

David M. Stern (Cal. Bar No. 67697)
Michael L. Tuchin (Cal. Bar No. 2150375)
Matthew C. Heyn (Cal. Bar No. 227474)
Jonathan M. Weiss (Cal. Bar No. 281217)
KLEE, TUCHIN, BOGDANOFF & STERN LLP
1999 Avenue of the Stars, Thirty-Ninth Floor
Los Angeles, California 90067
Telephone: 310-407-4000
Facsimile: 310-407-9090
Email: dstern@ktbslaw.com
mtuchin@ktbslaw.com
mheyn@ktbslaw.com
jweiss@ktbslaw.com

*Attorneys for R. Todd Neilson, chapter 11 trustee
and GGW Marketing, LLC*

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re

GGW BRANDS, LLC,
GGW DIRECT, LLC,
GGW EVENTS, LLC,
GGW MAGAZINE, LLC and
GGW MARKETING, LLC,

Debtors.

This pleading affects:

All Debtors

GGW Brands, LLC

GGW Direct, LLC

GGW Events, LLC

GGW Magazine, LLC

GGW Marketing, LLC

Case No. 2:13-bk-15130-SK

Jointly Administered

Chapter 11

**ORDER TO SHOW CAUSE WHY
JOSEPH R. FRANCIS AND PERFECT
SCIENCE LABS, LLC SHOULD NOT BE
HELD IN CONTEMPT**

Hearing:

Date: July 10, 2014

Time: 10:00 a.m.

Judge: Hon. Sandra R. Klein

Place: U.S. Bankruptcy Court
255 E. Temple St., Ctrm. 1575
Los Angeles, CA 90012

FILED & ENTERED

JUN 10 2014

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY carranza DEPUTY CLERK

KLEE, TUCHIN, BOGDANOFF & STERN LLP
1999 AVENUE OF THE STARS, THIRTY-NINTH FLOOR
LOS ANGELES, CALIFORNIA 90067
TELEPHONE: 310-407-4000

KLEE, TUCHIN, BOGDANOFF & STERN LLP
1999 AVENUE OF THE STARS, THIRTY-NINTH FLOOR
LOS ANGELES, CALIFORNIA 90067
TELEPHONE: 310-407-4000

On June 2, 2014, GGW Marketing, LLC (“GGW Marketing”) and R. Todd Neilson (the “Trustee”), in his capacity as chapter 11 trustee of the bankruptcy estates of GGW Brands, LLC, GGW Direct, LLC, GGW Events, LLC, and GGW Magazine, LLC (collectively with GGW Marketing, the “Debtors”), filed their *Notice of Motion and Motion For Issuance of Order to Show Cause Why Joseph R. Francis and Perfect Science Labs, LLC Should Not Be Held In Contempt; Declarations of R. Todd Neilson, Matthew C. Heyn, Adam Levin and Tristen Lazareff in Support Thereof* [Dkt. No. 570] (the “OSC Motion”).

The OSC Motion alleges that Joseph R. Francis and Perfect Science Labs, LLC have violated and continue to violate the following orders entered by this Court in the related adversary proceeding styled *Neilson v. Francis*, Adv. Proc. No. 2:13-ap-01468-SK: (i) the *Order Approving Stipulation Resolving Emergency Ex Parte Application to Enforce and, to the Extent Necessary, Clarify and Expand Temporary Restraining Order Specifically Naming Additional Parties* [Adv. Dkt. No. 32] (the “Consent Order”); and (ii) the *Preliminary Injunction* [Adv. Dkt. No. 86] (the “Preliminary Injunction”).

Pursuant to Local Bankruptcy Rule 9020-1(c)(2)(B), Mr. Francis and Perfect Science Labs, LLC are hereby notified that the possible sanctions sought by the OSC Motion include, without limitation, (i) a penalty of \$5,000 per day until the two Vehicles (as defined below) are delivered to the Trustee; and (ii) payment of the Trustee’s attorneys’ fees and costs arising from Mr. Francis’s and Perfect Science Labs, LLC’s contumacious conduct.

