarillo Personal Property").

29. Plaintiff is informed and believes and based thereon alleges that prior to February 6, 2010 Plaintiff's counsel had multiple discussions with the Debtor regarding the Camarillo Personal Property. Plaintiff is informed and believes and based thereon alleges that Plaintiff's counsel advised the Debtor that he was not authorized to remove the Camarillo Personal Property.

30. Plaintiff is informed and believes and based thereon alleges that the Debtor agreed that he would not remove the Camarillo Personal Property or further visit the Camarillo Office.

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1 31. Plaintiff is informed and believes and based thereon alleges that on or about
2 February 6, 2010 the Debtor arrived at the Camarillo Office for the purpose of recovering the
3 Camarillo Personal Property for his own personal benefit.

4 32. Plaintiff is informed and believes and based thereon alleges that on or about
5 February 6, 2010 Plaintiff's counsel engaged in a lengthy phone conversation with the Debtor
6 regarding the Camarillo Personal Property during which time the Debtor was again instructed
7 that he was not authorized to remove the Camarillo Personal Property.

8 33. Plaintiff is informed and believes and based thereon alleges that during the phone
9 conversation the Debtor joked with Plaintiff's counsel that there was a lot of money in the safe
10 but that the Debtor had forgotten the combination and could not access it.

11 34. Plaintiff is informed and believes and based thereon alleges that during the phone
12 conversation Plaintiff's counsel warned the Debtor that removal of said property could result in
13 violation of his discharge pursuant to 11 U.S.C. 727 and constitute criminal conduct pursuant to
14 Title 18 of the United States Code.

15 35. Plaintiff is informed and believes and based thereon alleges that the Debtor "gave
16 his word" to the Plaintiff's counsel that he would not remove the Camarillo Personal Property
17 from the Camarillo Office.

18 36. Plaintiff is informed and believes and based thereon alleges that within minutes of
19 giving Plaintiff's counsel his word that he would not remove the Camarillo Personal Property the
20 Debtor proceeded to load up a moving van to remove the entire contents of the Camarillo Office,
21 consisting of all the Camarillo Personal Property.

22 37. Plaintiff is informed and believes and based thereon alleges that at the 2004
23 Examination the Debtor testified that he removed the Camarillo Personal Property "to make sure
24 it was safe, in the best interest of creditors."

25 38. Plaintiff is informed and believes and based thereon alleges that at the 2004
26 Examination the Debtor testified that the Camarillo Personal Property was placed in storage and
27 that the Debtor would not further remove or dispose of any of the Camarillo Personal Property,
28 with the exception of his clothes and a couple of family pictures.

39. Plaintiff is informed and believes and based thereon alleges that despite these assurances from the Debtor that he would not dispose of these assets that, to the contrary, the Debtor has been selling the Camarillo Personal Property and other property of the bankruptcy estate on eBay, Craigslist and other internet web-cites.

40. Plaintiff is informed and believes and based thereon alleges that the Debtor has attempted to and/or sold the following property post-petition:

a. Plaintiff is informed and believes and based thereon alleges that on or about May 9, 2010 the Debtor posted an advertisement to sell certain framed memorabilia for \$3,200. Attached hereto as **Exhibit "A"** is a true and correct copy of the advertisement. Plaintiff is informed that this memorabilia was part of the Camarillo Personal Property.

b. Plaintiff is informed and believes and based thereon alleges that the Debtor sold an "Executive Custom Hand Made Mahogany Desk" for approximately \$10,000 post-petition. Plaintiff is informed and believes and based thereon alleges that the buyer of the Mahogany Desk is now attempting to sell it on eBay via auction. Attached hereto as **Exhibit "B"** is a true and correct copy of the advertisement.

c. Plaintiff is informed and believes and based thereon alleges that on or about May 16, 2010 the Debtor posted an advertisement to sell a "Maitland-Smith Handcrafted Dresser" for auction on eBay. Attached hereto as **Exhibit "C"** is a true and correct copy of the advertisement. Plaintiff is informed and believes and based thereon alleges that the dresser was part of Camarillo Personal Property.

Post-petition Destruction of Newbern Residence

41. Plaintiff is informed and believes and based thereon alleges that prior to filing bankruptcy the Debtor purchased the real property located at 1072 Newbern Court, Thousand Oaks, California ("Newbern Property") for approximately \$18,500,000.

