

I don't know what happened, but I got several emails only the other day from you all at once, and responded right away.

The last thing I wish to do is ignore this problem.

As have I stated before, Valdejulli withdrew because of a desire to negotiate settlement with the creditors and a requirement they were asking for at the time.

After council withdrew they choose not to negotiate.

Again all requests to your office, to try to sell properties ready for sale, to pay the obligation go un-attended.

I will continue to try and find an attorney that might represent me in this difficult situation.

Claudio.

On 2017-04-10 09:17, Matthews, William D. wrote:

Dear Mr. Avendaño,

I am glad to see that you receive email messages at this email address, as you chose to ignore my previous messages sent to this address for more than a month.

Attached is a copy of the motion filed today to seek authorization to proceed with an ancillary insolvency proceeding in Chile.

Also, if you had to "leave the state" as you indicated in your April 5 message, be advised that you are under a continuing duty to keep the court informed of your current address to receive notices. See Paragraph 7 of the consent motion (executed by you) wherein you authorized your prior attorney to withdraw as your counsel.

Thank you,

**William D. Matthews
Of Counsel**

Arnall Golden Gregory LLP
171 17th Street NW, Suite 2100
Atlanta, GA 30363

p: 404.873.8670 f: 404.873.8671

william.matthews@agg.com | [bio](#) | [linkedin](#) | [vcard](#) | [website](#)

From: claudio@metroecho.com [mailto:claudio@metroecho.com]

Sent: Monday, April 10, 2017 8:58 AM

To: Matthews, William D.

Subject: RE: Claudio Avendaño (Case No. 15-64523-PWB)

On 2017-04-07 16:35, Matthews, William D. wrote:

Dear Mr. Avendaño,

I only started working for your trustee's firm a few months ago. In that time, I have reviewed your file and have seen what has gone on prior to now. You have had counsel before, elected to proceed pro se, **Valdejulli stopped working on the case, he withdrew only so I could negotiate settlement with creditor.**

[See Doc 139](#)

Numbers 41 to 50

and had your case converted back and forth between Chapter 13 and Chapter 7 when you failed to comply with your duties and representations to the Court as a Chapter 13 debtor.

Originally I did make the mistake of filing a Chapter 7, but quickly hired Valdejulli, and the case was converted to Chapter 13. I was told to sell property quickly to cure the default and went to Chile and did so. Although having sufficient prior knowledge, my attorney did not file what was required for these sales, and although payments were made as requested, under pressure from creditors the case was converted back to a Chapter 7.

[See Doc 120](#)

Numbers 12 to 20

I will not engage with you in your efforts to further delay the inevitable.

Quite the contrary, I do not wish to delay but rather sell the properties in Chile and pay obligations as quickly as possible. This has always been my goal. I have sales pending in Chile and have requested several times an opportunity to sell these properties to settle this matter. The sale of the property, 155 Liberty road, was done at the will of the creditors to relations of the creditors at a price far below its real value. The two businesses of mine that were in the property were lost. FROM THE START OF MY FILING ALL I WISHED TO DO WAS TO PAY MY OBLIGATIONS.

I have tried several times to communicate with the court and trustee my desire to execute the pending sales in Chile with no reply.

I still just wish to pay what is due. How much needs to be paid? Is it possible that we start with what is due then arrange to sell the amount of properties in Chile to pay this amount?

I will proceed to seek authority for special counsel in Chile to file an ancillary insolvency proceeding there that will be related to your United States bankruptcy case and that will permit the lots in Chile to be sold for the benefit of the creditors in your United States Chapter 7 case. If there are any tax issues, I am sure our special counsel in Chile can advise the trustee on behalf of your bankruptcy estate as to how such issues can be handled. The lots in Chile will be sold for the benefit of your creditors one way or another.

We regret that you have remained unwilling to cooperate with the trustee and execute the necessary documents to enable the process to be handled more expeditiously and at a much reduced cost.

I am not unwilling, rather wish to cooperate. I do not wish to sell the properties for nothing, and only for the purpose to elevate fees to the trustee and others as was the case in the last sale, the 155 Liberty Road property.

There must be an understanding as to legal fees, otherwise delays would continue and fees would increase, ending only when all of the estate has been converted into fees.

There are sales ready to sell now in Chile, could we proceed with a specific power of attorney to sell only properties to pay a certain amount of debt.