The Court, having examined the OSC Motion and the declarations and evidence attached thereto, and no opposition having been filed by Mr. Francis and/or Perfect Science Labs, LLC, has found that (i) cause exists to believe that Joseph R. Francis and Perfect Science Labs, LLC have violated and continue to violate the Consent Order and the Preliminary Injunction; (ii) the Court has jurisdiction over the parties and the subject matter of the OSC Motion; and (iii) due and proper notice of the OSC Motion has been provided. Therefore,

IT HEREBY IS ORDERED:

A. Joseph R. Francis and Perfect Science Labs, LLC (through its authorized and knowledgeable designee) shall appear before this Court at a hearing on July 10, 2014, at 10:00

KLEE, TUCHIN, BOGDANOFF & STERN LLP
1999 AVENUE OF THE STARS, THIRTY-NINTH FLOOR
LOS ANGELES, CALIFORNIA 90067
TELEPHONE: 310-407-4000

1 a.m., (the “Hearing”) at 255 E. Temple Street, Courtroom 1575, Los Angeles, California to show
2 cause, if any, why they should not be held in contempt of Court for the alleged violations of the
3 Consent Order and Preliminary Injunction. Pursuant to Local Bankruptcy Rule 9013-1(i), all
4 parties are notified that the Court may permit any party to submit witness testimony at the
5 Hearing.

6 B. On or before June 19, 2014 at 12:00 noon, Mr. Francis and Perfect Science Labs,
7 LLC shall file and serve a written explanation, if there is an explanation, why they should not be
8 held in contempt of Court for the alleged violations of the Consent Order and Preliminary
9 Injunction. During the Hearing, the Court may treat as true any uncontroverted facts established
10 by declaration and limit testimony to controverted facts only.

11 C. Mr. Francis’s and Perfect Science Labs, LLC’s written explanation shall address
12 the allegation in the OSC Motion that Mr. Francis and Perfect Science Labs, LLC are in
13 continuing violation of Paragraph 15 of the Consent Order and Paragraph 8 of the Preliminary
14 Injunction due to their failure to return to the Trustee two vehicles (together, the “Vehicles”): (i) a
15 2007 Cadillac Escalade with a vehicle identification number (“VIN”) ending 5603, and (ii) a 2012
16 Bentley Flying Spur with a VIN ending 0815.¹

17 D. Mr. Francis’s written explanation also shall address the allegation in the OSC
18 Motion that Mr. Francis violated the Preliminary Injunction by repeatedly entering the Debtors’
19 former office located at 10940 Wilshire Boulevard, Los Angeles, California 90024 (the
20 “Premises”) on May 9, 2014 and May 16, 2014, and, while at the Premises, assaulted, battered,
21 and harassed several individuals.

22 E. If Mr. Francis and/or Perfect Science Labs, LLC files such written explanation, the
23 Trustee may file an optional response on or before June 26, 2014 at 12:00 noon. The Trustee may

24
25 ¹ Paragraph 15 of the Consent Order provides: “In the event the Trustee gives notice of his
26 intent to vacate the Premises, Perfect Science and Mr. Francis shall, upon the actual vacation
27 of the Premises by the Trustee deliver to the Trustee or his designated representative the
28 Vehicles and all keys to the Vehicles.” Paragraph 8 of the Preliminary Injunction provides:
“Each and every provision of the Consent Order is made part of this Preliminary Injunction as
if set forth herein.”

1 submit supplemental evidence of the damages caused by Mr. Francis's and Perfect Science Labs,
2 LLC's alleged violation of the Consent Order and Preliminary Injunction in his optional response
3 or at the Hearing.


4 F. The Trustee shall serve copies of this Order on Mr. Francis and Perfect Science
5 Labs, LLC, in the manner specified in Local Bankruptcy Rule 9020-1(e), **no later than June 11,**
6 **2014 at 5:00 p.m.**

7 G. **No party shall file any additional briefs or evidence, other than those briefs and**
8 **evidence specifically mentioned in this order.**

9 ###

KLEE, TUCHIN, BOGDANOFF & STERN LLP
1999 AVENUE OF THE STARS, THIRTY-NINTH FLOOR
LOS ANGELES, CALIFORNIA 90067
TELEPHONE: 310-407-4000

23 Date: June 10, 2014

24 
Sandra R. Klein
United States Bankruptcy Judge