42. Plaintiff is informed and believes and based thereon alleges that sometime thereafter the Debtor went into default on the loans to purchase the Newbern Property.

43. Plaintiff is informed and believes and based thereon alleges that the Debtor filed the bankruptcy proceeding, in part, in order to a stay foreclosure action that had been commenced by one of the lien holders on the Newbern Property.

44. Plaintiff is informed and believes and based thereon alleges that post-petition, on or about August 3, 2009, one of the lien holders on the Newbern Property sent a real estate appraisal expert ("Appraiser") to appraise the Newbern Property for the purpose of the obtaining the value in connection with a motion for relief from stay proceeding.

45. Plaintiff is informed and believes and based thereon alleges the Appraiser's report noted that the Newbern Property was in "good to very good" condition and estimated the value of the Newbern Property to be approximately \$11.2 million.

46. Plaintiff is informed and believes and based thereon alleges that shortly after the appraisal was completed the Debtor engaged in destructive testing on the Newbern Property for the alleged purpose of rebutting an insurance claim that had been denied by Fireman's Fund Insurance Company.

47. Plaintiff is informed and believes and based thereon alleges that the destructive testing caused considerable damage to the Newbern Property and that the cost of repair was estimated to be in excess of \$100,000.

48. Plaintiff is informed and believes and based thereon alleges that in connection with the Trustee obtaining Court approval of a settlement of estate claims with Fireman's Fund Insurance Company the Bankruptcy Court employed a real property expert to assess the claims being asserted by the Debtor relating to the Newbern Property.

49. Plaintiff is informed and believes and based thereon alleges that the Court appointed expert concluded that the claims being asserted by the Debtor relating to the Newbern Property were not substantiated and that the destructive testing performed on the Newbern Property was not in accordance with industry practices and unnecessarily damaged the property.

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Post-petition Removal of Fixtures from Newbern Residence

50. Plaintiff is informed and believes and based thereon alleges that during the aforementioned “destructive testing” the Debtor caused to be removed multiple fixtures from the Newbern Property, consisting, in part, of a Grand Palais 180 Le Cornue oven and stove-top (originally purchased for \$51,750), approximately six (6) chandeliers throughout home (estimated value in excess of \$50,000), approximately thirty-six (36) wall light sconces, approximately five (5) fireplace Andirons, approximately eight (8) mirrors, custom plumbing fixtures and a home theater system. Attached hereto as **Exhibit “D”** is a partial list of the fixtures that were removed from the Newbern Property.

51. Plaintiff is informed and believes and based thereon alleges that the Debtor testified at his 2004 Examination that he was instructed by his “experts” to remove the aforementioned fixtures prior to the destructive testing in order to “protect these items.”

52. Plaintiff is informed and believes and based thereon alleges that the Debtor testified at his 2004 Examination that the fixtures were to be stored by a company named “Uniquities.”

53. Plaintiff is informed and believes and based thereon alleges that Uniquities denied that these items were ever placed in storage and, to the contrary, contend that the Debtor arrived in a moving van and sold these items to Uniquities.

54. Plaintiff is informed and believes and based thereon alleges that a separate lawsuit may be necessary in order to recover these items and/or the value thereof for the benefit of the bankruptcy estate and its creditors.

Post-petition Loss of Personal Property from Newbern Property

55. Plaintiff is informed and believes and based thereon alleges that the Debtor listed household goods and furnishing at the Newbern Property in the amount of approximately \$15,000.

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56. Plaintiff is informed and believes and based thereon alleges that at his Meeting of Creditors the Debtor testified that all of the furnishings located at the Newbern Property, including two (2) big screen TVs, a pool table, watches and personal computers, were stolen post-petition while the Debtor was living at the Newbern Property.

57. Plaintiff is informed and believes and based thereon alleges that at his Meeting of Creditors the Debtor testified that these items were stolen by his former maid's son and that, because of this relationship, the Debtor did not report these items stolen to the police or his insurance company.

58. Plaintiff is informed and believes and based thereon alleges that at his Meeting of Creditors the Debtor testified the he did not have contact information for either his former maid or her son.

59. Plaintiff is informed and believes and based thereon alleges that the Debtor has failed to adequately explain the loss of these items.

