

1 John D. Fiero (CA Bar No. 136557)
Kenneth H. Brown (CA Bar No. 100396)
2 Miriam P. Khatiblou (CA Bar No. 178584)
Teddy M. Kapur (CA Bar No. 242486)
3 PACHULSKI STANG ZIEHL & JONES LLP
150 California Street, 15th Floor
4 San Francisco, California 94111-4500
Telephone: 415/263-7000
5 Facsimile: 415/263-7010

6 E-mail: jfiero@pszjlaw.com
kbrown@pszjlaw.com
7 mkhatiblou@pszjlaw.com
tkapur@pszjlaw.com

8 Attorneys for Heller Ehrman LLP,
9 Debtor and Debtor in Possession

10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 In re:
14 Heller Ehrman LLP,
15 Debtor.

Case No.: 08-32514

Chapter 11

**NOTICE OF DEBTOR'S MOTION
FOR ORDER AUTHORIZING
DEBTOR TO ASSUME AND ASSIGN
NON-RESIDENTIAL REAL
PROPERTY SUBLEASE WITH
BANKSERV**

Date: May 29, 2009

Time: 10:00 a.m.

Place: U. S. Bankruptcy Court
235 Pine Street, 22nd Floor
San Francisco, CA

Judge: Honorable Dennis Montali

22 **TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY JUDGE,**
23 **THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS, THE OFFICE OF THE**
24 **UNITED STATES TRUSTEE, BANKSERV, INC., D/B/A BANKSERV, AND OTHER**
PARTIES REQUESTING NOTICE:

25 **PLEASE TAKE NOTICE** that Heller Ehrman LLP, the debtor and debtor-in-possession in
26 the above-captioned case (the "Debtor"), has filed *Debtor's Motion for Order Authorizing Debtor to*
27 *Assume and Assign Non-Residential Real Property Sublease with BankServ* (the "Motion"), and
28 additional papers in support thereof.

1 **PLEASE TAKE FURTHER NOTICE** that, by the Motion, the Debtor requests entry of an
2 order, pursuant to section 365 of title 11 of the United States Code, authorizing and approving (i) the
3 assumption of that certain sublease (the “Sublease”), dated as of May 15, 2007, by and between the
4 Debtor, as sublandlord, and Bankserv, Inc., doing business as BankServ, a Nevada corporation, as
5 subtenant, for the entire 26th Floor portion of the commercial office building located at 333 Bush
6 Street in San Francisco, California consisting of approximately 17,866 rentable square feet, and (ii)
7 the assignment of the Sublease by the Debtor to 333 Bush Associates NF L.P., a Delaware limited
8 partnership.

9 **PLEASE TAKE FURTHER NOTICE** that a hearing on the Motion will be held on **May**
10 **29, 2009, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, before the Honorable Dennis
11 Montali, United States Bankruptcy Judge, at the United States Bankruptcy Court located at 235 Pine
12 Street, 22nd Floor, San Francisco, California.

13 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Bankruptcy Local Rule 9014-1(c),
14 any objection to the relief requested in the Motion must be filed with the Court and served upon
15 counsel for the Trustee at least fourteen (14) days prior to the scheduled hearing date for the Motion.
16 Any objection must be accompanied by any supporting declarations or memoranda that the objecting
17 party wishes to present in support of its position. If there is no timely objection, the Court may grant
18 the relief requested in the Motion without further notice.

19
20 Dated: May 1, 2009

PACHULSKI STANG ZIEHL & JONES LLP

21 By /s/ John D. Fiero

22 John D. Fiero
23 Kenneth H. Brown
24 Miriam P. Khatiblou
25 Teddy M. Kapur
26 Attorneys for Heller Ehrman LLP,
27 Debtor and Debtor in Possession
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