

NOV 08 2007

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re ANDREW STAFFER,

Debtor:

ANDREW STAFFER,

Appellant,

v.

ROBERT PREDOVICH,

Appellee.

No. 06-55178

D.C. No. CV-05-05005-ABC

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Audrey B. Collins, District Judge, Presiding

Submitted November 6, 2007**
Pasadena, California

Before: B. FLETCHER, REINHARDT, and RYMER, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Andrew Staffer appeals the summary judgment entered in favor of Robert Predovich. We affirm.

The bankruptcy court's decision does not warrant reversal because Predovich was entitled to summary judgment on the merits of his motion. *See Henry v. Gill Industries, Inc. et al.*, 983 F.2d 943 (9th Cir. 1993); *T.W. Elec. Serv., Inc. v. Pacific Elec. Contractors Ass'n*, 809 F.2d 626 (9th Cir. 1987). Predovich's claims against Staffer were non-dischargeable under subsections 523(a)(3),(4), and (6) of the Bankruptcy Code. The bankruptcy court also did not err by denying Staffer oral argument at the June 8, 2005 hearing without advance notice. Staffer failed to file a timely opposition, Local Bankruptcy Rule 9013-1 expressly permits the court to "dispense with oral argument," and Local Bankruptcy Rule 9013-1(a)(14) does not guarantee notice to a party that it will not be permitted oral argument.

AFFIRMED.