FIRST CLAIM FOR RELIEF

[Objection to the Debtor's Discharge - 11 U.S.C. § 727(a)(2)]

60. Plaintiff hereby incorporates by reference paragraphs 1 through 59, and re-alleges these paragraphs as though set forth in full.

61. Plaintiff is informed and believes and based thereon alleges that the Debtor, with the intent to hinder, delay or defraud the Trustee and creditors of the bankruptcy estate, has transferred, removed, destroyed, mutilated, or concealed, or has permitted, to be transferred, removed, destroyed, mutilated, or concealed:

- a. Property of the Debtor, within one (1) year before the Petition Date; or
- b. Property of the estate, before and after the Petition Date.

62. Plaintiff is informed and believes and based thereon alleges that after the Petition Date the Debtor has continued in a fraudulent and deceitful manner in an attempt to defraud the Trustee and creditors of the bankruptcy estate.

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63. Plaintiff is informed and believes and based thereon alleges that the fraud includes, but is not limited to, the post-petition disposition of property of the bankruptcy estate, including both the personal property and fixtures located at the Newbern Property and the Camarillo Office, without authority from the Trustee or the Court.

64. Plaintiff is informed and believes and based thereon alleges that after the Petition Date the Debtor, with the intent to hinder, delay or defraud creditors of the estate, destroyed and/or mutilated the Newbern Property.

65. Based on the Debtor's fraudulent and deceitful actions as set forth above, the Debtor should be prevented from obtaining a discharge.

66. For the foregoing reason, pursuant to 11 U.S.C. Section 727(a)(2), the Debtor's discharge should be denied.

SECOND CLAIM FOR RELIEF

[Objection to the Debtor's Discharge - 11 U.S.C. §727(a)(3)]

67. Plaintiff hereby incorporates by reference paragraphs 1 through 66, and re-alleges these paragraphs as though set forth in full.

68. Plaintiff is informed and believes and based thereon alleges that the Debtor has concealed, destroyed, mutilated, falsified, or failed to keep or preserve recorded information, including books, documents, records and papers from which the Debtor's financial condition or business transactions might be ascertained.

69. Plaintiff is informed and believes and based thereon alleges that since the Petition Date the Debtor has willfully failed to turn over documents concerning the Debtor's financial affairs which were requested by Plaintiff multiple times, including but not limited to:

- a. The 2007 Appraisal of the Newbern Property wherein the value of the property was listed between \$18.5 and \$25 million;
- b. Valuations on the real property located at 2672 Ladbrook, Thousand Oaks, California;
- c. List of Inventory in storage;
- d. List of Inventory with Uniquities;

- 1 e. Yoshi contact information;
- 2 f. Allstate Life Insurance Policy;
- 3 g. Any/all personal guarantees executed by the Debtor;
- 4 h. Any/all copies of abstracts of judgments recorded against the Debtor;
- 5 i. Sun Air information;
- 6 j. 2004-2007 Income Tax Returns; and
- 7 k. A copy of the Judgment obtained against Signature Air.

8 Attached hereto as **Exhibit "E"** is a true and correct copy of the correspondence sent by Plaintiff
9 to Debtor on May 13, 2010.

10 70. Based on the Debtor's deceitful actions as set forth above, the Debtor should be
11 prevented from obtaining a discharge.

12 71. For the foregoing reasons, pursuant to 11 U.S.C. Section 727(a)(3), the Debtor's
13 discharge may be denied.

14 **THIRD CLAIM FOR RELIEF**

15 **[Objection to the Debtor's Discharge - 11 U.S.C. §727(a)(4)]**

16 72. Plaintiff hereby incorporates by reference paragraphs 1 through 71, and re-alleges
17 these paragraphs as though set forth in full.

18 73. Plaintiff is informed and believes and based thereon alleges that the Debtor has
19 knowingly and fraudulently, in or in connection with the case:

- 20 a. Made a false oath;
- 21 b. Presented or used a false claim;
- 22 c. Gave, offered, received or attempted to obtain money, property or
23 advantage or a promise of money, property or advantage for acting or forbearing
24 to act; or
- 25 d. Withheld from the Trustee recorded information, including books,
26 documents, records and papers relating to the Debtor's property and financial
27 affairs.

