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3 UNITED STATES BANKRUPTCY COURT
4 EASTERN DISTRICT OF CALIFORNIA
5 SACRAMENTO DIVISION
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8 In re:)
9) Case No. 00-26624-B-11
10 McLaren/Hart Inc.) Docket Control No. FWP-68
11 Debtor.) Date: January 23, 2007
12) Time: 9:30 a.m.

13 On or after the calendar set forth above, the court issued
14 the following ruling. The official record of the ruling is
appended to the minutes of the hearing.

15 Because the ruling constitutes a "reasoned explanation" of
16 the court's decision under the E-Government Act of 2002 (the
"Act"), a copy of the ruling is hereby posted on the court's
17 Internet site, www.caeb.uscourts.gov, in a text-searchable
format, as required by the Act. However, this posting does not
18 constitute the official record, which is always the ruling
appended to the minutes of the hearing.

19 **DISPOSITION AFTER ORAL ARGUMENT**

20 The motion is denied. First, the motion fails to cite any
21 legal authority other than Rule 36 of the Federal Rules of Civil
22 Procedure. More importantly, there is no case or controversy.
23 Federal Rule of Civil Procedure 36(a), made applicable by
24 Bankruptcy Rule 7036, which governs requests for admission, is
25 self-executing. Pursuant to the Fed. R. Civ. P. 36(a), "[e]ach
26 matter of which an admission is requested . . . is admitted
27 unless, within 30 days after service of the request," or such
28 other time as may be agreed upon by the parties or ordered by the

1 court, the respondent party serves on the requesting party "a
2 written answer or objection addressed to the matter." No motion
3 to deem requests for admission admitted is required or authorized
4 by the Rule 36 or Rule 37(a)(2), nor has the plan administrator
5 alleged that anyone contends that the unanswered requests for
6 admission propounded here are not deemed admitted.