

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>MARK S. ROSEN (S.B.N. 72431), Attorney at Law 27281 Las Ramblas, Ste. 200 Mission Viejo, California 92691 Tel: (714) 285-9838 / marksrosen@aol.com</p> <p>VAN T. TRAN (S.B.N. 174264), Attorney at Law 1502 N. Broadway Santa Ana, California 92701 Tel: (949) 260-8404 Fax: (714) 998-4663 tranesq@aol.com</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: DAVID TYLER MOSS and FIDELISSIMU</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION</p>	
<p>In re:</p> <p>BRIAN DENNIS MARTIN</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: Adversary No.6:25-ap-01055-RB CHAPTER: 7</p> <p>NOTICE OF MOTION FOR: MOTION TO MODIFY DISCOVERY PERIOD</p> <p><i>(Specify name of Motion)</i></p> <p>DATE: 01/13/2026 TIME: 2:00 pm COURTROOM: .303 PLACE: 3420 12th Ave., Riverside CA</p>

1. TO (specify name): BRIAN DENNIS MARTIN
2. NOTICE IS HEREBY GIVEN that on the following date and time and in the indicated courtroom, Movant in the above-captioned matter will move this court for an Order granting the relief sought as set forth in the Motion and accompanying supporting documents served and filed herewith. Said Motion is based upon the grounds set forth in the attached Motion and accompanying documents.
3. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.)

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

4. **Deadline for Opposition Papers:** This Motion is being heard on regular notice pursuant to LBR 9013-1. If you wish to oppose this Motion, you must file a written response with the court and serve a copy of it upon the Movant or Movant's attorney at the address set forth above no less than fourteen (14) days prior to the above hearing date. If you fail to file a written response to this Motion within such time period, the court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.
5. **Hearing Date Obtained Pursuant to Judge's Self-Calendaring Procedure:** The undersigned hereby verifies that the above hearing date and time were available for this type of Motion according to the judge's self-calendaring procedures.

Date: 12/16/2025

LAW OFFICE OF MARK S. ROSEN

Printed name of law firm



Signature

MARK S. ROSEN

Printed name of attorney

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

27281 Las Ramblas, Ste. 200 Mission Viejo, California 92691

A true and correct copy of the foregoing document entitled: NOTICE OF MOTION FOR (specify name of motion)
MOTION TO MODIFY DISCOVERY PERIOD

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 12/17/2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below: Lynda T. Bui (TR), trustee.bui@shulmanbastian.com, Paul Y Lee, court@leelawyer.com, United States Trustee (RS), ustpreion16.rs.ecf@usdoj.gov ; xbrianmartinx@gmail.com

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) 12/16/2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Brian Dennis Martin, 941 Cimarron Lane, Corona CA 92879

Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

12/17/2025
Date

PATTIE LIMON
Printed Name

Pattie Limon
Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

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14 Attorneys for Plaintiff DAVID TYLER MOSS and FIDELISSIMUS, LLC

15 **IN THE UNITED STATES BANKRUPTCY COURT**
16 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
17 **RIVERSIDE DIVISION**

18 In Re BRIAN DENNIS MARTIN

19 Debtor,

20 _____
21 DAVID TYLER MOSS and FIDELISSIMUS,
22 LLC,

23 Plaintiffs,

24 vs.

25 BRIAN DENNIS MARTIN,

26 Defendant.
27 _____
28

) Chapter 7

) Case No. 6:25-bk-10944-MH
) Adversary No.6:25-ap-01055-RB

) **MOTION TO MODIFY DISCOVERY**
) **PERIOD**

) **DATE: January 13, 2026**
) **TIME: 2:00 p.m.**
) **COURTROOM: 303**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

1 COMES NOW, David Tyler Moss and Fidelissimus, LLC (“Movant”), who file this Motion to
2 Modify the Discovery Period, and in support thereof would respectfully show the Court as follows:

3
4 **I. BACKGROUND**

- 5 1. This is an adversary proceeding to block discharge of judgments for fraud. The adversary
6 proceeding also contends that the debtor has failed to disclose assets and has concealed them.
7 2. Movant duly issued subpoenas to multiple third-party entities and individuals possessing
8 information material to the issues before this Court, particularly assets that the debtor controls
9 and has hidden from the court. Despite proper service, several of those subpoenas remain
10 unanswered. Motions to compel have been filed or are being prepared to be filed for the
11 following:

12 **YouTube, LLC**

- 13 1. **Google, LLC**
14 2. **Force Media, LLC**
15 3. **Kevin Martin**
16 4. **Carolyn Martin**
17 5. **David Martin**
18 6. **Bitcoin Depot Operating, LLC**
19 7. **Coinbase, Inc.**
20 8. **Cryptobase, LLC**
21 9. **LSGT Services, LLC**
- 22
23 3. Each of the above entities or individuals was properly served with a subpoena pursuant to
24 Fed. R. Civ. P. 45, as incorporated by Bankruptcy Rule 9016, but failed to respond or produce
25 the requested records. Movant has already filed a motion to compel Carolyn Martin (debtor’s
26 mother) to produce documents. That motion is set for January 13, 2026.
27
28

- 1 4. Movant has exercised diligence in pursuing compliance, including correspondence, follow-
2 ups, and formal motion practice, all of which consumed significant time and resources that
3 would otherwise have been directed toward substantive discovery.
- 4 5. In addition, Movant propounded discovery to the debtor. The discovery included requests for
5 admissions, and a request for production of documents. Debtor responded to the discovery on
6 December 12, 2026. There were several objections, and very scant documents were produced.
7 Movant is currently evaluating the responses to determine whether motions to compel will be
8 necessary.

9 **II. GOOD CAUSE FOR EXTENSION**

- 10
- 11 6. Due to the foregoing delays and the time necessary to compel responses from noncompliant
12 parties, Movant has been unable to complete discovery within the current period. The current
13 deadline for discovery is December 31, 2025.
- 14
- 15 7. The cumulative impact of these delays constitutes good cause to extend the discovery period
16 under Fed. R. Civ. P. 16(b)(4), made applicable by Bankruptcy Rule 7016, as Movant has
17 acted diligently and in good faith.

18 **III. RELIEF REQUESTED**

- 19
- 20 8. Movant respectfully requests that the Court amend its current scheduling order to extend the
21 discovery deadline by one-hundred twenty (120) days from the date of entry of the order on
22 this Motion, or such other period as the Court deems just and equitable.

23 **IV. PRAYER**

24

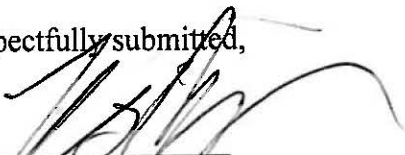
25 WHEREFORE, PREMISES CONSIDERED, Movant respectfully prays that this Court grant this
26 Motion, extend the discovery period as requested, and grant such other and further relief, both at law
27 and in equity, to which Movant may be justly entitled.

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Dated: December 17, 2025

Respectfully submitted,



MARK S. ROSEN
Co-Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2025, a true and correct copy of the foregoing Motion was served upon all counsel of record and parties in this adversary proceeding by CM/ECF electronic filing.



MARK S. ROSEN