28 ///

74. Plaintiff is informed and believes and based thereon alleges that since the Petition Date the Debtor has continued in deceitful manner and made numerous false oaths, including statements regarding the disposition of personal property and fixtures located at the Newbern Property and the Camarillo Office and the post-petition destruction of the Newbern Property.

75. Based on the Debtor's numerous false oaths as set forth above, the Debtor should be prevented from obtaining a discharge.

76. For the foregoing reasons, pursuant to 11 U.S.C. Section 727(a)(4), the Debtor's discharge may be denied.

FOURTH CLAIM FOR RELIEF

[Objection to the Debtor's Discharge - 11 U.S.C. §727(a)(5)]

77. Plaintiff hereby incorporates by reference paragraphs 1 through 76, and realleges these paragraphs as though set forth in full.

78. Plaintiff is informed and believes and based thereon alleges that the Debtor has failed to explain satisfactorily, before determination of denial of discharge, the loss of assets or deficiency of assets to meet the Debtor's liabilities.

79. Plaintiff is informed and believes and based thereon alleges that the Debtor has failed to satisfactorily explained the loss of assets consisting, in part, of the personal property and fixtures located at the Newbern Property and the Camarillo Office, the post-petition disposition of other property of the bankruptcy estate and the post-petition destruction of the Newbern Property.

80. Based on the Debtor's numerous false oaths as set forth above, the Debtor should be prevented from obtaining a discharge.

81. For the foregoing reasons, pursuant to 11 U.S.C. Section 727(a)(5), the Debtor's discharge may be denied.

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1 **WHEREFORE**, the Trustee prays that this Court make and enter Judgment as follows:

2 **FOR ALL CLAIMS FOR RELIEF**

3 1. To deny the Debtor's discharge.

4 2. For costs of suit incurred, including attorneys' fees as provided by applicable case
5 law, statute and/or agreement of the parties.

6 3. For such other relief as the Court deems just and proper.

7 Respectfully submitted,

8 **SHULMAN HODGES & BASTIAN LLP**

9
10 Dated: June 18, 2010

By: /s/ Robert E. Huttenhoff

Leonard M. Shulman

Robert E. Huttenhoff

Counsel for A. Cisneros, Chapter 7 Trustee

for the bankruptcy estate of Lenny Kyle Dykstra

EXHIBIT A

[los angeles craigslist](#) > [westside-southbay](#) > [for sale / wanted](#) > [email this posting to a friend](#)
collectibles

Avoid scams and fraud by dealing locally! Beware any deal involving Western Union, Moneygram, wire transfer, cashier check, money order, shipping, escrow, or any promise of transaction protection/certification/guarantee. *More info*

please flag with care:

miscategorized

prohibited

spam/overpost

best of craigslist

**Lenny Dykstra (personalized) framed picture -
He'll even call you! - \$3200 (West Los Angeles)**

Date: 2010-05-09, 12:46PM PDT

Reply to: [mailto:sale-agmty-1732327210@craigslist.org?subject=Lenny%20Dykstra%20\(personalized\)%20framed%20picture%20-%20He'll%20even%20call%20you!%20-%20%20%243200%20\(West%20Los%20Ageles\)&body=%0A%0Ahttp%3A%2F%2Fflosangeles.craigslist.org%2Fwst%2Fclt%2F1732327210.html%0A](mailto:sale-agmty-1732327210@craigslist.org?subject=Lenny%20Dykstra%20(personalized)%20framed%20picture%20-%20He'll%20even%20call%20you!%20-%20%20%243200%20(West%20Los%20Ageles)&body=%0A%0Ahttp%3A%2F%2Fflosangeles.craigslist.org%2Fwst%2Fclt%2F1732327210.html%0A) [Errors when replying to ads?]

Im selling a beautifully Framed & Matted piece of Basaeball History !This is an opportunity to own & have signed personally by Lenny Dykstra himself. This glass framed picture has multiple pictures of lenny throughout his career. He is a 3 time All Star and a member of the 1986 World Champion Met's team .If you purchase this item you will also receive a personal phone call from him. This is a once of a lifetime deal for one lucky soul!