Otherwise the process in a Chilean court, as costly and absurd as that may be, would be the safest way to save what little is left of this estate.

Please let me know how you wish to proceed.

**William D. Matthews
Of Counsel**

Arnall Golden Gregory LLP
171 17th Street NW, Suite 2100
Atlanta, GA 30363
p: 404.873.8670 f: 404.873.8671
william.matthews@agg.com | [bio](#) | [linkedin](#) | [vcard](#) | [website](#)

From: claudio@metroecho.com [<mailto:claudio@metroecho.com>]

Sent: Wednesday, April 05, 2017 8:11 PM

To: Matthews, William D.

Subject: Re: FW: Claudio Avendaño (Case No. 15-64523-PWB)

I had to leave the state because of the actions caused by this case, and it's participant creditors.

I will fill you in later on the circumstances of my situation, as it is particularly more difficult now for me to deal with this issue.

I have clearly found I am incompetent to deal with this case pro se.

I do not have an attorney, have not been able to find one, and am looking for one in Chile.

I have tried to pay the amount due, but Neil Gordon has never responded.

What is the amount you require to pay in order to close this case? The only point of further action is to generate legal fees for Mr. Gordon.

I believe that this case in Chile can not proceed because U.S. law requires tax returns to have been filed prior to the bankruptcy filing.

If you proceed with this activity it will fail for several other reasons in Chile, and would only be a further waste of the estate.

Sincerely,
Claudio Avendano

On 2017-04-04 18:05, Matthews, William D. wrote:

Dear Mr. Avendaño,

Below is my message to you from March 3. Attached are the documents that were attached to that message. If you decline to cooperate with this procedure to get the properties in Chile sold, we will have no choice but to seek authority to ask our attorneys in Chile to file what is called an ancillary insolvency proceeding in Chilean court that will be connected to your bankruptcy case here in the United States.

William D. Matthews
Of Counsel

Arnall Golden Gregory LLP
171 17th Street NW, Suite 2100
Atlanta, GA 30363

p: 404.873.8670 f: 404.873.8671

william.matthews@agg.com | [bio](#) | [linkedin](#) | [vcard](#) | [website](#)

From: Matthews, William D.

Sent: Friday, March 03, 2017 5:39 PM

To: 'claudio@metroecho.com'

Cc: Gordon, Neil C.; 'Roberto Villaseca'; Ricardo Reveco; Antonella Oberti; Jaime Puyol

Subject: Claudio Avendaño (Case No. 15-64523-PWB)

Dear Mr. Avendaño,

My name is William Matthews. I am an attorney working for the Trustee, Neil Gordon, in your bankruptcy case.

As you are aware, the Trustee has employed the firm of Carey y Cía in Chile as special counsel to assist in selling your real estate (lots) located in La Higuera. At the firm of Carey y Cía, our main contacts are Roberto Villaseca, Ricardo Revecó, Antonella Oberti, and Jaime Puyol. They are copied with this message. A copy of the bankruptcy court's order approving employment of the firm as special counsel is attached.

The firm of Carey y Cía has prepared the attached Power of Attorney which will enable the firm to proceed to sell the lots in Chile. I believe that you have previously advised the Trustee that you will be willing to cooperate to execute such a document or any other documents as may be needed to allow the properties in La Higuera to be marketed and sold on behalf of your bankruptcy estate. Please advise if you remain willing to cooperate. If so, we will need to coordinate arrangements for your travel to the Chile consulate in Miami so that the document can be executed in the presence of consul. Roberto Villaseca or one of his associates or assistants at Carey y Cía can coordinate with you to schedule your trip to the consulate. We will also need to obtain authority from the bankruptcy court for the bankruptcy estate to pay for your round-trip flight to Miami, reasonable costs between the Miami airport to and from the consulate, and reasonable costs to and from your home to the Atlanta airport.

Carey y Cía has also prepared a separate Power of Attorney that would mandate them to destine the proceeds to the bankruptcy estate, which needs to be signed separately. Please let all of us know if you remain willing to execute the documents needed to sell the lots you own in Chile (as you previously advised), and Carey y Cía attorneys and assistants can begin to coordinate with you and the consulate to arrange your travel and to schedule a meeting at the consulate.

Thank you,

William D. Matthews
Of Counsel



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