- Location: West Los Angeles
- it's NOT ok to contact this poster with services or other commercial interests

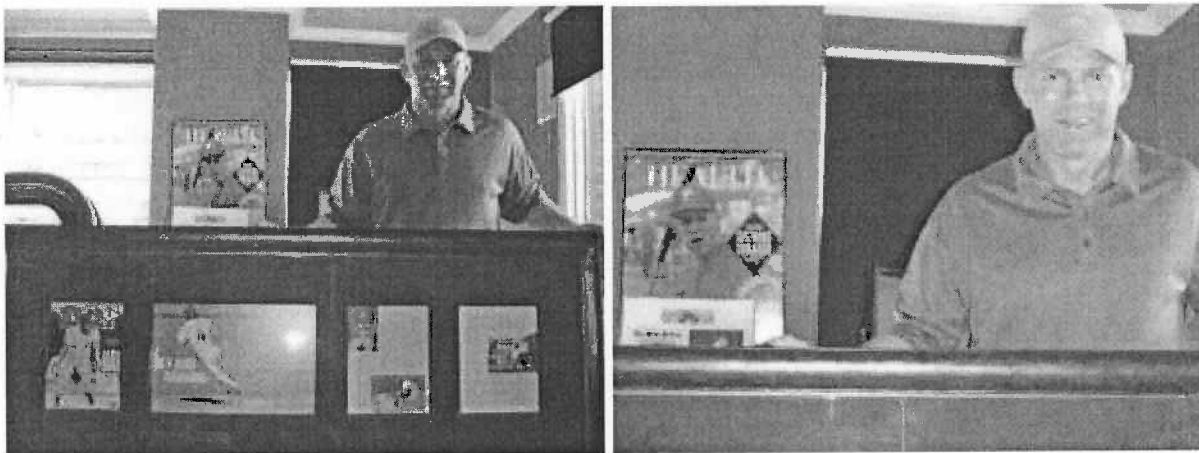


EXHIBIT "A"



PostingID: 1732327210

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EXHIBIT "A"

EXHIBIT B



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Watch this item



Enlarge

Maitland-Smith's Beautifully Handcrafted Dresser !!!

GLASS DRAWERS / Lined ! REAL HIGH END Millionaire Piece

Item condition: **Used**

Time left: 4d 22h (Jun 20, 2010 15:04:54 PDT)

Bid history: 8 bids

Current bid: **US \$38.00**

Your max bid: **US \$**

(Enter US \$39.00 or more)

Place bid

Watch this item

Shipping: Local pick-up offered. | [See all details](#)
See shipping below.

Returns: No Returns Accepted



eBay Buyer Protection

eBay will cover your purchase price plus original shipping.
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Seller info

safetyuser (131 ☆)

100% Positive feedback

[Ask a question](#)

[Save this seller](#)

[See other items](#)

Other item info

Item number: 300437390237

Item location: BORN FREE,
United States

Ships to: Local pick-up
only

Payments: PayPal
[See details](#)

[Share](#)

[Print](#)

[Report item](#)

Description Shipping and payments

Seller assumes all responsibility for this listing.

Item specifics

Condition: Used: An item that has been used previously. The item may have some signs of cosmetic wear, but is fully ... [Read more](#)

Material: Wood

Style:

French, French Country

Number of Drawers:

5

Maitland-Smith's Collection

Beautifully Hand Crafted Glass / wood Drawers

EXHIBIT "B"

Excellent Condition
Collectible
Highly sought after
Extremely Rare
VERY CLASSY

<http://www.maitland-smith.com/>

Really Great Opportunity To Own An Authentic Piece Of Maitland Smith Furniture At A Fraction Of the Cost! If You Know Maitland Smith's Collection, You will Know These Pieces Are Very Sought after! The 2 top drawers are 11 inches wide and 14 inches long. The larger bottom drawers are 23 1/2 wide and 14 inches long. This was taken out of a very large Mansion in Los Angeles, California. The previous owner was Wayne Gretzky/Lenny Dykstra

ATTENTION:

YOU MUST CONTACT ME BEFORE YOU BID ,IF YOU ONLY HAVE 5 OR LESS POSITIVE FEEDBACKS!!

PLEASE PAY WITHIN 48HRS

THANK YOU

On May-16-10 at 23:09:47 PDT, seller added the following information:

I'm located in Pasadena California. If you would like to arrange freight shipping, I can help to accommodate you by dropping off desk at a nearby shipping center.

This dresser drawer is in excellent condition. The sides are made of a Beautiful Custom leather Inlay. I can't begin to tell you how amazing this dresser really is in person. This was originally purchased for over 2500 dollars!

00078

EXHIBIT "B"

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Cherry Finish Wood Vanity
Cosmetic ...

\$99.99

7d 6h

Free Shipping



Tri-Mirror Wood Artwork
Vanity Set ...

\$637.00

21d 5h

Free Shipping



6 Drawer Black
Dresser/Chest/Lowboy ...

\$129.00

8d 4h



Oak Finish Wood Vanity
Cosmetic ...

\$99.99

28d 7h



new espresso finish vanity set
make ...

\$159.00

17d 8h



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[Free Local Classifieds](#) | [PayPal](#) | [ProStores](#) | [Apartments for Rent](#) | [Shopping.com](#) | [Tickets](#)

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EXHIBIT "B"

EXHIBIT C



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Also Listed in: Home & Garden > Inside the Home > Furniture > Desks & Computer Furniture

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Enlarge

EXECUTIVE CUSTOM HAND MADE MAHOGANY DESK 1 OF A KIND

OWNED BY WAYNE GRETZSKY / LENNY DYKSTRA

Item condition: --

Time left: 4d 11h (Jun 19, 2010 23:38:29 PDT)

Bid history: 7 bids

Current bid: **US \$202.50**

Your max bid: **US \$**

(Enter US \$205.00 or more)

Place bid

Watch this item

Shipping: Local pick-up offered. | [See all details](#)
See shipping below.

Returns: No Returns Accepted

Seller info

safetyuser (131 ☆)

100% Positive feedback

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[See other items](#)

Other item info

Item number: 300436042274

Item location: Beverly Hills,
California,
United States

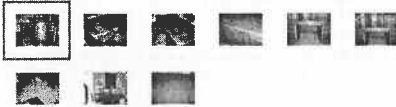
Ships to: Local pick-up
only

Payments: PayPal
[See details](#)

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[Print](#)

[Report item](#)



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Description Shipping and payments

Seller assumes all responsibility for this listing.

Last updated on 10:54:39 PM PDT, Jun 13, 2010 [View all revisions](#)

Item specifics

Type: Desks & Secretaries
Region of Origin: America
Original/Reproduction: Original

Style: French, French Country
Age: Post-1950

**INCREDIBLE EXECUTIVE MAHOGANY CUSTOM
MADE DESK UP FOR AUCTION. THIS WAS TAKEN
OUT OF A 15 MILLION DOLLAR MANSION THAT**

EXHIBIT "C"

WAS OWNED BY LENNY DYKSTRA/WAYNE GRETZSKY . I ALSO INCLUDED A PIC OF HIM AT HIS NEW PENTHOUSE IN WESTWOOD,CALIF. THE DAY I PURCHASED ALOT OF HIS FURNITURE.THIS DESK IS THE COOLEST THING EVER ,WITH SECRET DOORS THAT OPEN UP.HE PURCHASED FROM CUSTOM MADE CRAFT IN SAN FERNANDO VALLEY.IT WAS PURCHASED FOR THE PRICE OF 10,000.00 DOLLARS!!! YOU REALLY HAVE TO SEE IT IN PERSON TO GET THE FULL BEAUTY OF THIS MASTERPIECE.SIMPLY INCREDIBLE PIECE OF HISTORY.VERY FEW PIECES ARE MADE LIKE THIS THESE DAYS. EXCELLENT QUALITY , I REALLY WANTED TO KEEP THIS PIECE FOR MYSELF BUT I'M FORCED TO SELL NOW.

CONDITION: THE DESK IS IN EXCELLENT CONDITION WITH SOME MINOR WEAR AND TEAR.IT WEIGHS APPROX. 500 LBS.

On Jun-11-10 at 23:48:55 PDT, seller added the following information:

The length of the desk is approx 7 feet Long/
width is 3 feet 3 inches and it is approx 29 inches tall

EXHIBIT "C"

On Jun-13-10 at 18:52:15 PDT, seller added the following information:

If you live outside of California, You can arrange to have it shipped freight. Freight shipping for something like this would be Approx. \$250-300 dollars. In this case it would be really worth while to ship this Desk. The quality is second to none.

I will do anything to accomodate you in the shipping process.

00192

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eBay official time

EXHIBIT "C"

EXHIBIT D

Agate Storage & Printing

Invoice

5716 W. Jefferson Blvd. | Los Angeles, CA 90016

Date	Invoice #
7/8/2009	6891

Bill To
Lenny Dykstra's Car Wash III C/O Lenny Dykstra 2672 Newbern Ct. Thousand Oaks, CA 91361 (Sherwood CC)

Ship To
5716 W. Jefferson Blvd. Los Angeles, CA Stored at: Uniquities 215 S. Barrington S Los Angeles, CA 90049

P.O. Number	Terms	Ship	F.O.B.	Project	
Verbal	Due on receipt	7/8/2009			
Quantity	Item Code	Description	Price Each	Amount	
	Misc	Package, Pick-Up & Storage of Household Items Chandelier - Entry Chandelier - Parlor Chandelier - Dining Room Chandelier - Dining Room Chandelier - Living Room Chandelier - Office Mirror - Entry Bath Mirror - Powder Room Mirror - Office Bath Mirror - Outside Office Mirror - Dining Room Mirror - Dining Room Mirror - Living Room Mirror - Living Room Art - Living Room Art - Living Room La Cornue - Stove Sconce / wall fixture - Office Sconce / wall fixture - Office Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Hall Sconce / wall fixture - Stairs Sconce / wall fixture - Stairs Sconce / wall fixture - Stairs Sconce / wall fixture - Stairs Sconce / wall fixture - Stairs Sconce / wall fixture - Stairs	12,900.00	12,900.00	
			Total		

Agate Storage & Printing

Invoice

5716 W. Jefferson Blvd. | Los Angeles, CA 90016

Date	Invoice #
7/8/2009	6891

Bill To
Lenny Dykstra's Car Wash III C/O Lenny Dykstra 2672 Newbern Ct. Thousand Oaks, CA 91361 (Sherwood CC)

Ship To
5716 W. Jefferson Blvd. Los Angeles, CA Stored at: Uniquities 215 S. Barrington S Los Angeles, CA 90049

P.O. Number	Terms	Ship	F.O.B.	Project	
Verbal	Due on receipt	7/8/2009			
Quantity	Item Code	Description		Price Each	Amount
		Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Upstairs Hall Sconce / wall fixture - Powder Room Sconce / wall fixture - Powder Room Sconce / wall fixture - Entry Bath Sconce / wall fixture - Entry Bath Sconce / wall fixture - Office Bath Sconce / wall fixture - Office Bath Sconce / wall fixture - Upstairs Bath Sconce / wall fixture - Upstairs Bath Sconce / wall fixture - Upstairs Bath Sconce / wall fixture - Upstairs Bath Sconce / wall fixture - Upstairs Bath Sconce / wall fixture - Upstairs Bath Grandfather Clock Fireplace screen - Parlor Fireplace screen - Family Room Fireplace screen - Living Room Fireplace screen - Office Fireplace screen - Master Bedroom Fireplace Andiron - Parlor Fireplace Andiron - Family Room Fireplace Andiron - Living Room Fireplace Andiron - Office Fireplace Andiron - Master Bedroom Potted Tree - Entry Potted Tree - Entry			
				Total	\$12,900.00

EXHIBIT E

A. CISNEROS, TRUSTEE

3403 Tenth Street, Suite 711
Riverside, CA 92501
Telephone: (951) 682-9705
Facsimile: (951) 682-9707

May 13, 2010

Lenny Kyle Dykstra
10550 Wilshire Blvd., #1203
Los Angeles, CA 90024

Re: Lenny Kyle Dykstra
Case No. 1:09-18409 GM
Our File No. 43131

Dear Mr. Dykstra:

Please be reminded that production of documents was due in my Riverside Office within one week of the last meeting of creditors held on April 23, 2010. These are the same documents you agreed to produce in December of last year. To date, requested documents and information have not been received.

As a reminder, the production should include the following:

1. The 2007 Appraisal of the Newbern Residence wherein you represent a value of between \$18.5 Million and \$25 Million;
2. Valuations on the Ladbroke Residence;
3. List of Inventory in storage;
4. List of Inventory with Inequities;
5. Yoshi Contracts;
6. Allstate Life Insurance Policy;
7. Any/all personal guarantees executed by you;
8. Any/all copies of abstracts of judgments recorded against you;
9. Sun Air Information;
10. 2004-2007 Income Tax Returns;

EXHIBIT "E"

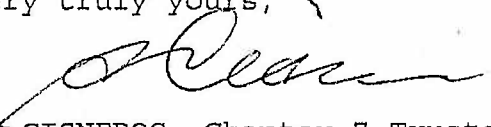
A. CISNEROS, TRUSTEE

Lenny Kyle Dykstra
May 13, 2010
Page 2

11. A copy of the Judgment by Signature Air.

Your cooperation with me is required under 11 U.S.C. § 521(a)(3) which provides that "if a trustee is serving in the case [the debtor must] cooperate with the trustee as necessary to enable the trustee to perform the trustee's duties under this title." Failure to do so could jeopardize your discharge. Your prompt attention to this matter is appreciated.

Very truly yours, \


A. CISNEROS, Chapter 7 Trustee

AMC:dw

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number

FOR COURT USE ONLY

Attorney for Plaintiff

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re:

CHAPTER

CASE NUMBER

Debtor.

ADVERSARY NUMBER

Plaintiff(s).

VS.

Defendant(s).

(The Boxes and Blank Lines below are for the Court's Use Only) (Do Not Fill Them In)

SUMMONS AND NOTICE OF STATUS CONFERENCE

A Status Conference on the proceeding commenced by the Complaint has been set for:

Hearing Date:

Time:

Courtroom:

Floor:

255 East Temple Street, Los Angeles

411 West Fourth Street, Santa Ana

21041 Burbank Boulevard, Woodland Hills

1415 State Street, Santa Barbara

☐ 3420 Twelfth Street, Riverside


JON D. CERETTO

Clerk of the Bankruptcy Court

Date of Issuance:

By: _____
Deputy Clerk

ADVERSARY PROCEEDING COVER SHEET (Instructions on Page 2)		ADVERSARY PROCEEDING NUMBER (Court Use Only)
PLAINTIFFS		DEFENDANTS
ATTORNEYS (Firm Name, Address, and Telephone No.)		ATTORNEYS (If Known)
PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee		PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)		
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)		
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>FRBP 7001(1) – Recovery of Money/Property</p> <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other </div> <div style="width: 48%;"> <p>FRBP 7001(6) – Dischargeability (continued)</p> <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(2) – Validity, Priority or Extent of Lien</p> <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property</div> <div style="width: 48%;"> <p>FRBP 7001(7) – Injunctive Relief</p> <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(3) – Approval of Sale of Property</p> <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)</div> <div style="width: 48%;"> <p>FRBP 7001(8) Subordination of Claim or Interest</p> <input type="checkbox"/> 81-Subordination of claim or interest </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(4) – Objection/Revocation of Discharge</p> <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)</div> <div style="width: 48%;"> <p>FRBP 7001(9) Declaratory Judgment</p> <input type="checkbox"/> 91-Declaratory judgment </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(5) – Revocation of Confirmation</p> <input type="checkbox"/> 51-Revocation of confirmation</div> <div style="width: 48%;"> <p>FRBP 7001(10) Determination of Removed Action</p> <input type="checkbox"/> 01-Determination of removed claim or cause</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(6) – Dischargeability</p> <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny </div> <div style="width: 48%;"> <p>Other</p> <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case) </div> </div>		
<input type="checkbox"/> Check if this case involves a substantive issue of state law		<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23
<input type="checkbox"/> Check if a jury trial is demanded in complaint		Demand \$
Other Relief Sought		

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR Lenny Kyle Dykstra		BANKRUPTCY CASE NO. 1:09-bk18409-GM
DISTRICT IN WHICH CASE IS PENDING Central District of California	DIVISIONAL OFFICE San Fernando Valley	NAME OF JUDGE Geraldine Mund
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISIONAL OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) 		
DATE 6/18/10	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Robert E. Huttenhoff, Esq. Counsel for A. Cisneros, Chapter 7 Trustee	

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not presented by an attorney, the plaintiff must sign.